



Planning and Development Acts 2000 to 2020

Planning Authority: Cork City Council

Planning Register Reference Number: T.P. 20/39461

Appeal by Derry Collins and Alice Collins of Alder, Ballinure, Blackrock, Cork against the decision made on the 1st day of October, 2020 by Cork City Council to grant subject to conditions a permission to Vodafone Ireland Limited care of Towercom, Tea Lane, Listowel, County Kerry in accordance with plans and particulars lodged with the said Council:

Proposed Development: Permission to extend the existing 12 metres high telecommunications structure (overall height 14.5 metres) to 20 metres and to add antenna and dishes together with ground-based equipment and to widen the internal access track at Eir Exchange, Ballinure Road, Mahon, Cork.

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

In coming to its decision, the Board had regard to the following matters:

- (a) the provisions of the Cork City Development Plan 2015 – 2021,
- (b) the policies and objectives set out in the Mahon Local Area Plan 2014,
- (c) the guidelines relating to Telecommunications Antennae and Support Structures which were issued by the Department of the Environment and Local Government to planning authorities in July, 1996,
- (d) Circular Letter PL/07/12, issued by the Department of the Environment, Community and Local Government in October, 2012,
- (e) the planning history of the site,
- (f) the nature and scale of the proposed development,
- (g) the submissions and observations received,

- (h) the decision of the planning authority, and
- (i) the report of the planning inspector,

The Board considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of the visual amenity of the area and would not seriously injure the residential amenities of adjoining properties. The proposed development, would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board concurred with the planning authority's assessment and considered that, having due regard to the Telecommunications Antennae and Support Structures Guidelines, the proposed vertical extension of an existing lattice tower within a residential area was acceptable in the circumstances given the existing nature of the lattice structure and would not represent a significant additional impact. The Board did not consider that proposed vertical extension would be visually obtrusive and considered that it would be acceptable in terms of the visual amenities of the area and would not contravene the relevant national planning guidelines 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. Details of the proposed materials, finishes and colour scheme for the telecommunications structure, ancillary structure, access gate and palisade 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.

3. 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.

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

Paul Hyde

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

Dated this day of 2021