



An
Bord
Pleanála

Inspector's Report

ABP-321990-25

Development

Installation of a 15m monopole and associated telecommunications equipment

Location

Bracker O'Regan Road, Lisloose, Tralee, Co. Kerry

Planning Authority

Kerry County Council

Planning Authority Reg. Ref.

04/2024/254

Applicant(s)

Cignal Infrastructure Limited

Type of Application

S.254 Licence

Planning Authority Decision

Refuse

Type of Appeal

First Party

Appellant(s)

Cignal Infrastructure Limited

Observer(s)

None

Date of Site Inspection

22nd of November 2025

Inspector

Karen Hamilton

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	4
3.0 Planning Authority Decision	4
3.1. Decision	4
3.2. Planning Authority Reports	5
3.3. Prescribed Bodies	6
3.4. Third Party Observations	6
4.0 Planning History	6
5.0 Legislative Context	6
5.1. Planning and Development Act, 2000, as amended	6
6.0 Policy Context	7
6.1. National Policy	7
6.2. Regional Policy	9
6.3. Kerry County Development Plan 2022-2028	9
6.4. Natural Heritage Designations	11
7.0 Environmental Impact Assessment (EIA) Screening	11
8.0 The Appeal	11
8.1. Grounds of Appeal	11
8.2. Planning Authority Response	14
8.3. Observations	14
9.0 Assessment	14
9.1. Compliance with Section 254 Criteria	14
9.2. Conclusion	20

10.0	Appropriate Assessment (AA) Screening	21
11.0	Water Framework Directive (WFD) Screening.....	21
12.0	Recommendation	21
13.0	Reasons and Considerations.....	21
14.0	Conditions	22
15.0	Appendix 1 - EIA Pre-Screening – Form 1	24

1.0 Site Location and Description

1.1. The site is located to the north of Tralee town, Co. Kerry. The subject site is on a grass verge along the southern side of the R558, Braker O'Regan Road. The grass verge adjoins an agricultural field and there are both agricultural fields and a housing estate on the opposite side of the regional road. There is an industrial estate to the west of the site, separated by agricultural fields. The R558 is an outer ring road along the north of Tralee town.

2.0 Proposed Development

2.1. The proposed development comprises of:

- Installation of a 20m metre telecommunication mast and 2 cabinets.

3.0 Planning Authority Decision

3.1. Decision

Decision to refuse permission for two reasons stated below:

1. It is considered that the proposed development would constitute a highly obtrusive feature at this location and would be seriously injurious to the visual and public realm amenities of the area. The proposal would contravene Objective 14-79 of the Kerry County Development 2022-2028 and Objective TR8 of the Tralee Town Plan. The proposal would set an undesirable precedent and would be contrary to the proper planning and sustainable development of the area.
2. Having regard to the height of the proposed development, it is considered that it would not integrate satisfactorily into the surrounding area and that it would seriously injure the residential amenities and depreciate the value of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the planner reflects the above decision to refuse permission and refers to the following:

- a) Proper planning and sustainable development of the area;
 - Refers to the relevant sections of the county development plan being Volume 1: Digital Connectivity and those policies and objective therein which indicate support for telecommunications infrastructure
 - Refers to Volume 2: Town development plan and Objective TR8: Strengthen Tralee's sense of place and identity as a highly attractive place to live, work, study and visit with the continuation of transformative urban regeneration and public realm space.
- b) The number and location of existing appliances or structures on, under, over or along the public road;
 - The location is noted along the road and the surrounding urban development, commercial development, traffic lamps and standards.

Assessment

- The site is located beside a popular walking route and valuable amenity, and the proposal would be injurious to the amenity of this route, reduce the public realm and be contrary to Policy TR8.
- There is residential development to the north and potential for additional residential development. The proposal would seriously injure the amenities and depreciate the value of the property and set an undesirable precedent for similar developments.
- The proposal has been redesigned since the previous refusal (details noted) notwithstanding this change the proposal is still 20m and would have a negative impact.
- The need for ICT infrastructure is acknowledged although the provision of same must be balanced with the potential negative impacts.

