

Board Order PL 16.248862

## Planning and Development Acts 2000 to 2017 Planning Authority: Mayo County Council Planning Register Reference Number: P17/306

**Appeal** by Vodafone Ireland Limited care of 4Site, 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 11 of its decision made on the 20<sup>th</sup> day of June, 2017.

**Proposed Development:** Retention of an existing 18 metre multi-user monopole, carrying associated telecommunications, antenna, dish, associated equipment cabin, a 2.4 metre high security fence and access track at Rinshinna Townland, Castlebar Soccer Club, Castlebar, County Mayo. The development forms 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 11 and directs the said Council to REMOVE condition number 11 and the reason therefor.

## **Reasons and Considerations**

Having regard to the fact that there is no stated provision in the Mayo County Council Development Contribution Scheme for the levying of financial contributions in respect of the provision of telecommunications masts, antennas or associated equipment and in the absence of a response from the planning authority, the Board considered that the terms of the said scheme had not been properly applied in this case.

## 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

2017