



An  
Bord  
Pleanála

**Board Direction**  
**BD-015247-24**  
**ABP-315401-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 19/01/2024.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the provisions of the National Planning Framework, the Regional Spatial & Economic Strategy for the Southern Region, the Cork County Development Plan 2022 - 2028, the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, 1996 and associated Circular Letter PL07/12, the location and setting of the site located on an existing Eir Exchange, and the nature and scale of the proposed development, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area and the wider Loop Head Peninsula including views from the 'Scenic Route' along the R478 Regional Road and other scenic routes in the area and would comply with Objective GI 14-14 of the Cork County Development Plan 2022 – 2028 for location near scenic routes and further the objectives of Chapter 13 of the Plan to facilitate the delivery of high quality digital and mobile telecommunications throughout Cork County. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Board considered that the development is a project for the purposes of the EIA Directive. However, the Board concluded that the proposed development does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 to the Planning and Development Regulations 2001, as amended, and therefore no preliminary examination, screening for Environmental Impact Assessment or Environmental Impact Assessment is required.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board did not agree with the overall assessment of the inspector. The Board did not accept that the proposed development located on an existing Eir Exchange, to replace an existing 10m mast with a 15m monopole telecommunication structure would have an overbearing or obtrusive impact on the residential and other amenities in the area. The Board did not agree with the Inspector that the proposed structure would seriously injure the visual amenities of the area as it was located behind a prominent building within the village and while the proposed development will be 5m higher than the existing pole, as part of the existing landscape there are a number other vertical structures in the area including ESB poles and overhead cables and road signs. Finally, the Board did not accept that the applicant had failed to provide adequate information in relation to alternative sites as both their planning application and their Appeal did examine the suitability of the Cellnex/OnTower site and set out clear reason why the proposed development and location should be preferred which was accepted by the Board.

### **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as received by the planning authority on the 3<sup>rd</sup> of October, 2022, 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. Prior to commencement of development, details of the proposed colour scheme for the telecommunications structure and ancillary structures shall be submitted to, and agreed in writing with, the planning authority.

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

3. 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.

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

Reason: In the interest of public health.

5. (a) In the event of the proposed structure becoming obsolete and being decommissioned, the developers shall, at their own expense, remove the mast, antenna and ancillary structures and equipment.

(b) The site shall be reinstated upon the removal of the telecommunication structure and ancillary structures. Details of the reinstatement shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of orderly development.

6. The developer shall provide and make available at reasonable terms the proposed support structure for the provision of mobile telecommunications antenna of third party licenced telecommunications operators.

Reason: To avoid a multiplicity of telecommunications structures in the area, in the interest of visual amenity, and proper planning and sustainable development.

Board Member



Date: 29/01/2024

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Peter Mullan