3.2.2. Other Technical Reports

Roads Section: No objection, the street pole and cabinet will not create any hindrance to pedestrians or motorists along this section of the road.

3.2.3. Conditions

Not relevant.

3.3. Prescribed Bodies

None received

3.4. Third Party Observations

None received.

4.0 Planning History

PA Ref: 04/2024/254

Section 254 Licence refused for the same proposal on the subject site. The reasons for refusal are identical to those reasons for refusal as stated by the planning authority on this proposed development, above in Section 3.1.

5.0 Legislative Context

5.1. Planning and Development Act, 2000, as amended

Section 254(1)(ee) of the Planning & Development Act, 2000 (as amended), states that a person shall not erect, construct, place or maintain overground electronic communications infrastructure and any associated physical infrastructure on, under, over or along a public road save in accordance with a licence under this section.

Section 254(6)(a) states that any person may appeal to the Board in relation to the granting, refusing, withdrawing, or continuing of a licence.

Section 254(5) states that, in considering an application for a licence, the planning authority, or the Board on appeal, shall have regard to:

- (a) The proper planning and sustainable development of the area,
- (b) Any relevant provisions of the development plan, or a local area plan,
- (c) The number and location of existing appliances, apparatuses, or structures on, under, over or along the public road, and,
- (d) The convenience and safety of road users, including pedestrians.

6.0 Policy Context

6.1. National Policy

Telecommunications Antennae & Support Structures Guidelines for Planning Authorities, 1996

- The Guidelines have the status of ministerial guidelines as per section 28 PDA 2000 and, as such, the Board has a duty to “have regard” to them.
- The Guidelines reference the location of masts in upland/mountainous areas, within or in the immediate vicinity of smaller towns or villages and in the vicinity of larger towns and in city suburbs. In terms of visual impact, justification for locating free standing masts within the city suburbs, towns, and villages is required.
- Section 4.3 includes reference to larger towns and City suburbs: “*In the vicinity of larger towns and in city suburbs operators should endeavour to locate in industrial estates or in industrially zoned land*”. Other possibilities should also be explored, including some commercial or retail areas (e.g. rooftop locations, locating “disguised” masts), existing ESB substations and preference is given to the use tall buildings or other existing structures over a new independent support structure. It also includes that only as a last resort and if the suggested alternatives (possibilities) are either unavailable or unsuitable should free-standing masts be located in a residential area or beside schools. In that event, existing utility sites should be considered, and specific design solutions should be employed including that the support structure should be kept to a minimum height consistent with effective operation and should be monopole (or poles) rather than a latticed tripod or square structure.

- Care should be given when dealing with sensitive landscapes and other designated areas. Proximity to listed buildings should be avoided.

Circular Letter PL 07/12, DoECLG 2012.

- This includes further advice on the issue of health and safety and reiterates that this is regulated by other codes and is not a matter for the planning process.

Climate Action Plan (CAP) 2025

- CAP 2025 to be read in conjunction with CAP 2024, the relevant part being Section 11.2.4.
- Section 10.1.8: Digital Transformation. The CAP supports the national digital transformation framework and recognises the importance of this transformation to achieve Ireland's climate targets.
- The transition towards green and digital societies is highlighted throughout the CAP 2025, as an overarching aim to achieve decarbonisation and net zero commitments.
- Section 15 of the Climate and Low Carbon Development Act 2015 as amended (the Climate Act), obliges the Board to make all decisions in a manner that is consistent with the current CAP.

Harnessing Digital. The Digital Ireland Framework.

- Section 2.1: Enable the physical telecommunication infrastructure and services delivering digital connectivity in line with the National Broadband plan.

National Planning Framework 'Project Ireland 2040'

- First Revision (April 2025)
- National Policy Objective 31: Support and facilitate delivery of the National Broadband Plan as a means of developing further opportunities for enterprise,

employment, education, innovation, and skills development for those who live and work in rural areas.

- National Policy Objective 62: In co-operation with relevant Departments in Northern Ireland, develop a stable, innovative and secure digital communications and services infrastructure on an all-island basis.

