



An  
Bord  
Pleanála

**Board Direction**  
**BD-010676-22**  
**ABP-310949-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 10/05/2022.

The Board treated this case under section 48 of the Planning and Development Act, 2000, as amended. The Board also decided that the planning authority be directed, as follows:

Remove condition no. 1

### **Reasons and Considerations**

Having regard to:

- a) the provisions of the Monaghan County Council General Development Contributions Scheme 2021-2026, which provides that development contributions shall not be levied in respect of any telecommunications infrastructure (masts, antennae, dishes and other apparatus or equipment being installed for such communication purposes) being deployed as part of a Government endorsed telecommunications strategy, plan or initiative, or where mobile or broadband operators demonstrate to the satisfaction of the planning authority that the proposed telecommunications development provides services to customers who would not otherwise be able to avail of an adequate mobile or broadband service,

- b) Circular Letter PL07/12 issued from the Department of the Environment, Community and Local Government and Circular and PL03/2018 issued by the Department of Housing, Planning and Local Government under Section 28 of the Planning and Development Act 2000 (as amended), which requires that planning authorities revise their development contribution schemes in order that a waiver be provided for broadband and mobile phone infrastructure (masts and antennae) being deployed as part of a Government endorsed telecommunications strategy, plan or initiative from the requirement to pay development contributions, and
- c) The information submitted in support of this appeal,

it is considered that the proposed development constitutes a facility for communications purposes that forms part of the National Broadband Scheme or a subsequent endorsed initiative as defined by the Department of Communication, Energy and Natural Resources; and that the terms of the Development Contribution Scheme have not been properly applied.

In deciding not to accept the Inspector's recommendation to attach Condition no. 1, the Board noted that the planning authority's current general development contributions scheme provides that development contributions shall not be levied in respect of any telecommunications infrastructure (masts, antennae, dishes and other apparatus or equipment being installed for such communication purposes) being deployed as part of a Government endorsed telecommunications strategy, plan or initiative.

Board Member:



John Connolly

Date: 10/05/2022