



Planning and Development Acts 2000 to 2019

Planning Authority: Cork County Council

Planning Register Reference Number: 19/00230.

Appeal by Hibernian Cellular Networks Limited care of Charterhouse of Tea Lane, Lower William Street, Listowel, County Kerry against the decision made on the 4th day of June, 2019 by Cork County Council in relation to the application for permission for development comprising: (a) Retention of the existing two number 10-metre high timber poles together with associated dishes and antenna and ground-based equipment and fencing (partially granted under planning register reference number W/1091/84 and (b) Permission for erection of a 20-metre lattice tower together with associated antennas, dishes, equipment cabin and security fencing at Mount Gabriel, Schull, County Cork in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions a permission for retention of the existing two number 10-metre high timber poles together with associated dishes and antenna and ground-based equipment and fencing and to refuse permission for the erection of a 20-metre lattice tower together with associated antennas, dishes, equipment cabin and security fencing).

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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 relevant provisions of the Cork County Development Plan, 2014, to national strategy regarding the improvement of mobile communications services, specifically the Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities issued by the Department of the Environment and Local Government in July, 1996 and the provisions of Circular Letter PL07/12 issued by the Department of the Environment, Community and Local Government in October, 2012, to the planning history on the site, to the location of the site and the nature and scale of the telecommunication structure, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development for which retention is sought would not set a precedent for other development, would not seriously injure the amenities of the area and would not, therefore, materially contravene objectives GI 6-1, GI 7-1 and GI 7-2 as set out in the Cork County Development Plan, 2014. The proposed development and the development for retention would, therefore, be in

accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out, completed and retained in accordance with the plans and particulars lodged with the application, as amended by the plans and particulars received by An Bord Pleanála with the appeal documentation on the 25th day of June, 2019, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out, completed and retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed lattice tower shall be as shown on Drawing Numbers CK-001-P05 and CK-001-P06, received by An Bord Pleanála on the 25th day of June, 2019.

Reason: In the interests of clarity and the visual amenities of the area.

3. Within six months of the construction of the proposed lattice tower, the existing two number existing 10-metre high timber poles together with associated dishes and antenna, shall be permanently removed from the site.

Reason: In the interests of orderly development and the visual amenities of the area.

4. Prior to commencement of development, details of the proposed colour scheme for the telecommunications structure, ancillary structures and fencing shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of the visual amenities of the area.

5. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or its appendages or within the curtilage of the site without a prior grant of planning permission.

Reason: In the interests of orderly development and the visual amenities of the area.

6. The construction of the development, including the decommissioning of the masts to be removed, shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of traffic management during the construction phase, details of the intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: in the interests of safety and amenity.

Chris McGarry

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2019.