



An
Bord
Pleanála

Inspector's Report

ABP-304786-19

Development	To construct a 30m multi-user lattice telecommunications support structure, carrying antenna and dishes within the maintenance yard area of Kilkenny Golf Club.
Location	Kilkenny Golf Club, Glendine Road, Kilkenny.
Planning Authority	Kilkenny County Council
Planning Authority Reg. Ref.	1983
Applicant	Signal Infrastructure Ltd.
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party v Refusal
Appellant	Signal Infrastructure Ltd.
Date of Site Inspection	5 th , December 2019
Inspector	Paddy Keogh

1.0 Site Location and Description

- 1.1.1. The site of the proposed development which has a stated area of 0.006 ha. is located within a complex containing maintenance building/sheds located within the grounds of Kilkenny Golf Club/Golf Course. The Golf Course is located to the north of Kilkenny City. The main entrance to the Club House is from Glendine at a location c. 0.8km to the north of the city. The site (and maintenance building/sheds) are located on the eastern side of the Golf Course adjacent to the Outer Ring Road (N77) around the city.
- 1.1.2. Access to the maintenance building/sheds and site of the proposed mast is via a local road serving a number of houses and terminating at the maintenance building/shed complex. The existing complex of maintenance building/sheds are set within a group of mature trees which substantially screen the buildings from the Golf Course and from the N77.

2.0 Proposed Development

- 2.1.1. The proposed development is described per the submitted public notices as an application for planning permission to:

Construct a 30 m. multi-user telecommunications support structure, carrying antennae and dishes enclosed within a 2.4 metre high palisade fence compound together with associated ground equipment cabinets and associated site works within the maintenance yard area of Kilkenny Golf Club, Glendine Road, Kilkenny.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Notification of a decision to refuse planning permission for the proposed development was issued by the planning authority per Order dated 5th, June 2019. The single reason for refusal was as follows:

Having regard to the provisions of Section 8.4.2 of the Kilkenny City & Environs Development Plan 2014 – 2020, to the Telecommunications

Antennae and Support Structures : Guidelines for Planning Authorities 1996, the nearby telecommunications structures, and the limited benefit to the provision of mobile coverage, that this application would present, if permitted, being primarily for one provider, it is considered that the provision of a 30-metre-high telecommunication lattice structure at this location would, by virtue of its height, form and location, seriously injure the visual amenity of the area along the N77 corridor around Kilkenny city and would set an unwanted precedent for similar telecommunications structures. The applicant has not demonstrated that mobile coverage could not be enhanced by means of co-location in combination with a less visually obtrusive structure.

3.2. Planning Authority Reports

Planning Reports

3.2.1. A report from the planning authority Senior Planner dated 5th, June 2019, following the receipt of further information (relating to the need to (i) explore options for co-location of masts, (ii) provide details of CIGNALS wider plans for masts in the area and (iii) provide justification in respect of the extra mobile coverage/benefit of the proposed mast), includes the following:

- The site is located within an area zoned 'Amenity, Green Biodiversity, conservation' in the Kilkenny City & Environs Development Plan 2014-2020. The stated objective of this zoning is 'To allow for green links and biodiversity conservation and to preserve, provide and improve recreational open space'.
- The appeal site is elevated above the N77 Outer Ring Road around Kilkenny. Thus, the visual impact of this location will be negative and, if permitted, would set a poor precedent for similar development on elevated sites.
- The proposed development (in conjunction with applications for booster facilities for eir at Castecomer Road and Johnswell Road) will improve eir coverage to areas of undeveloped lands that have been identified as 'black spots' in terms of eir coverage. If other providers follow a similar approach and seek to provide improved coverage to areas of undeveloped land there will be a saturation of infrastructure and facilities within the city and environs.

- A more co-ordinated approach is needed with all providers to determine what structures are required by all providers rather than providing telecommunication structures on a piecemeal basis to each individual operator.
- Having regard to the height of the proposed telecommunications mast, its close proximity and location above the N77, Outer Ring Road and considering all telecommunications within the city and the limited area of developed lands which will benefit in improved coverage, it is considered that the proposed tower would seriously injure the amenities of this major road corridor around Kilkenny City. Furthermore, it is considered that the proposed development contravenes Development Plan standards as set out in Section 8.4.2 of the Development Plan which states that the Council will have regard to the potential for co-location of equipment on existing masts.

