

An  
Bord  
Pleanála

**Board Direction**  
**BD-009515-21**  
**ABP-311262-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/11/2021.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board also decided, based on the Reasons and Considerations set out below / set out on the attached copy of the Inspector's report, that the planning authority be directed, as follows:

Remove condition number 1

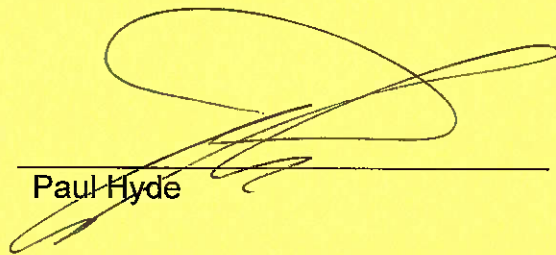
### **Reasons and Considerations**

Having regard to:

- (a) The submissions made in this appeal.
- (b) The provisions of Monaghan County Council General Development Contribution Scheme, 2021 – 2026.
- (c) The planning history of the site.
- (d) All relevant planning provisions.
- (e) The nature, scale and extent of the proposed development sought.
- (f) The unique nature and type of telecommunications infrastructure Tetra Ireland Ltd provides and the unique type of customers which use their telecommunications service.

The Board considers that condition no. 1 has been incorrectly applied and determined in accordance with the provisions of the Monaghan County Council General Development Contribution Scheme, 2021-2026, and it considers that this development for which planning permission is sought is exempt from the payment of such contributions on the basis of Section 19(e) of the scheme which sets out an exemption where mobile or broadband telecommunications development provide services to customers who would not otherwise be able to avail of an adequate mobile or broadband service and where the new development does not place a demand for new, upgraded or additional infrastructure or services.

**Board Member:**



Paul Hyde

**Date:** 24/11/2021