



An  
Bord  
Pleanála

**Board Order  
PL 92.248107**

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**Planning and Development Acts 2000 to 2016**

**Planning Authority: Tipperary County Council.**

**Planning Register Reference Number: 16600653.**

**Appeal** by Three Ireland (Hutchison) Limited care of Peadar McQuaid of 28 to 29 Sir John Rogerson's Quay, Dublin against the decision made on the 9<sup>th</sup> day of February, 2017 by Tipperary County Council to refuse a permission to the said Three Ireland (Hutchison) Limited for the proposed development.

**Proposed Development:** Construction of a 27 metres high telecommunications support structure carrying antennas and transmission dishes with associated equipment units, security fencing and access track, all at Timoney, Knock, Roscrea, County Tipperary.

### **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **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.

## **Reasons and Considerations**

Having regard to:

- a) National strategy regarding the improvement of mobile communications services and the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, 1996 issued by the Department of the Environment and Local Government,
- b) The location of the proposed development which is not in, or adjacent to, a primary or secondary amenity area or near a listed view,
- c) The general topography and landscape features in the vicinity of the site,
- d) The low levels of traffic predicted which are not considered to endanger public safety by reasons of traffic hazard,
- e) The separation distance and landscaping between it and the Protected Structure, and
- f) The existing pattern of development in the vicinity,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area, would not endanger public safety, and would be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 16<sup>th</sup> day of January, 2017 and by the further plans and particulars received by An Bord Pleanála on the 2<sup>nd</sup> day of March, 2017, 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. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.

**Reason:** In the interest of public health.

3. Details of the proposed colour scheme for the telecommunications structure, ancillary structures and fencing shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

4. Landscaping of the site shall be carried out in accordance with a landscaping scheme, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

5. Within six months of the cessation of use, the telecommunications structure and ancillary structures shall be removed and the site shall be reinstated. Details relating to the removal and reinstatement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Reinstatement shall be deemed to include the grubbing out of the access track created in association with the development permitted herein.

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

6. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of traffic management during the construction phase, details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste, as well as protective measures to be employed during the construction of the access track with respect to the ditch and boundary hedgerow.

**Reason:** In the interests of public safety and residential amenity.

7. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this          day of                                  2017**