



An
Bord
Pleanála

Inspector's Report ABP-303784-19

Development	To erect 30m high multi-user telecommunications lattice mast together with associated antenna, dishes and ground-based equipment (overall height 17.5m) and associated equipment.
Location	Curragh, Co. Kildare
Planning Authority	Kildare County Council
Planning Authority Reg. Ref.	18/434
Applicant(s)	Vodafone Ireland Ltd.
Type of Application	Permission.
Planning Authority Decision	Refuse permission
Type of Appeal	First Party
Appellant(s)	Vodafone Ireland Ltd.
Observer(s)	None.
Date of Site Inspection	02/05/2019.
Inspector	Auriol Considine

1.0 Site Location and Description

- 1.1. The proposed development site is located just off Exit 12 northbound on the M7 at the Curragh in Co. Kildare. The site is located across the road from the Horse Racing Ireland building and Ballymany House to the south east, with Ballymany Stud located to the north east. The site lies to the north east of the roundabout that provides access to the Curragh Racecourse, located to the west of the site.
- 1.2. The wider area includes a number of uses including equine related agriculture, transitioning to urban towards the north east and the town of Newbridge. The site the subject of this appeal has a stated area of approximately 59m² and is currently occupied by an existing Vodafone mast and compound, all of which is enclosed by an existing fence. There is an existing small building on the site which houses existing equipment associated with the existing 15m high mast.

2.0 Proposed Development

- 2.1. Permission is sought for the construction of a 30m high multi-user telecommunications lattice mast together with associated antenna, dishes and ground-based equipment (overall height 17.5m) and associated equipment, all at Curragh, Co. Kildare.
- 2.2. The development will include the replacement of an existing 15m high mast with the taller mast and it is submitted that the higher mast is required in order to replace a recently decommissioned 33m high mast as part of the redevelopment of the Curragh Grandstand to the west of the site.
- 2.3. The application includes the relevant plans and particulars, as well as the following
 - A covering letter and planning report.
 - Plans and particulars
 - Photomontages

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to refuse permission for the proposed development for the following three reasons:

1. The proposed development, by reason of its proximity to the Curragh, an open landscape of unique sensitivity and to the height, scale and bulk of the structure, without any screening, would materially contravene Policy CU1 of the Kildare County Development Plan 2017-2023 which seeks to 'restrict development at the edge of the Curragh or where it obtrudes on the skyline as viewed from the Curragh Plains and to avoid the overdevelopment of the edge of the Curragh'. The proposed development would therefore materially contravene the provisions of the Plan, would set an undesirable precedent for similar development in proximity to the Curragh, and accordingly would be contrary to the proper planning and sustainable development of the area.
2. Having regard to the proximity of the subject site to the Curragh Plains, it is considered that the proposed development would materially contravene the provisions of the Kildare County Development Plan 2017-2023, specifically LA2, which seeks 'to protect and enhance the county's landscape by ensuring that development retains, protects and enhances the appearance and character of the existing local landscape' and Policy CU4 which seeks to 'restrict the development of vertical structures within the Curragh Plains.... And which disrupts the open nature of the plains'. The proposed development comprises a vertical structure extremely close to the Curragh Plains, would obtrude on the skyline and fails to protect and enhance the appearance and character of the existing local landscape. Accordingly, the proposed development would materially contravene the provisions of the Plan, and therefore would be contrary to the proper planning and sustainable development of the area.
3. It is the policy of the Kildare County Development Plan 2017-2023 to protect scenic views and routes within the County and in particular, Policy SR1: 'protect views from designated scenic routes by avoiding any development

that could disrupt the vistas or disproportionately impact on the landscape character of the area, thereby affecting the scenic and amenity value of the views'. The proposed development, by reason of its height, scale, bulk and prominent location adjacent to the noted Scenic Routes No. 3, along the M7 and No.4, along the R413 as identified in the Plan, would contravene Policy SR1 of the Plan, would be highly visible on the approach to the Curragh Racecourse from the towns of Newbridge and Kildare and therefore would seriously injure the visual amenities of the area. Accordingly, the proposed development would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The planning Report formed the basis for the Planning Authority decision to refuse permission. The report notes the submissions and observations made in relation to the proposed development, as well as the relevant policy requirements. The report recommends that permission be refused.
- The report included screening for Appropriate Assessment which concluded that there is no potential for significant effects arising from the proposed development.

