

**An
Bord
Pleanála**

**Board Order
ABP-309665-21**

Planning and Development Acts 2000 to 2020

Planning Authority: Tipperary County Council

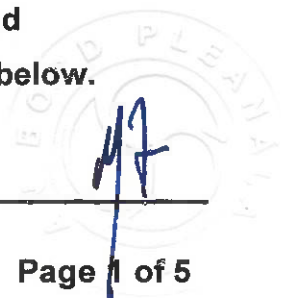
Planning Register Reference Number: 20/1536

Appeal by Eircom Limited care of FocusPlus Limited of N3 Arbourfield House, Dundrum Business Park, Dundrum Road, Dublin against the decision made on the 17th day of February, 2021 by Tipperary County Council to refuse a permission for the proposed development.

Proposed Development: The construction of an 18 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 Eircom Exchange, Mountainview Drive, County Tipperary.

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.



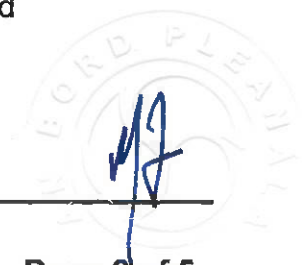
Matters Considered

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:

- (a) the National Planning Framework Project Ireland 2040,
- (b) the national strategy regarding the improvement of mobile communications services,
- (c) the guidelines relating to telecommunications antennae and support structures, issued by the Department of the Environment and Local Government to planning authorities in July, 1996, as updated by Circular Letter PL07/12 issued by the Department of the Environment, Community and Local Government in October, 2012 under Section 28 of the Planning and Development Act 2000, as amended,
- (d) the policy of the planning authority as set out in the South Tipperary County Development Plan 2009 and the Cahir Local Area Plan 2011, to support the provision of telecommunications and broadband infrastructure,



- (e) the established use of the site,
- (f) the potential for sharing of the structure and site with other operators,
- (g) the general topography of the site and distance of residential properties within the vicinity of the site to the proposed development,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area, would not be prejudicial to public health 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. Prior to commencement of development, details of the proposed colour scheme for the telecommunications support structure, ancillary structures and fencing for the boundaries of the installation shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interests of visual amenity and orderly development.

3. Any additional panels or structures, proposed to be attached to the mast exceeding 1.3 metres in any dimension, shall be the subject of a separate planning application.

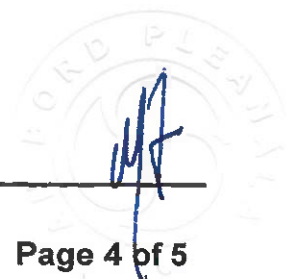
Reason: To regulate and control the layout of the development in the interest of orderly development.

4. 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.

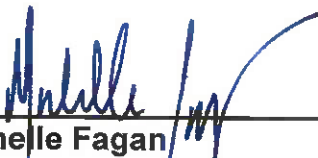
5.
 - (a) In the event of the proposed structure becoming obsolete and being decommissioned, the developers shall, at their own expense, remove the mast, antenna and ancillary structures and equipment.
 - (b) The site shall be reinstated upon the removal of the telecommunication structure and ancillary structures. Details of the reinstatement shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

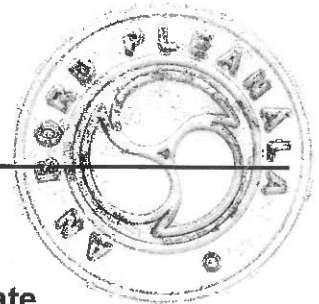
Reason: In the interest of orderly development.



6. The developer shall provide and make available at reasonable terms the proposed support structure for the provision of mobile telecommunications antenna of third party licenced telecommunications operators.

Reason: To avoid a multiplicity of telecommunications structures in the area, in the interest of visual amenity, and proper planning and sustainable development.


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



Dated this 28th day of July 2021