



Planning and Development Acts 2000 to 2020

Planning Authority: Mayo County Council

Planning Register Reference Number: P20/438

Application for Leave to Appeal against the decision of the planning authority by Thomas Hurst care of McGinty Planning and Development Consultants care of Lislary, Ballinphull, County Sligo having an interest in land adjoining the land in respect of which Mayo County Council decided on the 28th day of August, 2020 to grant subject to conditions a permission to Eircom Limited care of Focus Plus Limited of Number 3 Arbour Field House, Dundrum Business Park, Dublin.

Proposed Development: Construction of an 18 metres high free-standing communications structure with its associated antennae, communication dishes, ground equipment and all associated site development works at Knockalegan, Ballina Road, Crossmolina, County Mayo. The development will form part of Eircom Limited existing telecommunications and broadband network.

Decision

REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on 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 submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that:

- (i) while it has been shown that the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition number 5 imposed by the planning authority to which the grant is subject;
- (ii) it has not shown that the imposition of this condition will materially affect the applicant's enjoyment of land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.

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

Dated this day of 2020