3.2.2. The recommendation of the Senior Planner is reflected in the planning authority notification of decision to refuse planning permission.

Other Technical Reports

- **Area Engineer** – No Report.
- **Kilkenny County Council Broadband Officer** – No Written Report. However, Report dated 5th, June 2019 from the Senior Planner states that a verbal report expressing concern about the applicant's lack of commitment to co-locate on other structures was received from the Broadband Officer.

3.3. Third Party Observations

- *Declan Gibbons, Bonnetsrath House, Kilkenny:*

A submission per letter dated 24th, March 2019 states that the Observer lives in what is probably the closest residence to the proposed development and indicates concerns (unspecified) in relation to the impact of the proposed mast.

- *Community Radio Kilkenny:*

A submission per letter dated 22nd, March 2019 states that the Kilkenny Community Communications Co-op Society Ltd, operates a Community Sound Broadcasting for

Kilkenny City & Environs, licensed by the Broadcasting Authority of Ireland and by ComReg. The co-op owns a mast/tower at Mount Nugent, Johnswell, Co. Kilkenny.

4.0 Planning History

The proposed telecommunications mast will be sited within the grounds of Kilkenny Golf Club. The mast will be located immediately adjacent (and within the attendant grounds) of a maintenance building/equipment storage shed for the golf club.

Reg. Ref. 11/419 – Planning permission for the construction of a (replacement) 620 sq.m. two storage maintenance shed for the storage of equipment and materials required for the maintenance and upkeep of the golf club granted by the planning authority.

Reg. Ref. 11/524 – Planning permission for an extension to Kilkenny Golf Club (club house) granted by the planning authority.

5.0 Policy Context

5.1. National Policy

Telecommunications Antenna and Support Structures – Guidelines for Planning Authorities, 1996 (issued by the Dept. of Environment, Housing & Local Government)

5.1.1. 'Section 1.3 of these Guidelines states:

'The aim of these Guidelines is to provide relevant technical information in relation to these installations and to offer general guidance on planning issues so that the environmental impact is minimised'.

5.1.2. Section 4.3 states:

'The visual impact is among the more important considerations which have to be taken into account in arriving at a decision on a particular application. In most cases the applicant will only have limited flexibility as regards location, given the constraints arising from radio planning parameters, etc.'

Section 4.3 further states:

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.*

5.1.3. Section 4.5 (Sharing & Clustering) states:

‘Sharing of installations (antennae support structures) will normally reduce the visual impact on the landscape. The potential for concluding sharing agreements is greatest in the case of new structures when foreseeable technical requirements can be included at the design stage. All applicants will be encouraged to share and will have to satisfy the authority that they have made a reasonable effort to share’.

and

‘Where it is not possible to share a support structure the applicant should, where possible, be encouraged to share a site or to site adjacently so that masts and antennae may be clustered’.

Circular Letter PL07/12

5.1.4. This Circular Letter updates the guidance document. Planning authorities are advised that from the date of this letter attaching a condition to a grant of planning permission for telecommunications masts and antennae which limit their life to a set period should

cease. Only in exceptional circumstances, where particular site or environmental conditions apply, should a permission issue limiting their life.

- 5.1.5. This Circular Letter also states that having reviewed experience since 1996 and the limited number of sites that have become obsolete during that period, it is considered that the attachment of a condition to a grant of planning permission requiring the lodgement of a bond or cash deposit is no longer appropriate. It is therefore advised that, in general, future permissions should simply include a condition stating that when the structure is no longer required it should be demolished, removed and the site re-instated.

5.2. Kilkenny City & Environs Development Plan 2014 – 2020 ('the Development Plan')

- 5.2.1. Section 8.4.2 of the Development Plan sets out policy in relation to Telecommunications Antennae and includes:

The Councils recognise the importance of a high quality telecommunications service and will seek to achieve a balance between facilitating the provision of telecommunications services in the interests of social and economic progress and sustaining residential amenities and environmental quality.