National Development Plan 2021-2030

- The government recognises that access to quality high speed broadband is essential for today's economy and society.

National Broadband Plan 2020

- The National Broadband Plan (NBP) is the Government's initiative to improve digital connectivity by delivering high speed broadband services to all premises in Ireland, through investment by commercial enterprises coupled with intervention by the State in those parts of the country where private companies have no plans to invest

6.2. Regional Policy

Regional Spatial & Economic Strategy for the Southern Region 2040

- Section 4.7: Guiding principles for enterprise include the availability of different types of infrastructure including telecommunications.
- Section 6.2: Telecommunications infrastructure is essential to ensure digital connectivity.

6.3. Kerry County Development Plan 2022-2028

The County Development Plan is the overarching plan for policy and guidance on telecommunications infrastructure. The following policies are relevant in the determination of this appeal:

Settlement Hierarchy

Chapter 3 Core & Settlement Strategy

- Tralee is designated as a Key Town (Level 2).

Telecommunications Infrastructure

Chapter 15 Connectivity

Section 14.9.1 Telecommunications & Broadband

- Efficient telecommunications and broadband are central to the development of a knowledge-based economy throughout the Country. Broadband helps to combat social exclusion. Areas without broadband will be less able to take advantage of internet centred developments in education, banking, research and business. In considering locations for masts and other infrastructure requirements, Kerry County Council will have regard to the 'Telecommunications Antennae and Support Structures Guidelines for Planning Authorities' (DoECLG, 1996) and Circular Letter PL07/12. The Council aims to support the sustainable development of mast infrastructure at appropriate locations which facilitates backhaul in the peninsula areas, and Broadband services to areas of the County with no Broadband service and with poor Broadband service.

Policy Objective KCDP 14-73

- Support the sustainable provision of modern and innovative telecommunications infrastructure at appropriate locations.

Policy Objective KCDP 14-79

- Achieve a balance between facilitating the provision of telecommunication infrastructure in the interests of social and economic progress and sustaining residential amenity and environmental quality.

Volume 2: Tralee Town Development Plan

- Objective TR8: Strengthen Tralee's sense of place and identity as a highly attractive place to live, work, study and visit with the continuation of transformative urban regeneration and public realm spaces.
- Objective TR9: Develop Tralee as an innovative, climate resilient, environmentally sustainable, low carbon town consistent with the National

Climate Action Plan 2021, European Commission policy initiatives that align with the European 'Green Deal' priorities.

Volume 6: Development Management Standards & Guidelines

Section 1.14 Infrastructure, Utilities and part 1.14.1 Telecommunications:

This section states that the following shall be taken into account when preparing a planning application, including:

- All planning applications shall be required to furnish a statement of compliance with the International Radiation Protection Association (IRPA) Guidelines or the equivalent European Pre-Standard 50166-2 in the interest of health and safety.

6.4. Natural Heritage Designations

None of relevance.

7.0 Environmental Impact Assessment (EIA) Screening

- 7.1.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

8.0 The Appeal

8.1. Grounds of Appeal

The grounds of appeal are submitted from the applicant in relation to the refusal from the planning authority (PA).

The issues raised are summarised below:

8.1.1. Background

- The application was accompanied by a suite of documents

- The applicant's sought to address issues raised in the previous Section 254 licence refusal by providing a new design solution, where the base diameter of the infrastructure started at 460mm gradually reducing to 450m and tapering to 250m at the top. This is a sleeker and less visually impactful design.

8.1.2. Previous Refusal

- The previous reason for refusal included the same reasons as this proposal.

8.1.3. Council Decision

- The grounds of appeal note the contents of the planner's report, the AA screening, EIA, reference to the location of the site along a popular walking route, impact on the public realm, negative impact on the surrounding amenities and the referral for refusal.

