

An
Bord
Pleanála

Board Direction
BD-018213-24
ABP-320148-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15/11/2024.

The Board decided, generally in accordance with the Inspector's recommendation, to direct the planning authority to grant the Section 254 licence subject to the altered conditions set out below, for the following reasons and considerations.

REASONS AND CONSIDERATIONS

Having regard to the nature, scale, design and location of the proposed development, which is a 15m high monopole telecommunications structure, associated equipment and two cabinets, the provisions of Section 254 of the Planning and Development Act, 2000 (as amended), the relevant provisions of Cork City Development Plan, 2022-2028, and the 'Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996) (as updated by Circular Letters PL 07/12 and PL 11/2020); it is considered that the proposed development would provide for a necessary improvement in telecommunications service, and would not seriously injure the visual or residential amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In reaching its decision the Board noted the location of the proposed development in an area not identified as a visually sensitive location. The Board accepted the assessment regarding the lack of suitable alternative locations and the need for a 15m high pole and two cabinets as the minimum required for operational purposes and to allow for future co-sharing with a second operator.

The Board considered that the development is a project for the purposes of the Environmental Impact Assessment 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.

CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 the commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interests of clarity.

2. 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: In the interest of avoidance of multiplicity of telecommunications structures in the area, in the interest of visual amenity and proper planning and sustainable development.

3. A second equipment cabinet and any ancillary equipment for a second future operator shall not be installed on site until such times as a second operator is first confirmed. The planning authority shall be notified in writing of the confirmation of a second operator four weeks before the installation of the second equipment cabinet and any ancillary equipment.

Reason: In the interests of clarity and to cater for the proper planning and sustainable development of the area.

4(a) This licence shall apply for a period of five years from the date of this order. The telecommunications structure and related ancillary structures shall then be removed unless, prior to the end of the period, a licence shall have been granted for a further period.

(b) In the event of the telecommunications structure and ancillary structures hereby permitted becoming ceasing to operate for a period of 6 months, the structures shall be removed and the site shall be reinstated. 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 operator's expense.

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

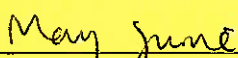
5. The telecommunications pole shall be a galvanised grey and the ancillary cabinets shall be a dark fir green unless otherwise agreed in writing with the planning authority prior to the commencement of development.

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

6. The proposed cabinets and pole shall be maintained regularly and shall be kept graffiti free.

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

Board Member



Mary Gurrle

Date: 27/11/2024