- 5.2.2. It is further stated in relation to Development Management Standards concerning Telecommunications Antennae that:

When considering proposals for telecommunications masts, antennae and ancillary equipment, the Council will have regard to the following:

- a) the visual impact of the proposed equipment on the natural or built environment, particularly in areas of sensitive landscape or historic importance;*
- b) the potential for co-location of equipment on existing masts; and*
- c) Telecommunications Antennae and Support Structures - Guidelines for Planning Authorities and Circular Letter PL 07/12124.*

The suitability of sites for the location of telecommunications structures will be determined by:

- *The need to protect residential and community amenities*
- *The need to protect visual amenities*

The Council will encourage co-location of antennae on existing support structures and to require documentary evidence as to the non-availability of this option in proposals for new structures.

Proposals within the City for telecommunications antennae and support structures must show:

- *the alternative sites considered and why the alternatives were unsuitable,*
- *the number of existing masts within the City,*
- *the long term plans of the developer in the City and the potential for further masts, and*
- *the plans of other promoters and any prior consultations which the developer may have had with other mast owners.*

5.2.3. Section 8.4.1.1 includes Broadband Development Standards including an Objective to:

Ensure the provision for development in connection with telecommunications is made in ways which will maximise the use of existing masts and sites so as to limit the impact of development.

5.3. Natural Heritage Designations

- The River Barrow & River Nore Special Area of Conservation (SAC) (Site Code 2162) is c. 1 km to the west of the appeal site.
- The River Nore Special Protection Area (SPA) (Site Code 04233) is c. 1 km to the west of the appeal site.

5.4. EIA

- 5.4.1. The proposed lattice structure is not a class of development included under Schedule 5 of the *Planning and Development Regulations 2001*, as amended.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. The submitted grounds of appeal include:

Visual Impact:

- A series of photomontages demonstrating the visual impact of the proposed development on the surrounding area accompany the submitted grounds of appeal.
- The site is located within a 65 hectare landscaped golf course.
- The site is not near any designated Architectural Conservation Area, Protected Structure or Natura 2000 sites.
- The 'Zone of Visual Influence' of the proposed mast is characterised by low-lying relatively flat landscape. The proposed 30 m high mast will be visible from a wide range of vantage points to the north of the site and a more limited range of areas from the south of the site and will be visible from the N77 Kilkenny Ring Road. It will be visible from some residence to the north, west and east of the site. Using 'accepted terminology guidance' for describing the visual impact of development (neutral, positive, negative, imperceptible, slight, moderate, significant, profound), it is concluded that the proposed development will be exposed from views in the practicing and playing grounds around the maintenance yard, 3 private dwellings and from grasslands to the north (slight, moderate, negative effect from these locations). There is substantial vegetative screening between the proposed development and the vast majority of the residential area to the north of Kilkenny City (most of which housing is located to the west of the site).

- It is considered that the visual impacts of the proposed development are not of sufficient magnitude to warrant a refusal given the benefits of the proposed development in terms of improved access to wireless telecommunications infrastructure. It is acknowledged that there will be negative impact on views from three properties, from the golf course, from agricultural lands and from the N77. However, it is submitted that this impact would be proportionate and justified in terms of the public benefit in providing improved telecommunications services in the area.

Co-Location:

- A schedule containing details of 15 existing masts located between 1.4 km and 4.5 km of the site of the proposed development has been submitted on behalf of the applicant (together with a report prepared by Vilicom to assess the potential of existing sites). It is stated that the majority of these sites already serve as co-location sites for a range of operators (in accordance with national and local policy). There remains a coverage requirement in the northern part of Kilkenny City.
- The operators of the proposed mast have committed to a 'Site Sharing Code of Practice Agreement' which promotes site sharing of existing infrastructure where available. Of the 15 existing masts within the Kilkenny City & Environs Area 9 are eir co-locate sites. Most of these sites are rooftop sites (exempted development). 4 of the remaining 6 sites are rooftop sites offering only low positional elevation and are too close to existing eir sites making them unusable. The remaining 2 sites are mast sites. One of these sites is a shared mast at Hebron Industrial Estate located close to an existing site operated by eir (making it too close to an existing eir mast and too far from the target coverage area to make it viable). The other site contains a 21m high monopole structure operated by Vodafone at a location 1.7 km from the proposed site and coverage area. Space could only be provided on this monopole structure at a height of 15 m which is too low to give the required coverage.
- Clustering of the proposed development with existing sites of other operators is not considered to offer a viable solution for the operator given the distance of such sites from the search ring where coverage is required to the north of

