

## **Board Order PL 02.249227**

Planning and Development Acts 2000 to 2017

**Planning Authority: Cavan County Council** 

Planning Register Reference Number: 17/287

**Appeal** by Cignal Infrastructure Limited care of 4Site of 4Site House, Raheen Business Park, Limerick against the decision made on the 18<sup>th</sup> day of August, 2017 by Cavan County Council to refuse permission for the proposed development.

**Proposed Development:** Construction of communications infrastructure comprising a 36 metre lattice tower, associated equipment, cabinets, fencing and access track at Cabra, Kingscourt, County Cavan.

## **Decision**

REFUSE permission for the above proposed development in accordance with the reasons and considerations 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 the location of the proposed development within the development envelope of Kingscourt and the zoning designation of the site as Amenity/Recreation which "seeks to provide and maintain recreational and amenity spaces for communities", and which states that "only community facilities and other recreational uses will be considered by the planning authority", it is considered that the proposed development would adversely impact on the use of the lands for amenity and recreational purposes, and would compromise the future development of the lands for such uses. The proposed development would, therefore, contravene materially the policies and zoning objectives for the lands, as indicated in the Cavan County Development Plan 2014 – 2020 and be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board accepted the view of the planning authority that the subject development represented a material contravention of the zoning objective for these lands, which permits only community facilities and other recreational uses, and considered that the specific zoning objective should take precedence over the more general objectives within the County Development Plan promoting telecommunications infrastructure.

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

Dated this day of 2018

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