



Planning and Development Acts 2000 to 2019

Planning Authority: Tipperary County Council

Planning Register Reference Number: 18601280

APPEAL by Vodafone Ireland Limited care of Charterhouse Infrastructure Consultants of Tea Lane, Lower William Street, Listowel, County Kerry against the decision made on the 24th day of June, 2019 by Tipperary County Council to grant subject to conditions a permission to Cignal Infrastructure Limited care of Ciara Maguire of Fumbally Exchange, 5 Dame Lane, Dublin.

Proposed Development: The erection of a 30-metre multi-user lattice structure carrying telecommunications and ancillary equipment together with associated exchange containers enclosed within compound fencing with access off an existing track to be extended by 20 metres. The development will accommodate eir Mobile and Image Broadband to enable the provision of enhanced mobile and Next Generation broadband services in the area and also provide for future third party operators as required. All at Ballydavid, Bansha County Tipperary.

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

On the basis of the documentation submitted with the planning application and the appeal, the Board is not satisfied that the applicant has satisfactorily demonstrated that the proposed development complies with the requirements of Section 4.5 of the guidelines relating to telecommunications antennas and support structures which were issued by the Department of the Environment and Local Government to planning authorities in July, 1996 in relation to the sharing/co-location and clustering of masts in circumstances where there is an existing mast (with available capacity for sharing) located in very close proximity to the site of the proposed development. Accordingly, it is considered that the proposed development would contravene Section 4.5 of these Guidelines. Furthermore, the proposed development would contravene Policy TI 14 of the South Tipperary County Development Plan, 2009 (as amended and as extended) which seeks to facilitate proposals for masts, antennae and support structures in accordance with the Guidelines and where it can be established that there will be no significant adverse impact on the surrounding areas and the receiving environment particularly in Primary and Secondary Amenity Areas. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2020.