Kilkenny City. In general clustering with other operators is not a favoured option due to technical problems (acknowledged in Section 2.2. of Section 2 of the Guidelines) relating to interference and the need to eliminate such interference with other equipment using the same radio frequencies.

- The proposed development will allow operators to bring a significant improvement in voice and broadband services to the northern area of Kilkenny City and the immediately surrounding area extending the reach of communication technologies into areas that currently have poor to non-existent wireless voice and data services. (as illustrated in Figure 8 and Figure 9 included in the submitted grounds of appeal).

Precedent along the N77 Kilkenny Ring Road:

- The primary function of the telecommunications network is to support the transport system as a whole and there are already numerous structures positioned along the road networks of both Kilkenny and nationwide. Connections along roadways often go unnoticed as part of the road infrastructure or are accepted pieces of infrastructure similar to electricity lines or pylons that are visible across the landscape. Generally, positioning such tall infrastructure along major roadways is considered to be acceptable as the roads themselves are often located away from more sensitive landscapes where environmental and amenity impacts would be greatest. The 'Viewshed' Map (Figure 11) included within the submitted grounds of appeal indicates that the visual; impact of the proposed development will be greatest to the north of the site which corresponds with an area consisting primarily of agricultural lands.

6.2. Planning Authority Response

- 6.2.1. The planning authority per letter dated 8th, July 2019 indicate that they have no further comments to make in relation to the current appeal.

7.0 Assessment

7.1.1. The main issues in this appeal are those raised in the grounds of appeal and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

(1) Sharing/Co-Location & Clustering

(2) Visual Impact

(3) Appropriate Assessment Screening

(1) Sharing/Co-location & Clustering

7.1.2. The planning authority consider that the applicant has not satisfactorily demonstrated that the potential for the co-location of the proposed telecommunications equipment and sharing of existing less visually obtrusive masts (operated by eir and other operators) in the vicinity of the site has been adequately explored. This decision followed a request for further information that issued from the planning authority that included a request for further details in relation to CIGNAL's planned roll out of telecommunications structures throughout the county and further justification of the need for the proposed infrastructure in light of the limited increase in coverage to be provided by the development and in light of the fact that the facility would provide improved communication to largely undeveloped rural lands.

7.1.3. The planning authority Senior Planner was not satisfied with the applicants response to the request for further information particularly in circumstances where the applicants have two licence applications (Section 254 applications) lodged with the planning authority to improve coverage in the site coverage prediction area (as indicated per site map included in the Vilicom Technical Justification Report lodged with the planning application submitted to the planning authority). These 2 booster structures (on Castlecomer Road and Johnswell Road) will increase coverage in what have been identified by eir as their coverage blackspots. The Senior Planner considers that this boosting of coverage blackspots undermines the need for a 30m mast to further improve coverage in the area. Furthermore, the Area Planner considers that permitting the proposed development would result in a multiplicity of proposals by other operators for similar structures in the area leading to a problem of saturation of the area with

similar structures. Therefore, the proposed development would contravene Development Plan standards (as set out at Section 8.4.2 of the Development Plan) which state that the planning authority will have regard to potential for co-location of equipment on existing masts.

