



An  
Bord  
Pleanála

**Board Order**  
**PL 11.248630**

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**Planning and Development Acts 2000 to 2017**

**Planning Authority: Laois County Council**

**Planning Register Reference Number: 17/149**

**Appeal** by Shared Access Limited care of 4 Site of Keating Road, Raheen Business Park, Limerick in relation to the application by Laois County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 6 of its decision made on the 11<sup>th</sup> day of May, 2017.

**Proposed Development:** Retention of existing 24 metres high multi-user telecommunications structure, carrying associated antennae and link dishes, existing cabinets, existing concrete plinths, existing security fencing and access route, (planning register reference numbers P11/422 and P14162), at Springfield, Ballacolla County Laois. The development will continue to form part of existing operator's 3G and 4G broadband telecommunications network.

## **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 6 and directs the said Council to REMOVE condition number 6 and the reason therefor.**

## **Reasons and Considerations**

The proposed development is for the continuance of use of an existing telecommunications mast and mobile phone infrastructure. Having regard to the parent permission granted under planning register reference number P11/422 which included a condition for a financial contribution under the Development Contribution Scheme and which was complied with by the applicant, it is considered that the appropriate contribution has been paid in respect of this development and it would be an unreasonable interpretation of the Development Contribution Scheme to require a further contribution in these circumstances.

## **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.

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

**Dated this      day of                                  2017**