3.2.2. Other Technical Reports

Municipal District Engineer: No objection subject to conditions

Water Services: No water element

Roads & Transportation: No objection

Environment Section: No objection

EHO: No objection

Heritage Officer: The proposed mast is significantly higher than the existing mast and will have a negative impact on the amenity value of the Curragh. It is recommended that permission be refused.

3.3. Prescribed Bodies

Department of Defence: the site is located on the edge of the Curragh of Kildare which is State owned land vested in the Minister of Defence. The DoD objects to the proposed development owing to concerns surrounding state security as follows:

- The Defence Forces Training Centre, Curragh Camp are concerned as to the effects of the development on essential communications infrastructure within the camp. There is insufficient information on file to assess potential issues.
- Further information is required in relation to the radiated power from the mast, operational frequency bands and whether the mast provides a microwave back haul link.
- If permission is granted, conditions are recommended.
- Observations raised in relation to the accessibility to and clarity of the application documents on the Kildare Co. Co. website.

3.4. Third Party Observations

None

4.0 Planning History

There is no recent planning history pertaining to this site.

The Kildare County Council Planning Report identifies a number of planning applications relating to the construction, and retention, of telecommunications masts in and around the Curragh area, including a number of permissions in Newbridge. I have included a map identifying the location of existing masts within 10km of the subject site. The following are of note:

PA ref 17/395: Permission refused for the construction of a new replacement 36m high mast at the Curragh Racecourse.

The Board will note that a temporary mast was erected to the west of the grandstand of the racecourse during the re-development of the Curragh, without the benefit of planning permission.

ABP ref ABP-301877-18 (PA ref 18/397): Permission granted for the construction of a 30m high mast at IDA Business Park, Green Road, Newbridge.

PA ref 18/1091: Permission granted for a 30m high mast at Hillsborough, Newbridge.

5.0 Policy Context

5.1. National Policy

5.1.1. Telecommunications Antenna and Support Structures – Guidelines for Planning Authorities 1996.

The aim of the “Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, 1996” is to offer general guidance on planning issues so that the environmental impact is minimised, and a consistent approach is adopted by the various planning authorities.

Section 4.3 of the Guidelines states with respect to Visual Impact:

Some masts will remain quite noticeable in spite of the best precautions. The following considerations may need to be taken into account:

- Along major roads or tourist routes, or viewed from traditional walking routes, masts may be visible but yet are not terminating views. In such cases it might be decided that the impact is not seriously detrimental
- Similarly along such routes, views of the mast may be intermittent and incidental, in that for most of the time viewers may not be facing the mast. In these circumstances, while the mast may be visible or noticeable, it may not intrude overly on the general view or prospect
- There will be local factors which have to be taken into account in determining the extent to which an object is noticeable or intrusive – intermediate objects (buildings or trees), topography, the scale of the object in the wider

landscape, the multiplicity of other objects in the wider panorama, the position of the object with respect to the skyline, weather and lighting conditions, etc.

5.2. Development Plan

5.2.1. The Kildare County Development Plan 2017-2023, is the relevant policy document pertaining to this appeal.

5.2.2. Chapter 8 of the plan deals with Energy & Communications, with section 8.13 relating to Telecommunications and Infrastructure. The relevant policies are contained within this section. The Plan submits that ‘free-standing masts should be avoided in the immediate surrounds of small towns and villages. In the vicinity of larger towns communications providers should endeavour to locate infrastructure in industrial estates or on industrial zoned land’.

5.2.3. The Plan notes the importance of the development of such infrastructure as a key component of future economic prosperity and social development. In addition, the following policies are considered relevant:

TL 8: Minimise the number of masts and their visual impact on the environment, by continuing to facilitate appropriate development in a clustered manner, where feasible, respecting the scale, character and sensitivities of the local landscape, whilst recognising the need for economic activity within the county. It will be a requirement for applicants to satisfy the planning authority that a reasonable effort has been made to share installations. In situations where it is not possible to share a support structure, applicants should be encouraged to share a site or to locate adjacently so that masts and antennae may be clustered.