8.1.4. Reason No.1

- The council considered the proposal would be seriously injurious to the visual and public amenities of the area.
- The planners described the area as urban including residential, commercial, industrial as well as streetlamps, traffic lights etc. There is no built or natural heritage of note in the area and is not considered particularly sensitive from a visual perspective.
- The planner's key concern was the location of the site beside a popular walking route which was a valuable amenity for the area.
- The Board is referred to the CGI images which accompanied the application. 11 visual reference points are included. The images convey that the proposed structures will be visible although the visual impact will not be dominant, incongruous or highly obtrusive. The street pole element is read as typically streetside furniture.
- In relation to the path, it is noted that it is no difference to the other footpaths where there are street poles and associated cabinets. The site is not located in an amenity area.

- A specific CGI image shows the impact of the site from the north-west of the site. It is argued that it successfully integrates with the established streetlamps and is not overly incongruous or obtrusive.
- The image was taken during the winter months when the leaves are off the trees.
- It is submitted that the provision of a single street pole at the edge of the town will not have a material impact on the sense of place and identity of Tralee and therefore in keeping with objective TR8. The proposal is minor scale and good for the town as a whole.
- The Council have not demonstrated that the proposal would have a material impact on residential amenity or environmental quality.
- It is disagreed that the proposal would set an undesirable precedent and the reason for refusal is unreasonable and unsubstantiated.

8.1.5. Reason No.2

- The second reason for refusal is based on height of the proposed development and the view that it would not successfully integrate into the surrounding area and seriously injure the residential amenity and depreciate the value of property in the vicinity.
- The planners report notes there is residential development in the area and the potential for more.
- The height of the proposed street pole is 20m. Licences for similar street poles have been granted elsewhere in similar type environmental at the edge of settlements near housing.
- Three examples of similar developments include Potrlaoise, Kitipper, SDCC and Kerry Road, Cork.
- The lands to the south are greenfield in nature and there is residential development c. 70m north, screened by existing mature trees.
- The future residential zoned area is to the north of the site on the opposite side of the public road. It is difficult to see how the proposal could materially impact the residential development of this site.

- There is no evidence that a development of this nature removed from any existing housing and significant distant from any future housing would have a material negative impact or depreciate the value of property.

8.1.6. Conclusion

- In relation to visual impact, the site is not located in a visually sensitive area and the design of the street pole is such that the visual impact is minimal.
- Other local authorities have granted similar designed street poles in similar locations.
- The proposal will not have a negative impact on the existing or future dwellings in the vicinity of the site.

8.2. Planning Authority Response

None received

8.3. Observations

None received.

9.0 Assessment

Having regard to the above and having inspected the site and reviewed all documents on file, the following is my assessment of this case. Issues to be considered in the assessment of this case are as follows:

- Compliance with Section 254 Criteria

9.1. Compliance with Section 254 Criteria

9.1.1. Introduction

9.1.2. The subject site is located to the north of Tralee town, on a grass verge along the edge of a regional road and adjoining a large field currently agricultural/ greenfield although zoned for Industrial, Enterprise, Employment (C2.1) in the Kerry County Development Plan (CDP) 2022-2028. The proposal relates to a S254 licence for a

20m high telecommunication mast which the grounds of appeal (applicant) refer to as a street pole. Also included in the proposal are two cabinets along the grass verge. The PA has refused this licence for two reasons including the impact on a popular walking route around the town which would lead to a negative visual impact, impacting the public realm, and also the negative impact on the amenities of the existing and future occupants in the residential properties to the north of the site, on the opposite side of the Bracker O'Regan Road.

- 9.1.3. The grounds of appeal, submitted by an agent on behalf of the applicant, refers to the new design of the proposal, in comparison to a previously refused proposal, and they argue the unreasonableness of the refusal reasons having regard to the location of the site. The grounds of appeal include a response to the two reasons for refusal which I have integrated into my assessment below which includes the relevant sections of the act, which the Commission is required to have regard to when assessing a S254 licence.
- 9.1.4. In considering an application for a licence under this section a planning authority, or the Board on appeal, shall have regard to the items listed under subsection 254 (5);
 - a) The proper planning and sustainable development of the area,
 - b) Any relevant provisions of the development plan, or local area plan,
 - c) The number and location of existing appliances, apparatuses, or structures on, under, over or along the public road.
 - d) The convenience and safety of road users, including pedestrians.

