# An Bord Pleanála



#### PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

## **Limerick City and County**

Planning Register Reference Number: 17/749

An Bord Pleanála Reference Number: ABP-300020-17

**APPEAL** by Vodafone Ireland Limited care of 4Site of 4Site House, Raheen Business Park, Limerick, in relation to the application by Limerick City and County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 2 of its decision made on the 27<sup>th</sup> day of September, 2017.

**PROPOSED DEVELOPMENT:** Proposed antennas, link dishes, associated equipment, equipment cabinet and ancillary works at rooftop level at University Hospital Limerick, Saint Nessan's Road, Dooradoyle, County Limerick. The proposed location is in an Architectural Conservation Area within the curtilage of an existing protected structure "the Hospital Chapel" in the Hospital Campus. The existing protected structure will not be altered or affected by the proposed works.

#### **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 2 and directs the said Council to REMOVE condition number 2 and the reason therefor.

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#### **REASONS AND CONSIDERATIONS**

It is considered that the proposed development does not include the provision of a telecommunications mast and, thus, it does not comprise a category of development for which a development contribution is required to be made under the Limerick City and County Council Development Contribution Scheme 2017-2021. The terms of the Development Contribution Scheme have, thereby, not been properly applied and a development contribution condition should not be included 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 2018.

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