



An
Bord
Pleanála

Board Order
ABP-308491-20

Planning and Development Acts 2000 to 2020

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 20/755

Appeal by Pdraig O'Donoghue care of Don O'Malley of Albinton Enterprise Centre, Murroe, County Limerick against the decision made on the 25th day of September, 2020 by Limerick City and County Council to grant subject to conditions a permission to Eircom Limited care of FocusPlus Limited of Number 3 Arbourfield House, Dundrum Business Park, Windy Arbour, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: The construction of a 15 metre high free-standing communications structure with its associated antennae, communication dishes, ground equipment and all associated site development works. The development will form part of Eircom Limited existing telecommunications and broadband network at Cappamore Eircom Exchange, Dromsallagh, Cappamore, County Limerick.

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 National Planning Framework Project Ireland 2040, the Limerick County Development Plan 2010-2016, as amended and extended, the Telecommunications Antennae and Support Structures Guidelines for Planning Authorities (1996) and Circular Letter PL/07/12, the existing telecoms infrastructure on the site, the established use of the site for telecommunications purposes and the scale, height and design of the proposed development, it is considered that the proposed development would be in accordance with national policy for telecommunications infrastructure, the current County Development Plan and the Cappamore Local Area Plan 2011-2017, as extended, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health

3. When the telecommunications structure and ancillary structures are no longer required, they shall be removed and the site shall be reinstated at the operator's expense in accordance with a scheme to be agreed in writing with the planning authority prior to the removal of the structures.

Reason: In the interest of protecting the landscape.

4. 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 prior to commencement of development.

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

5. The proposed cabinets at the base of the free-standing structure shall be acoustically insulated cabinets in order to minimise any potential noise nuisance to the occupants of nearby residential units. Details of the insulated cabinet shall be submitted to the planning authority for written agreement prior to commencement of development.

Reason: In the interest of orderly development.

6. Landscaping of the site shall be carried out in accordance with a landscaping scheme, which shall include hedging planted inside the boundary fence, and which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

7. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or its appendages or within the curtilage of the site.

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

8. The construction of the development 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 intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and residential amenity.

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

Dated this day of 2021