TL 9: Minimise the provision of overground masts and antennae within the following areas:

- Areas of high amenity/sensitive landscape areas (refer to Chapter 14);
- Areas within or adjoining the curtilage of protected structures;
- On or within the setting of archaeological sites.

- 5.2.4. Chapter 14 refers to Landscape, Recreation and Amenity. The subject site is located within the Central Undulating Lands and Table 14.2 of the Plan advises that this landscape character area is a Class 1 - Low Sensitivity landscape character area. Such Landscape Character Areas are described as 'Areas with the capacity to generally accommodate a wide range of uses without significant adverse effects on the appearance or character of the area'.
- 5.2.5. The subject site does however, lie in very close proximity to The Curragh, which is noted as being Class 5 landscape with 'Unique' sensitivity. This landscape is described as 'Areas with little or no capacity to accommodate uses without significant adverse effects on the appearance or character of the landscape having regard to unique and special sensitivity factors'. The site is also in very close proximity to a number of scenic routes and lies within the 300m proximity assigned by the Development Plan in terms of sensitivity factors associated with natural grasslands and scenic routes. While Telecommunication masts are not identified within the Table 14.4 land uses considered, it is noted that urban expansion and industrial projects are noted as being 'compatible only in exceptional circumstances' in the context of the Curragh, natural grasslands, and the scenic routes.
- 5.2.6. Section 14.5 of the Plan deals with Areas of High Amenity, and Section 14.5.1 deals with the Curragh and Environs. The plan notes that The Curragh, located between Newbridge and Kildare Town, is the largest area of unenclosed natural grassland in the country and provides a valuable amenity area for the surrounding towns of Kildare, Newbridge and Kilcullen. It is also described as 'a unique national asset from the point of view of landscape and geomorphology' and that 'extensive views can be obtained from the south-east of the site, at St. Ledgers Bottoms, around much of the perimeter of the site.' The Plan also notes that 'The Curragh is of conservation value for a number of reasons. It is most unusual in an Irish and European context, in that it is an extensive open plain area of lowland acidic grassland, succeeding to dry heath in places.'
- 5.2.7. Section 14.8 of the Plan deals with policies and objectives, with section 14.8.1 dealing with General Landscape and Section 14.8.6 dealing with The Curragh and Environs. The following policies are considered relevant in this context:

- LA 1: Ensure that consideration of landscape sensitivity is an important factor in determining development uses. In areas of high landscape sensitivity, the design, type and the choice of location of proposed development in the landscape will also be critical considerations.
- CU1: Restrict development, particularly on the Curragh edge, or where it obtrudes on the skyline as viewed from the Curragh Plains and to avoid the over development of the edge of the Curragh.
- CU4: Restrict the development of vertical structures within the Curragh Plains including advertising signs, hoardings, fencing etc. which create visual clutter and disrupt the open nature of the Plains.
- Objective LO5: Preserve the character of all important views and prospects, particularly upland, river, canal views, views across the Curragh, views of historical or cultural significance (including buildings and townscapes) and views of natural beauty.

Objective LO6: Preserve and protect the character of those views and prospects obtainable from scenic routes identified in this Plan, listed in Table 14.5 and identified on Map 14.3.

5.2.8. Chapter 17 refers to Development Management Standards. Section 17.11.3 of Chapter 17 refers to Telecommunications and Supporting Infrastructure. This section provides applicants with a list of information which must accompany planning applications, including: details of significance to the network, reasons why coverage cannot be provided by existing antennae, details of efforts made to share, consideration of alternative sites, and visual impact assessment.

5.2.9. In addition to the above, the Plan requires that the Council, when evaluating planning applications for the provision of such infrastructural installations, ensures the preservation of residential and visual amenity and that developments are sited so as not to cause a negative impact on the special character and appearance of designated conservation areas, protected structures and sites of archaeological importance. Only as a last resort will masts be permitted within or in the immediate surrounds of smaller towns or villages and in the vicinity of larger towns, operators are encouraged to locate in industrial estates or on industrially zoned land. In rural

areas, the visual absorption opportunities provided by existing topography and vegetation should be taken into account.