7.1.4. Documentation on file states that the applicant (CIGNAL Infrastructure) is an Irish based infrastructure provider which specifically facilitate co-location to the communications sector in Ireland with commercial relationships with each mobile network provider in the State (Three, Vodafone and Meteor) in addition to radio and broadband such as Imagine Broadband (and emergency communication service providers). The appeal site has been designed as a multi-user site capable of meeting all operator requirements to support voice and broadband communications with antennae, transmission dishes and equipment. The proposed development is actively required by both eir and Imagine Broadband who are looking to expand their services in this area. The proposed structure can accommodate multiple operators including mobile network operators as well as local and national broadband providers. The proposed structure will allow all operators to deploy 3G and high speed 4G broadband services including 5G rollout. [The operators of the proposed mast have committed to a 'Site Sharing Code of Practice Agreement' which promotes site sharing of existing infrastructure where available].

7.1.5. The submitted grounds of appeal include details of 15 different telecommunications sites operating in Kilkenny City & Environs (Table 1 of the submitted grounds of appeal). 9 of these sites are eir co-locate sites. Most of these sites are rooftop sites (exempted development). 4 of the remaining 6 sites are rooftop sites offering only low positional elevation and are too close to existing eir sites making them unusable. The remaining 2 sites are mast sites. One of these sites is a shares mast at Hebron Industrial Estate located close to an existing site operated by eir (making it too close to an existing eir mast and too far from the target coverage area to make it viable). The other site contains a 21m high monopole structure operated by Vodafone at a location 1.7 km from the proposed site and coverage area. Space could only be provided on this monopole structure at a height of 15 m which is too low to give the required coverage.

- 7.1.6. Clustering of the proposed development with non-eir existing sites has been ruled out by the operator for technical reasons identified in the grounds of appeal (including interference arising from the need to share radio signals).
- 7.1.7. I consider that it of relevance to the assessment of this appeal, to consider the importance of the provision of high-quality telecommunications infrastructure for businesses, communities and the economy generally to operate effectively. This is acknowledged within the National Planning Framework, in which the delivery of improved connectivity and broadband is identified as a National Strategic Outcome critical to strengthen the economy and communities. These sentiments are also recognised and supported in the current Kilkenny City Development Plan and it is policy to support enhanced coverage and further co-ordinated and focused development and extension of telecommunications infrastructure including broadband connectivity within Kilkenny.
- 7.1.8. On balance, I consider that the applicant has adequately demonstrated a need for the proposed telecommunications infrastructure and has demonstrated how this need cannot be satisfactorily met by relying upon existing telecommunications infrastructure in the wider vicinity of the application site. Furthermore, the submitted grounds of appeal highlight the fact that the proposed mast will have capacity to accommodate other operators on a shared basis (in keeping with the approach advocated in the Telecommunications Antennae and Support Structures Guidelines 1996). Thus, the concerns expressed by the planning authority Senior Planner in relation to the undesirable precedent effect of a multiplicity of telecommunications masts to serve blackspots in coverage in the area by the applicant and other operators (saturation of the area with masts) can be overcome.

(2) Visual Impact

- 7.1.9. The planning authority reason for refusal of planning permission for the proposed development states that the provision of a 30m high telecommunication lattice structure at this location would, by virtue of its height, form and location, seriously injure the visual amenity of the area.
- 7.1.10. Photomontages were submitted by the applicant as part of the application to the planning authority. These include views from near and far distance vantage points in the vicinity of the site. These photomontages illustrate the fact that the proposed mast

will not be visible in the landscape from points to the west of the site including views through the golf club from the club house. Four locations to the east and north-east of the site were selected. The proposed mast will be visible from all these locations. The site is only c. 50 m from the carriageway edge of the N77 at its nearest point. The motorway is relatively level with the surrounding landscape at this location. The mast will be clearly visible and will be visually prominent from Viewpoint No.3. Nonetheless, existing planting along the motorway boundary and boundary planting surrounding the maintenance building compound for the golf club will offer some screening of the lower reaches of the proposed mast. There are no amenity area designations or listed views anywhere near the proposed location.

7.1.11. The Telecommunications Guidelines provides advice with respect to visibility along public roads, when considering proposals which will remain quite noticeable in spite of the best precautions. It states that '*views of the mast may be intermittent and incidental, most of the time viewers may not be facing the mast*'.

