



An
Bord
Pleanála

Board Order
ABP-302609-18

Planning and Development Acts 2000 to 2018

Planning Authority: Tipperary County Council

Planning Register Reference Number: 18/600549

Appeal by Cignal Infrastructure Limited care of 4Site, 4Site House, Raheen Business Park, Limerick in relation to the application by Tipperary 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 27th day of August, 2018.

Proposed Development: The erection of a 36-metre high multi-user lattice telecommunications structure, carrying antenna and dishes enclosed within a 2.4-metre high palisade fence compound with associated ground equipment cabinets, creation of new entrance, access track and site works at Brittas Townland, Thurles, County Tipperary.

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

Having regard to:

- (a) the provisions of the Tipperary County Development Contribution Scheme 2015-2019, which states- “Where masts and antennae, dish and other apparatus/equipment for communication purposes form part of the National Broadband Plan or a subsequent Government endorsed initiative as defined by the Department of Communications, Climate Action and Environment they will not be subject to development contributions”, and
- (b) the submission made in the appeal,

it is considered that the proposed development constitutes a facility for communications purposes that forms part of the National Broadband Scheme or a subsequent endorsed initiative as defined by the Department of Communications, Climate Action and Environment; and that the terms of the Development Contribution Scheme have not been properly applied.

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.

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

Dated this day of 2019.