5.3. Natural Heritage Designations

The subject site is not located within any designated Natura 2000 site, but lies within the Curragh (Kildare), pNHA Site Code 000392. The Pollardstown Fen SAC, Site Code 000396, lies approximately 1.2km to the north of the subject site.

5.4. Environmental Impact Assessment

Having regard to nature of the development comprising a telecommunications structure and ancillary development, together with the fact that the development is for the replacement of infrastructure within a brownfield site, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

This is a first appeal against the decision of the Council to refuse permission for the proposed mast. The grounds of appeal are summarised as follows:

- The proposed development is of strategic or national importance.
- There are conflicting objectives in the development plan, or the objectives are not clearly stated in so far as the proposed development is concerned.
- The development should be granted having regard to the regional spatial and economic strategy for the area.
- The proposed development is for a replacement mast which was situated at Curragh and Loughbrown. This 33m mast was decommissioned in March 2017 under instruction from the property owners to facilitate the overall Curragh redevelopment.

- The new structure will provide multi-operator coverage and capacity to users of the Curragh facility, to residents and businesses there and to the network of roads in the area.
- The loss of the decommissioned mast has had a significant negative effect on call coverage capacity, quality and stability in the Curragh area.
- The additional height from the existing mast on site – 15m – is required to accommodate multiple operators, to allocate a 3m section of tower to each operator and the site level between the decommissioned mast and the proposed site is -20m which requires the new mast to be substantially taller than the decommissioned mast.
- The appeal submits an assessment discounting the existing structures in the area.
- In terms of the visual assessment and montages submitted, it is submitted that it is not possible to hide the structure but that there are a multitude of power lines, lighting poles, advertising hoardings, road signage displays that help to integrate the proposed structure into the surroundings.
- It is submitted that the proposed development is supported by Kildare County Council policy with regard to Telecommunications and Broadband. In addition, the submission seeks to address landscape policies noting that while the Curragh enjoys the highest level of landscape protection in the County, the structure is proposed to replace a previously permitted 33m mast.
- The proposed development is supported by regional and national policy.

In terms of the reasons for refusal, the appeal submits as follows:

- The Curragh has been development through the years and there is not a blanket ban on development. The application is seeking a like for like replacement mast. Policy CU1 of the Plan offers no prospect to telecommunications operators, of satisfactorily providing replacement coverage and broadband coverage to the Curragh.
- The proposed development seeks to reuse an existing mast site and replace an existing vertical structure with a new vertical structure.

- The mast will have a negligible impact on the nearby scenic routes and as the site is located remotely from the Curragh Racecourse, this is advantageous from a visual amenity viewpoint.

Other Comments:

- The submission seeks to address the concerns raised in the Kildare County Council planning report including issues raised in relation to the consideration of alternative sites.
- In relation to the submission from the Department of Defence, it is submitted that the applicant has no objection to complying the DoD requests.

6.2. Planning Authority Response

The Planning Authority has responded to this appeal and the response is summarised as follows:

- Due regard was had to national and regional guidance as well as local policy.
- In relation to the submission on alternative sites, it is noted that the applicant has not made any attempt to provide an alternative design approach and that the proposed standard lattice mast will be highly visible in either of the previously refused and the proposed sites, both being prominent locations adjacent to the Curragh.
- The fact remains that the Curragh is a landscape renowned nationally for its open flat plains and associated character.
- A different design approach can be applied successfully in sensitive landscape and the Boards attention is drawn to a number of photos of examples where masts have been disguised around the country.
- The doubling of the height of the existing mast will excessively break the skyline in an area specifically protected by a policy which seeks to restrict vertical structures and is wholly unacceptable to the Council.
- It remains the opinion of the Council that the development will negatively impact on the landscape and is therefore unacceptable.

- The existing mast on the site is absorbed into the existing infrastructure but the proposed mast would extend far beyond the limits of same and would obtrude on the skyline.

The submission concludes that the PA is open to the principle of the mast at this site subject to an alternative design and are of the opinion that alternative locations are available and more suitable in close proximity to the Curragh.