7.1.12. I drove along the motorway past the site of the proposed development. I am satisfied that while the proposed development will be visible, viewers will not be facing the mast and it will not intrude on the general view from the motorway. Furthermore, I consider that having regard to the location of existing hedgerows and trees the proposed development will not seriously impact on views from the limited number of houses in the vicinity of the site. There will be no visual impact in terms of the provision of an access track to serve the proposed mast in circumstances where access will be via an existing track serving the maintenance building compound for the golf course.

7.1.13. The applicant states that the proposed lattice mast will accommodate 3 no. eir 2m hexaband antennas plus 2 no. dishes (0.3 m and 0.6 m wide) and 3 no. Imagine Broadband antennas and 2 no. 0.6m wide dishes together with capacity for the addition of further equipment to serve other future (as yet unidentified/unspecified) operators. A monopole structure which could accommodate all of the equipment required by eir and Imagine broadband would be less visually dominant at this location than the proposed lattice structure. Nonetheless the proposed lattice structure will offer more potential for sharing with other operators in keeping with the approach advocated in the national Guidelines. In these circumstances, I consider that proposed use of a lattice rather than a monopole structure is reasonable.

7.1.14. In conclusion, I accept that the proposed structure will be visible from the N77 but having regard to the sensitivity and value of the landscape, which contains no amenity areas or scenic routes, I consider that the impact is not seriously detrimental and with appropriate landscaping the visual impact can be minimised to ensure that the proposal is not contrary to national or local policy. Furthermore, I consider that in order to achieve the national strategic outcomes of the National Planning Framework and to promote economic viability a degree of flexibility is required in relation to the location of telecommunications infrastructure.

(3) Appropriate Assessment Screening

7.1.15. The nearest Natura 2000 sites to the appeal site, namely the River Barrow & River Nore SAC (Site Code 2162) and the River Nore SPA (Site Code 04233) are c. 1km to the west.

7.1.16. The main potential impact arising from the construction of the proposed mast would arise from the disturbance of ground and mobilisation of sediment during construction. The appeal site is on the opposite side (eastern side) of northern fringe of Kilkenny City to these Natura 2000 sites and there are no surface water pathways located in close proximity to the appeal site that would connect the proposed development to the identified European sites.

7.1.17. Having regard to the nature and scale of development proposed and to the nature of the receiving environment and location relative to the nearest designated European sites, no appropriate assessment issues arise and it is considered that the proposed development would be unlikely to have a significant effect individually or in combination with other plans or projects on any European site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a Natura Impact Statement) is not therefore required.'

8.0 Recommendation

8.1. I recommend that planning permission for the proposed development be granted for the reasons and considerations and subject to the conditions as set out below.

9.0 Reasons and Considerations

Having regard to

- (a) The Guidelines on Telecommunications Antennae and Support Structures issued by the Department of Environment, Heritage and Local Government in 1996;
- (b) The provisions of Circular letter PL07/12 issued by the Department of Environment Community and Local Government;
- (c) The demonstrated need for the proposed development in providing mobile, 3G and 4G coverage to the local area;
- (d) the location of the site within a golf course and served by an existing access and
- (e) to the general pattern of development in the area and surrounding area,

it is considered that, subject to compliance with conditions below, the proposed development would not seriously injure the visual amenities of the area or of property in the vicinity, would not be prejudicial to public health, would be acceptable in terms of traffic safety and convenience and would generally be in accordance with the proper planning and sustainable development of the area.

10. 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 submitted on the 10th, day of May 2019, 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. The transmitter power output, antenna type and mounting configuration shall be in accordance with the details submitted with this application and, notwithstanding the provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, shall not be altered without a prior grant of planning permission.

Reason: To clarify the nature and extent of the permitted development to which this permission relates and to facilitate a full assessment of any future alterations.

3. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.

Reason: In the interest of public health.

4. A low intensity fixed red obstacle light shall be fitted as close to the top of the mast as practicable and shall be visible from all angles in azimuth. Details of this light, its location and period of operation shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of public safety.

5. 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 the commencement of development.

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

6. 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 the commencement of development.

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

7. 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.

8. 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

Paddy Keogh
Planning Inspector

24th, April 2020