I have addressed each of these requirements separately below.

- 9.1.5. **The proper planning and sustainable development of the area,**
- 9.1.6. The site is located along the edge of a regional road and grass verge associated with same. There is a footpath adjoining the grass verge which the report of the area planner refers to as a popular walking route. The lands to the south of the site are zoned as Industrial, Enterprise, Employment (C2.1) in Volume 2 (Town Development Plans) in the Kerry County Development Plan 2022-2028. Volume 6 of the KCDP includes the land use zoning objectives and uses permitted. Public Facilities and Infrastructure are open for consideration in the C2 zoning and the residential zoned

lands. The principle of locating telecommunications infrastructure on the site is acceptable in principle.

- 9.1.7. The PA refused permission for the s.254 licence having regard to the visual impact and the impact on residential amenities. This is further detailed below, although the Commission will note my analysis and conclusion that there is no significant negative visual impact or from the proposed development.
- 9.1.8. The grounds of appeal refer to other similar structures granted permission throughout the country (Portlaoise, Dublin and Cork). I do not consider these examples are particularly relevant to the assessment of this proposal as they merely illustrate the telecommunications structures in a different context and I consider the impact of each mast should be dealt with individually on a merit's basis. This aside, I consider there is sufficient information on the file to undertake a detailed assessment of the proposed works.
- 9.1.9. Therefore, having regard to the characteristics of the proposed works, along the edge of a regional road in an urban setting, it is not considered the proposal will have a negative impact on the surrounding area and is in keeping with the proper planning and sustainable development of the area.

9.1.10. Any relevant provisions of the development plan, or local area plan,

9.1.11. The PA reason or refusal No. 1 states the following:

1. It is considered that the proposed development would constitute a highly obtrusive feature at this location and would be seriously injurious to the visual and public realm amenities of the area. The proposal would contravene **Objective 14-79** of the Kerry County Development 2022-2028 and Objective TR8 of the Tralee Town Plan. The proposal would set an undesirable precedent and would be contrary to the proper planning and sustainable development of the area.

9.1.12. The grounds of appeal note the location of the site, which is not within a visual sensitive area and is akin to a normal urban setting, and consider the proposal will not have a negative impact. They comment on the report of the area planner which makes no reference to the CGI images submitted with the planning application. The grounds of appeal refer to a specific visual (No.11) which is taken from the north-

west of the site and they consider this, and the other images indicates there will be no negative visual impact from the proposal.

9.1.13. The grounds of appeal also note the design of the infrastructure has been amended to overcome a previous refusal for a s254 licence on the site (PA Ref: 04/2024/254). They state that the new design solution, where the base diameter of the infrastructure started at 460mm gradually reducing to 450m and tapering to 250m at the top, is sleeker and less visually impactful

9.1.14. The Commission will note the PA have not raised any issues relating to compliance with the Telecommunications Antennae and Support Structures; Guidelines for Planning Authorities (DEHLG 1996); (the Guidelines) or the policies contained in the KCDP which refer to same guidelines. The planning authority first reason for refusal relates to a contravention of Policy Objective KCDP 14-79 (achieving a balance between facilitating the provision of telecommunication infrastructure in the interests of social and economic progress and sustaining residential amenity and environmental quality) and Objective TR8 of Volume 2 of the KCDP which states:

- Strengthen Tralee's sense of place and identity as a highly attractive place to live, work, study and visit with the continuation of transformative urban regeneration and public realm spaces.

9.1.15. I note both reasons are linked to the visual impact of the infrastructure, and I consider it relevant to refer the Commission to the national guidelines which provide a criterion in which to assess the visual impact of telecommunications masts.