6.3. First Party Response to Council Submission

In response to the Councils submission to the First Party Appeal, the appellants response is summarised as follows:

- All national operators have encountered great and persistent difficulties in securing a replacement mast of the 33m decommissioned mast within the Curragh environs.
- While the use of masts disguised as trees is an innovative means of providing coverage in visually sensitive areas, these structures are not panaceas and their range of use is significantly more limited than that of a standard lattice mast structure.
- Non-standard telecommunications mast designs are not fit for purpose in the given situation.
- The applicant is prepared to accept a limited lifetime permission of not less than 15 years to balance out all interests on condition that it shall have the opportunity to apply for continuation of use prior to expiry of the permission.

6.4. Observations

There are no observations noted.

7.0 Assessment

Having regard to the nature of the proposed development, together with the information presented in support of the proposed development, I consider it appropriate to assess the proposal under the following headings:

1. Principle of the proposed development & compliance with the Development Plan
2. Impact on Visual Amenities & The Curragh
3. Appropriate Assessment

7.1. Principle of the proposed development & compliance with the Development Plan.

7.1.1. The proposed development seeks to erect a 30m high lattice structure to carry telecommunications equipment. The proposed structure will replace an existing 15m structure which currently occupies the site, just off Exit 12 on the M7 Motorway at the Curragh, Co. Kildare. The site lies outside the development boundaries and zoned lands associated with the town of Newbridge, and in close proximity to the Class 5 Landscape area of the Curragh.

7.1.2. Chapter 8 of the Kildare County Development Plan 2017 deals with Energy & Communications, with Section 8.13 dealing with Telecommunications and Infrastructure. The Plan notes the importance of the development of TE infrastructure in terms of future economic prosperity and social development but also requires that the number of masts, and their visual impact on the environment should be minimised and sharing of existing structures should be encouraged. The Plan further provides guidance in terms of preferred locations for such infrastructure in larger towns encouraging the use of industrial estates or on industrial zoned land. I note that the closest suitably zoned land is approximately 1km to the east and that permission has been granted for a mast within the IDA Business Park in Newbridge. In addition, the Plan seeks to minimise the provision of masts within areas of high amenity and sensitive landscape areas.

7.1.3. In this regard, it may be considered that the proposed development does not accord with the stated policy requirements of the County Development Plan in principle as it relates to the provision of telecommunications infrastructure. However, given that there is existing telecommunications infrastructure on the site, I consider it reasonable to accept the principle of the redevelopment of the site.

7.2. Impact on Visual Amenities & The Curragh

7.2.1. The Board will note that the primary reasons for refusal for the proposed development relate to the visual impacts associated with the 30m mast on the Class 5 landscape of the Curragh, a unique national asset from the point of view of landscape. I also note the stated policy objectives of the County Development Plan to protect such landscapes where it is considered that the Curragh is an area 'with little or no capacity to accommodate uses without significant adverse effects on the appearance or character of the landscape having regard to unique and special sensitivity factors'. I also note that the subject site is located in proximity to a number of designated scenic routes.

7.2.2. Table 14.4 of the Plan considers the compatibility of developments on specific landscapes and I would note that the proposed development, as an industrial installation, is considered as being 'compatible only in exceptional circumstances' in the context of the Class 5 Landscape, The Curragh, natural grasslands, and the scenic routes. The subject site is, however, located within a Class 1 landscape adjacent to the Curragh. Section 14.8 of the Plan deals with policies and objectives relating to the landscape and I note a number of key policies which seek to restrict the vertical structures and developments which obtrude skylines as viewed from the Curragh Plains, as well as protecting the wider landscape.

7.2.3. In terms of the above, the Board will note that the subject site is already occupied by a telecommunications mast and associated infrastructure. The existing mast rises to 15m and therefore, does not obtrude on the skyline when viewed from the west and within the Curragh Plains. In their submission, the First Party has advised regarding the constraints of the existing installation and I have noted the technical justification arguments submitted to support the proposed development at the subject site.

7.2.4. I also note the planning history of the wider area and also note that the existing masts in the area have been considered unsuitable to provide the necessary coverage in the Curragh area. Further to the above, the application has submitted a detailed consideration of alternative designs and location in an effort to secure planning permission for the necessary infrastructure. It seems unfortunate to me that in the re-development of the Curragh facilities, the provision of TE infrastructure was

not addressed, given that there had been a mast within the facility for a number of years prior to the redevelopment.

