

An
Bord
Pleanála

Board Order
ABP-309359-21

Planning and Development Acts 2000 to 2020

Planning Authority: Cork County Council

Planning Register Reference Number: 20/04497.

Appeal by Vodafone Ireland Limited care of Towercom of Usher House, Main Street, Dundrum, Dublin against the decision made on the 7th day of January, 2021 by Cork County Council to refuse a permission to the said Vodafone Ireland Limited for the proposed development.

Proposed Development: Erect a 20 metres lattice mast together with antennas, dishes and associated telecommunications equipment, all enclosed in security fencing and replace the existing 15 metres lattice mast (overall height 16.5 metres), all at Eir Exchange, Tinageragh, Watergrasshill, County 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:

- (a) the "Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities" issued by the Department of Environment and Local Government in 1996,
- (b) the Telecommunications Antennae and Support Structures Guidelines Circular Letter: PL 07/12 issued by the Department of Environment, Community and Local Government in October, 2012,
- (c) the objectives of the current Cork County Development Plan,
- (d) the nature, scale and location of the proposed telecommunication structure,
- (e) the submissions and observations on file, and
- (f) the decision of the planning authority,

it is considered that the proposed development, subject to compliance with the conditions set out below, would comply with national policy and the objectives of the planning authority as set out in the current Cork County Development Plan and would not seriously injure the visual or residential amenities of the area. 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 is satisfied that, having regard to its location within an existing and established Eircom telecommunications exchange and its function as a replacement/upgrade of an existing 15 metres lattice mast, and to the suboptimal coverage in Watergrasshill Village, the proposed development would be located in a highly suitable and appropriate location for the purposes of providing 2G, 3G and 4G coverage in the area . Furthermore, the Board is satisfied that the proposed structure would not seriously injure the visual amenity of the area and would be in accordance with Ministerial Guidelines.

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 particulars submitted to the planning authority on the 7th day of December, 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 proposed mast and all associated antennas, equipment and fencing shall be demolished and removed from site when it is no longer required. The site shall be reinstated to its predevelopment condition at the expense of the developer.

Reason: In the interest of orderly development.

3. The antennae type and mounting configuration shall be in accordance with the details submitted with this application, and notwithstanding the provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, shall not be altered without a prior grant of planning permission.

Reason: To clarify the nature and extent of the permitted development to which this permission relates and to facilitate a full assessment of any future alterations.

4. 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.

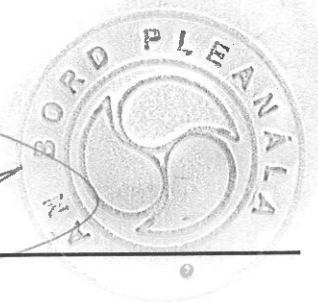

Reason: In the interest of public safety.

5. Details of the proposed colour scheme for the telecommunications structure and ancillary structures 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. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or its appendages or within the curtilage of the site without a prior grant of planning permission.

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



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

Dated this *20th* day of *December* 2021.