

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Mayo County

Planning Register Reference Number: P15/597

An Bord Pleanála Reference Number: PL16.245846

APPEAL by Vodafone Ireland Limited care of 4Site Telecoms of 4Site House, Keating Road, Raheen Business Park, Limerick in relation to the application by Mayo County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 5 of its decision made on the 10th day of November, 2015.

PROPOSED DEVELOPMENT: Retention of an existing 24 metres telecommunications support structure, carrying associated antenna and link dishes, associated cabin, existing security fencing and existing access track at Ballyclogher Townland, Balla, County Mayo. The development continues to form part of Vodafone Ireland Limited's existing GSM/3G and 4G broadband telecommunications networks.

DECISION

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number 5 and directs the said Council to REMOVE condition number 5 and the reason therefor.

REASONS AND CONSIDERATIONS

The proposed development is for continuance of use of an existing telecommunications mast and mobile phone infrastructure. In the absence of any specific provision in the Mayo County Council Development Contribution Scheme for the levying of financial contributions in respect of telecommunications masts and mobile phone infrastructure, it is considered that the terms of the Scheme have not been properly applied by the planning authority in this instance.

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 2016.