

An
Bord
Pleanála

Board Order
ABP-309535-21

Planning and Development Acts 2000 to 2020

Planning Authority: Cork City Council

Planning Register Reference Number: 20/39697

Appeal by Vodafone Ireland Limited care of Towercom Limited of Usher House, Main Street, Dundrum, Dublin against the decision made on the 29th day of January, 2021 by Cork City Council to refuse permission for the proposed development.

Proposed Development: The extension of an existing telecommunications structure (providing new overall heights of 33.5 metres), carrying existing antennas, dishes and associated equipment and additional antennas, dishes and associated equipment, together with new ground equipment cabinets, bollards and all associated site development works at Eir Exchange, Quaker Road, 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 the Environment and Local Government in July, 1996,
- (b) Circular Letter PL07/12, issued by the Department of the Environment, Community and Local Government on the 19th day of October, 2012,
- (c) the objectives of the current Cork City Development Plan,

- (d) the nature, scale and location of the proposed telecommunication structure,
- (e) the submissions and observations received, and
- (f) the decision of the planning authority,

and considered that the proposed development, subject to compliance with the conditions set out below, would achieve the objectives set out in National Policy and the Cork City Development Plan. It is considered that the proposed development would not seriously injure the visual or residential amenities of the area and would not seriously injure the architectural heritage of the area and 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 was satisfied that, having regard to its location within an existing and established telecommunications exchange and its function as a replacement/upgrade of an existing telecommunications mast, the proposed development was located in a highly suitable and appropriate location for the purposes of providing 2G, 3G and 4G and broadband coverage in the area. Furthermore, the Board noted availability of the proposed mast for co-location in the future in accordance with National Policy. Finally, the Board considered that the proposed development which is located within the vicinity of the South Parish Architectural Conservation Area and protected structures, would not fail to preserve and enhance the architectural heritage of the area by reason of the marginal increase in visibility of the mast and the associated equipment 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. 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.

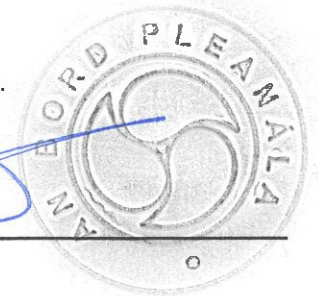
6. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or its appendages or within the curtilage of the site without a prior grant of planning permission.

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 *16th* day of *August* 2021.