



An
Bord
Pleanála

Board Order 93.RL.3453

Planning and Development Acts 2000 to 2018

Planning Authority: Waterford City and County Council

Planning Register Reference Number: D5/201525

WHEREAS a question has arisen as to whether the erection of an 80 metre meteorological mast at Ballintaylor, County Waterford is or is not development or is or is not exempted development:

AND WHEREAS Blackwater Valley Alliance care of Ivor Fitzpatrick and Company Solicitors of 44-45 Saint Stephen's Green, Dublin requested a declaration on this question from Waterford City and County Council and the Council issued a declaration on the 14th day of December, 2015 stating that the matter is development and is exempted development:

AND WHEREAS Blackwater Valley Alliance referred this declaration for review to An Bord Pleanála, on the 18th day of January, 2016:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to

- (a) Section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) Section 3(1) of the Planning and Development Act, 2000, as amended,
- (c) Section 4(1)(a) of the Planning and Development Act, 2000, as amended,
- (d) Article 6(1) and Article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (e) Parts 1 and 3 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (f) the planning history of the site and the provisions of the current Waterford County Development Plan, and
- (g) the pattern of development in the area:

AND WHEREAS An Bord Pleanála has concluded that:

- (a) the site is not in an area designated for protection in the current Waterford County Development Plan and is not within sight of a designated scenic route or view or prospect, and
- (b) there would be no significant effects on any designated European Site:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by Section 5(3)(a) of the Planning and Development Act, 2000, as amended, hereby decides that the erection of an 80 metre meteorological mast at Ballintaylor, County Waterford is development and is exempted development.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019