



An  
Bord  
Pleanála

Board Order  
ABP-310173-21

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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Mayo County Council**

**Planning Register Reference Number: P20/516**

**APPEAL** by Jenefer and Mark Ryan and Declan Quinn of Coleman Cottage, Carrowkeel, Westport, County Mayo and by Frank McCarrick on behalf of Murrisk Development Association Limited care of Planning Consultancy Services of Suite 3. Third Floor, Ross House, Victoria Place, Eyre Square, Galway against the decision made on the 13<sup>th</sup> day of April, 2021 by Mayo County Council to grant subject to conditions a permission to Eircom Limited care of FocusPlus Limited of Number 3 Arbourfield House, Dundrum Business Park, Dundrum Road, Dublin.

**Proposed Development:** The construction of a 15 metre high free-standing communications structure with its associated antennae, communications dishes, ground equipment and all associated site development works. The development will form part of Eircom Limited existing telecommunications and broadband network at a site at Carrowkeel, Murrisk, County Mayo. Further public notices were received by the planning authority on the 18<sup>th</sup> day of March, 2021.

## **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 national policy regarding the provision of mobile and telecommunications services,
- (b) the 'Telecommunications Antennae and Support Structures Guidelines for Planning Authorities', issued by the Department of the Environment and Local Government in July 1996,
- (c) Circular Letter PL/07/12, issued by the Department of the Environment, Community and Local Government in October 2012,
- (d) the policies and objectives of the Mayo County Development Plan 2014-2020,
- (e) the nature and scale and location of the proposed telecommunication structure,

- (f) the submissions and observations received with the planning application and the appeal,
- (g) the decision of the planning authority, and
- (h) the report of the planning inspector,

it is 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 Mayo County Development Plan 2014-2020. It is considered that the proposed development would not seriously injure the visual or residential amenities 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 the topography of the area, its location at an existing Eircom Limited telecommunications exchange and the scale of the 15 metres high monopole type structure on a low lying site within an area that attracts significant numbers of visitors and where there is inadequate coverage for mobile voice and data services, that the proposed development would have a limited visual impact that would be acceptable at this location which is a suitable and appropriate location for the purposes of providing 2G, 3G and 4G coverage in the area.

### **Appropriate Assessment Screening**

The Board noted that the proposed development is not directly connected with or necessary to the management of a European Site. The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European Sites taking into account the nature, scale and location of the proposed

In completing the screening for Appropriate Assessment, the Board accepted and adopted the screening assessment and conclusion carried out in the Inspector's report that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on any European site, in view of the conservation objectives of such sites, and that a Stage 2 Appropriate Assessment is not, therefore, required.

## 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 on the 17<sup>th</sup> 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.

  
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Michelle Fagan

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

Dated this 13<sup>th</sup> day of October 2021

