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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Waterford City and County Council**

**Planning Register Reference Number: PD 21/84**

**Appeal** by Eircom Limited care of FocusPlus Limited of N3 Arbourfield House, Dundrum Business Park, Dundrum Road, Dublin against the decision made on the 31<sup>st</sup> day of March, 2021 by Waterford City and 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 development works at Eircom Exchange, Shandon, Dungarvan, County Waterford. The development will form part of Eircom Limited's existing telecommunications and broadband network.

**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.**

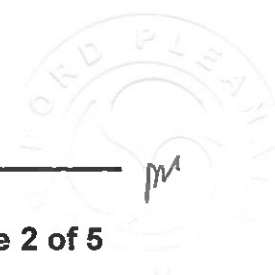
## **Matters Considered**

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 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, as updated by Circular Letter PL/07/12 issued by the Department of the Environment, Community and Local Government on the 19th day of October 2012,
- (b) the policy of the planning authority, as set out in the Waterford County Development Plan 2012 (as varied), the draft Waterford County Development Plan 2022-2028, and the Dungarvan Town Development Plan 2012 (as varied), supporting the provision of telecommunications infrastructure,
- (c) the established telecommunications use on the site,
- (d) the general topography and townscape features in the vicinity of the site, and



- (e) the existing pattern of development in the vicinity,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely impact upon the amenities of the area and would, otherwise, 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 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.

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

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

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. 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 protective measures to be employed with respect to the boundary hedgerows.

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

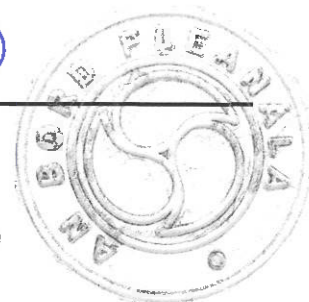
6. Within six months of the cessation of use the telecommunications structure and ancillary structures shall be removed and the site shall be reinstated. Details relating to the removal and reinstatement shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

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



Paul Hyde

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



Dated this 11<sup>th</sup> day of ~~October~~ 2021.