9.1.16. In the first instance a last resort test must be met for infrastructure within settlements. Tralee is designed as a Tier 2 settlement (District/ Suburban Centre) in the settlement strategy for the County. Section 4.3 includes: "*In the vicinity of larger towns and in city suburbs operators should endeavour to locate in industrial estates or in industrially zoned land*". Other possibilities should also be explored, including some commercial or retail areas (e.g. rooftop locations, locating "disguised" masts), existing ESB substations and preference is given to the use tall buildings or other existing structures over a new independent support structure. It also includes that only as a last resort and if the suggested alternatives (possibilities) are either unavailable or unsuitable should free-standing masts be in a residential area or beside schools. In that event, existing utility sites should be considered, and specific

design solutions should be employed including that the support structure should be kept to a minimum height consistent with effective operation and should be monopole (or poles) rather than a latticed tripod or square structure.

- 9.1.17. I note the subject site is not located within a residential area, although it is c. 66m to the west of a housing estate on the opposite side of the regional road. The site is also located c. 250m to the east of an industrial estate and adjoining an expanse of lands which is zoned for industrial development in the Tralee town.
- 9.1.18. The applicant's documentation with the s. 254 licence includes an extensive analyse of the criteria in choosing the subject site. The subject site currently has a fair signal for 4G. The applicant states that with the infrastructure the 4G coverage will achieve an excellent coverage. Alternative Sites within a diameter of 700m were investigated for suitability of location and the potential of collocating on these has been discounted as they are outside the search ring. I note the report of the area planner did not raise any issues with the applicant's justification for locating on the subject site. I have had regard to the applicant's documentation, and I consider the evidence sufficient justification for location at the subject site. In addition, I note the criteria in the Guidelines for the location of masts in larges towns and I consider the location adjoining industrial zoned lands and c. 250m from an industrial estate an appropriate location as justification for the last resort test.
- 9.1.19. I also note the applicant's documentation submitted with the s254 licence application refers to the National, Regional and Local policy which supports the roll out of digital connectivity and telecommunications infrastructure as the country implements the digital transformation network. I note the CAP further highlights the need for green and digital societies as an overarching aim to achieve decarbonisation and net zero commitments. Section 15 of the Climate and Low Carbon Development Act 2015 as amended (the Climate Act), obliges the Commission to make all decisions in a manner that is consistent with the current CAP.
- 9.1.20. In relation to the visual impact, the applicants appeal submission includes the same CGIs which accompanied the S254 licence. The applicant has submitted 11 CGIs taken from various locations around the site include short and long-distance approaches along the main routes and from a junction to the east of the site. I consider the range of photomontages submitted with the documents sufficient to

understand the visual impact of the proposed development. I note those long-range CGIs clearly illustrate the visual impact of the mast is negligible as it is barely distinguishable from the street lighting along the same stretch of the road. In my opinion, VRP 8 illustrates the mast as most visually dominant and even this photomontage, whilst visual is not unsympathetic to the surrounding environment. The sites characteristics are that of an urban bypass and associated street lighting and although the mast will exceed the height of the streetlight it does not detract from any views or impact any scenic locations.

9.1.21. The design of the mast is contemporary and, as the applicant states, has been redesigned to overcome a previous reason for refusal. The report of the area planner notes this although does not consider the new design can sufficiently mitigate against the impact on the walking route. I note the design is such as a monopole which increases in width at the top to accommodate antenna. On approach to the site the proposal would be visual, but not of such a scale that would have a significant negative impact. In this regard I do not consider it would impact Tralee's sense of place and identity as a highly attractive place to live, work, study and visit or have a negative impact transformative urban regeneration and public realm spaces. Therefore, I consider the proposal would not contravene Policy Objective TR8 of the development plan.

9.1.22. Similarly, the location of the site c. 66m to the south of a residential area, may lead the telecommunication mast and associated cabinets to be visible, although having regard to the design and location along the regional road, I do not consider the impact will be significant or have a negative impact on the residential amenity of any occupants in this residential area. Therefore, I consider the proposal can comply with Policy Objective KCDP 14-79 (achieving a balance between facilitating the provision of telecommunication infrastructure in the interests of social and economic progress and sustaining residential amenity and environmental quality)

9.1.23. Having regard to the characteristic of the area, including the location along the side of an urban road, and the design of the mast I consider the proposal complies with those policies in the national, regional and the KCDP supporting the digital connection infrastructure and I do not consider the proposal contravenes either Policy Objective TR8 or KCDP 14-79.

