



An  
Coimisiún  
Pleanála

**Commission Order  
PL-500144-KY**

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**Planning and Development Act 2000, as amended**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 25/68**

**Appeal** by Patrick and Siobhan Mangan and others against the decision made on the 29<sup>th</sup> day of September, 2025 by Kerry County Council to grant, subject to conditions, a permission to National Space Centre Limited in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a proposed perimeter fenced enclosure to facilitate five number satellite dish antennas, with a maximum height of 3.6 metres, and one number control panel, with vehicle and pedestrian gates and all associated ancillary site works at Ballydwyer, Ballymcelligot, Tralee, County Kerry, as amended by the further public notices received by the planning authority on the 18<sup>th</sup> day of August, 2025 and the 2<sup>nd</sup> day of September, 2025.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## Reasons and Considerations

The Commission made its decision consistent with:

- the Climate Action and Low Carbon Development Act 2015, as amended;
- the Climate Action Plan 2024 and Climate Action Plan 2025.

Having regard to the Telecommunications Antennae and Support Structures Guidelines (1996), as revised by Circular Letter PL 07/12, and Section 14.9 (Volume 1) of the Kerry County Development Plan 2022-2028, to the design, scale and limited height of the proposed development and to the documentation submitted by the applicant, it is considered that, subject to compliance with the conditions set out below, the proposed development would contribute to the roll out of broadband services in accordance with national, regional and local objectives including KCDP 14-71 and KCDP 14-73 of the Kerry County Development Plan 2022-2028, would not seriously injure the visual or residential amenities of the area and would be acceptable in terms of traffic safety and convenience. Accordingly, the proposed development would comply with further objectives KCDP 14-79 and KCDP 14-80 (Volume 1) and Section 1.14.1 (Volume 6, Appendix 1) of the Kerry County Development Plan 2022-2028. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Commission considered that the 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 development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 1<sup>st</sup> day of August 2025, 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 development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Landscaping and biodiversity enhancement measures of the site shall be carried out in accordance with the detailed requirements of the planning authority, which shall be agreed with the planning authority prior to commencement of the development.

**Reason:** In the interests of biodiversity and visual amenity.

3. Prior to commencement of development, the developer shall submit lighting details to the planning authority for written approval. Any lighting shall be directed and cowled such as to reduce, as far as possible, light scatter over public roads and adjoining lands.

**Reason:** In the interests of traffic safety and public amenity.

4. Drainage arrangements shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interests of public health and surface water management.

5. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

6. A Construction and Environmental Management Plan (CEMP) shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The Construction and Environmental Management Plan shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

**Reason:** In the interest of environmental protection.

7. Prior to the commencement of development, the developer shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The Resource Waste Management Plan shall include specific proposals as to how the Resource Waste Management Plan will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The Resource Waste Management Plan shall be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all

resources) pursuant to the agreed Resource Waste Management Plan shall be made available for inspection at the site office at all times.

**Reason:** In the interest of proper planning and sustainable development.

8. No advertisement or advertisement structure shall be erected or displayed on the proposed structures or its appendages or within the curtilage of the site.

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

9. In the event of the telecommunications structures and ancillary structures, and access road provided to serve the telecommunications structures and ancillary structures, hereby permitted ceasing to operate for a period of six months, the structures and access road shall be removed and the site shall be reinstated within three months of their removal. Details regarding the removal of the structures and access road and the reinstatement of the site shall be submitted to, and agreed in writing, within seven 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.

  
MaryRose McGovern

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate  
the seal of the Commission.

Dated this 12<sup>th</sup> day of February 2026.

