

An
Bord
Pleanála

Board Order
ABP-309211-21

Planning and Development Acts 2000 to 2020

Planning Authority: Cavan County Council

Planning Register Reference Number: 20/248

Appeal by Eircom Limited care of FocusPlus Limited of N3 Arbourfield House, Dundrum Business Park, Dundrum Road, Dublin against the decision made on the 21st day of December, 2020 by Cavan County Council to refuse permission for the proposed development.

Proposed Development: Construction of a 21 metres high free standing communications structure with its associated antennae, communication dishes, ground equipment and all associated site works to form part of Eircom Limited's existing telecommunications and broadband network at Mullagh Eircom Exchange, Virginia/Bailieborough Road, Mullagh, County Cavan. The proposed development was revised by further public notices received by the planning authority on the 1st day of December 2020.

**An amendment to this
Board Order has been made**

Dated

Signed: Secretary

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

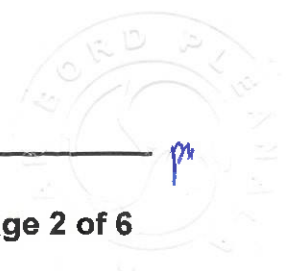
Having regard to the provisions of the National Planning Framework, the Cavan County Development Plan 2014-2020, the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, issued by the Department of the Environment and Local Government in 1996 and associated Circular Letter PL07/12, the existing pattern of development in the area, and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the

area.

**An amendment to this
Board Order has been made**

Dated

Signed: Secretary



Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application. as amended by the further plans and particulars submitted to the planning authority on the 13th day of November, 2020, 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. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

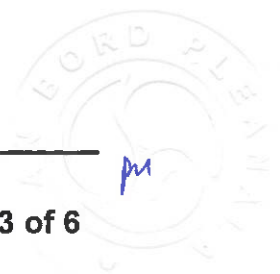
3. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority details of security boundary treatment around the proposed telecommunications installation.

Reason: In the interest of public safety.

**An amendment to this
Board Order has been made**

Dated

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4. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.

Reason: In the interest of public health.

5. 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.

6. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

7. The developer shall allow, subject to reasonable terms, other licensed mobile telecommunications operators to co-locate their antennae onto the proposed mast.

Reason: In order to avoid the proliferation of telecommunications structures in the interest of visual amenity.

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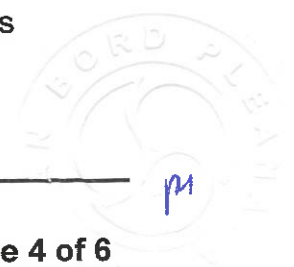
Dated

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Signed: Secretary



8. A low intensity fixed red obstacle light shall be fitted as close to the top of the mast as practicable and shall be visible from all angles in azimuth. Details of this light, its location and period of operation shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of public safety.

9. When no longer required, the monopole and associated equipment/compound shall be permanently removed from the site.

Reason: In the interest of visual amenity.


10. 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 traffic management during the construction phase, details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste, as well as means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water drains.

Reason: In the interests of public safety and amenity.

11. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of the reinstatement, including all necessary demolition and removal.

The form and amount of the security shall be agreed between the planning authority and the developer, or in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory reinstatement of the site.



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



Dated this *27th* day of *May* 2021.

**An amendment to this
Board Order has been made**

**Dated
Signed: Secretary**