7.2.5. There is no doubt that the proposed mast, if permitted, will rise above the existing trees in the area, will obtrude on the skyline and will be highly visible from the surrounding roads and area. The submitted photomontages confirm this position. However, the site is located at a roundabout and adjacent to roads infrastructure associated with the M7, together with associated public lighting and signage, as well as power lines.

7.2.6. The Telecommunication Guidelines provides that 'views of the mast may be intermittent and incidental, in that for most of the time viewers may not be facing the mast. In these circumstances, while the mast may be visible or noticeable, it may not intrude overly on the general view or prospect'. The mast will be most visible by people moving east towards the town of Newbridge. I acknowledge the comments of the Planning Authority with regard to the potential for an alternative design / location and would conclude that regardless of where the mast is located in the vicinity of the Curragh, it will rise above the tree line and obtrude the skyline. This factor is a necessity to provide for multiple operators and to ensure clearance for the antennae and dishes. In this regard, I conclude that while the mast will be visible, it will not overly impact on the visual amenities of the area.

7.2.7. Policy CU4 of the Plan seeks to restrict the development of vertical structures within the Curragh Plains which create visual clutter and disrupt the open nature of the Plains. Having regard to the location of the proposed mast on the edge of the Curragh, and on a site which is already occupied with TE infrastructure, I am generally satisfied that a grant of permission will not be contrary to policy CU4 or objective LO5 which seeks to preserve the character of all important views and prospects including views across the Curragh. It is also of note that the actual site of the proposed development is within a Class 1 Landscape Classification which is described as 'Areas with the capacity to generally accommodate a wide range of uses without significant adverse effects on the appearance or character of the area'.

7.2.8. In acknowledging the location of the site adjacent to the Curragh, as well as the appropriate policy objectives contained in the Kildare County Development Plan to protect the unique landscape, I am satisfied having regard to the existence of

utility structures on the subject site, the proposed mast is not contrary to the policies and objectives for the Curragh and if permitted will not significantly impact on the existing amenities of the area. Should the Board be so minded to grant permission, a condition in relation to additional landscaping would be appropriate.

7.3. Appropriate Assessment

The subject site is not located within any designated Natura 2000 site, but lies within the Curragh (Kildare), pNHA Site Code 000392. The Pollardstown Fen SAC, Site Code 000396, lies approximately 1.2km to the north of the subject site. Having regard to the nature and scale of the proposed development, I am satisfied that no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

It is recommended that the proposed development be granted for the following stated reasons and considerations and subject to the stated conditions.

9.0 Reasons and Considerations

Having regard to:

- a) National strategy regarding the improvement of mobile communications services and the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, 1996 issued by the Department of the Environment and Local Government,
- b) The Kildare County Development Plan 2017 – 2023
- c) The presence of existing telecommunications infrastructure on the site
- d) The general topography and landscape features in the vicinity of the site,
- e) The separation distance and landscaping between it and residential development, and
- f) The existing pattern of development in the vicinity,

it is considered that subject to conditions, the proposed development would not seriously injure the amenities of the area, and would be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Obstruction lights to be used at the top of the mast shall comply with the requirements of the Department of Defence. Details of the light, its location and period of operation, as well as details relating to the effective radiated power, operational frequency bands and the microwave back haul link, shall be submitted to, and agreed in writing with, the planning authority and the Department of Defence prior to commencement of development.

Reason: In the interest of public safety and to ensure the protection of essential communications infrastructure within the Defence Forces Training Centre, Curragh Camp.

3. Details of the proposed colour scheme for the telecommunications structure, ancillary structures and fencing 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. Landscaping of the site shall be carried out in accordance with a landscaping scheme, which shall be submitted to and agreed in writing with planning authority prior to commencement of development.

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

5. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or its appendages 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.

6. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of traffic management during the construction phase, details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste, as well as protective measures to be employed during the construction of the pedestrian access track with respect to boundary hedgerow.

Reason: In the interests of public safety and amenity.

7. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of

the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

A. Considine
Planning Inspector
4th June, 2019