

An
Coimisiún
Pleanála

Commission Order
ABP-321990-25

Planning and Development Act 2000, as amended

Planning Authority: Kerry County Council

Planning Register Reference Number: 04/2024/254

Appeal by Cignal Infrastructure Limited against the decision made on the 28th day of January, 2025 by Kerry County Council to refuse permission.

Licence application: Licence application for the overground electronic communications infrastructure on public grass verge along the Bracker O'Regan Road, Lisloose, Tralee, County Kerry.

Decision

In exercise of the powers conferred on it under section 254 of the Planning and Development Act 2000, as amended, An Coimisiún Pleanála directs the planning authority to GRANT a licence based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to:

- (a) the provisions of section 254 of the Planning and Development Act 2000, as amended,
- (b) the applicant's justification for telecommunications infrastructure on this site and the strategic and locational advantage for delivering digital connectivity for the town of Tralee, a designated key town for County Kerry,
- (c) the Telecommunications Antennae and Support Structures Guidelines for Planning Authorities issued by the Department of the Environment and Local Government in July 1996, as updated by Circular Letter PL 07/12, and
- (d) the relevant policies and objectives of the Kerry County Development Plan 2022-2028, specifically Objectives TR8 and KCDP 14-79, the overall design of the infrastructure, and its minimal impact, as demonstrated in the submitted photomontages,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not have a significant negative visual impact on the residential amenities or the public realm of Tralee, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Commission considered that the proposed development is a project for the purposes of the Environmental Impact Assessment Directive. However, the Commission concluded that the proposed development does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 to the Planning and Development Regulations 2001, as amended, and, therefore, no preliminary examination, screening for environmental impact assessment, or environmental impact assessment is required.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or within the curtilage of the site without a prior grant of planning permission.

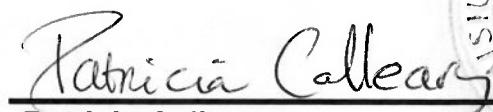
Reason: In the interest of the visual amenities of the area.

3. Details of the proposed colour scheme for the pole, antennas, and equipment containers shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

4. In the event of the telecommunications structure and ancillary structures hereby permitted ceasing to operate for a period of three months, the structures shall be removed, and the site shall be reinstated within three months of their removal. Details regarding the removal of the structures and the reinstatement of the site shall be submitted to, and agreed in writing, with the planning authority within three months of the structures ceasing to operate, and the site shall be reinstated in accordance with the agreed details at the developer's expense.

Reason: In the interest of the visual amenities of the area.



Patricia Calleary

Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.

Dated this 23rd day of January 2026.