9.1.24. The number and location of existing appliances, apparatuses, or structures on, under, over or along the public road.

9.1.25. Braker O'Regan Road is a relatively long straight regional road with general grass verges at either side and associated footpaths. It has been designed as an outer bypass for the town of Tralee. Aside from the standard public lighting poles along either side of the road, there are no other taller structures and much of the lands along this stretch of the road is currently undeveloped. The telecommunications infrastructure is proposed along the southern side of the road, along the grass verge, beside the public footpath.

9.1.26. The grounds of appeal refer to the location of the existing street lighting poles along this section of the road. I note from the site inspection the location of these street poles which are of a contemporary nature. These are well spaced out along the road and reflective of street lighting expected along a road of this scale. There is no other appliances etc along the road, adjacent to the site which would indicate that the proposal would lead to an excessive clutter of appliances.

9.1.27. In this regard, noting the scale of the road as a bypass and the existing street lighting along the site of the road, I consider the proposal, in addition to the exiting street lighting would have no negative impact on existing appliances, apparatuses, or structures on, under, over or along the public road.

9.1.28. The convenience and safety of road users, including pedestrians.

9.1.29. The proposed pole and associated boxed infrastructure will be set back from the public footpath and within a grass verge adjoining an agricultural field. It is not considered the location of the infrastructure will cause any hazard to either pedestrians or road users. The Roads Department have no objection to the proposed development and note the proposal will not create any hinderance to pedestrians or motorists along this section of the road.

9.2. Conclusion

9.2.1. Therefore, having regard to the policies and objectives of the development plan, the siting and massing of the proposed works, the applicant's justification for locating the

proposal at this location and absence of any significant negative visual or residential impact, I consider the proposed development acceptable.

10.0 Appropriate Assessment (AA) Screening

- 10.1. Having regard to the modest nature and scale of the proposed development, its location in an urban area, connection to existing services and absence of connectivity to European sites, it is concluded that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

11.0 Water Framework Directive (WFD) Screening

- 11.1. Having regard to the modest nature and scale of the proposed development, it is concluded on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

12.0 Recommendation

- 12.1. I recommend that permission is granted for the proposed licence in accordance with the following reasons and considerations.

13.0 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 government's guidelines on Telecommunications Antennae and Support Structures; Guidelines for Planning Authorities (DEHLG 1996);
- d) the policies and objectives of the Kerry County Development Plan 2022-2028 specifically Objective TR8 and KCDP 14-79, the overall design of the infrastructure and its minimal impact as demonstrated in the submitted photomontages; and

it is considered that the proposed development would not have a significant negative visual impact on the residential amenities or the public realm of Tralee and would be in keeping with the proper planning and sustainable development of the area.

14.0 Conditions

1.	<p>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, 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>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.</p> <p>Reason: In the interest of the visual amenity of the area.</p>
3.	<p>Details of the proposed colour scheme for the pole, antennas, equipment containers shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of the visual amenity of the area.</p>

4.	<p>In the event of the telecommunications structure and ancillary structures hereby permitted ceasing to operate for a period of 3 months, the structures shall be removed, and the site shall be reinstated within 3 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, within 3 months of the structures ceasing to operate, and the site shall be reinstated in accordance with the agreed details at the operators expense.</p> <p>Reason: In the interest of the visual amenities of the area</p>
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I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Karen Hamilton
Assistant Director of Planning

05th of January 2026

15.0 Appendix 1 - EIA Pre-Screening – Form 1

An Bord Pleanála		ABP-321990-25
Case Reference		
Proposed Development		15m telecommunications pole and associated works
Summary		
Development Address		Bracker O'Regan Road, Lisloose, Tralee, Co. Kerry
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		<input checked="" type="checkbox"/> Yes X <input type="checkbox"/> No
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?		
Yes		Proceed to Q3.
No	X	
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?		
Yes		EIA Mandatory EIAR required
No	X	Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?		

Yes			Preliminary examination required (Form 2)
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5. Has Schedule 7A information been submitted?		
No	X	Screening determination remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: _____ Date: _____