

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2010

Carrickmacross Town

An Bord Pleanála Reference Number: 43.RL.2710

WHEREAS a question has arisen as to whether the attachment of additional antennae to the existing communications support structure and the erection of an associated equipment cabinet at Carrickmacross Garda Station, Carrickmacross, County Monaghan is or is not development or is or is not exempted development:

AND WHEREAS the said question was referred to An Bord Pleanála by Carrickmacross Town Council on the 1st day of February, 2010:

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

- (a) sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- (b) articles 6 and 9 of the Planning and Development Regulations, 2001, as amended,
- (c) Class 31 of Part 1 of Schedule 2 to the said Regulations and including the conditions and limitations attached thereto,
- (d) the location of the site both within the curtilage of a protected structure (Garda Station) and within an architectural conservation area and the existing impact of the telecommunications mast (having regard to its nature, scale and location at the rear of the Garda Station property) on the character of the said protected structure and architectural conservation area, and
- (e) the total number of antennae affixed to the telecommunications mast:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the erection of additional antennae on the existing telecommunications mast and the provision of a cabinet constitute development,
- (b) the additional antennae and associated cabinet do not materially affect the character of the protected structure (Garda Station) and do not materially affect the character of the Architectural Conservation Area,
- (c) the erection of the additional antennae and associated cabinet has been carried out on behalf of Tetra Ireland Ltd, which is an undertaker licensed by the Commission for Communications Regulation (ComReg),
- (d) the additional antennae and associated cabinet are part of a telecommunications system,
- (e) the development is of a type coming generally within the exempted development provisions of Class 31 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001,
- (f) the erection of the associated equipment cabinet comes within the exempted development provisions of Class 31(f),
- (g) the attachment of the additional antennae does not comply with the conditions and limitations attaching to the said Class 31(h), as the number of antennae exceeds the maximum limit of 12 antennae pertaining to the said Class 31(h) and, therefore,
- (h) the attachment of the additional antennae cannot avail of the exempted development provisions of the said Class 31(h):

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (4) of the 2000 Act, hereby decides that the said attachment of additional antennae to the existing telecommunications support structure is not exempted development and the erection of an associated equipment cabinet is exempted development at Carrickmacross Garda Station, Carrickmacross, County Monaghan.

MATTERS CONSIDERED

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

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

Dated this day of 2011.