

Planning and Development Acts 2000 to 2020

Planning Authority: Offaly County Council

Planning Register Reference Number: 21/27

Appeal by Cignal Infrastructure Limited care of 4site Networks of 4site House, Raheen Business Park, Limerick against the decision made on the 17th day of May, 2021 by Offaly County Council to grant subject to conditions a permission to Cignal Infrastructure Limited in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of a 36-metre lattice mobile and broadband tower with headframe carrying telecommunications equipment, together with associated equipment and cabinets enclosed within a 2.4-metre palisade fence compound with access track, all at Ard Geashill, Tullamore, County Offaly.

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 the provisions of the Offaly County Development Plan 2021 - 2027 and the "Telecommunications Antennae and Support Structure Guidelines for Planning Authorities" issued by the Department of the Environment and Local Government in July 1996 and updated by Circular Letter PL 7/12, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the relevant provisions of the Offaly County Development Plan 2021 - 2027, and would not seriously injure the residential or visual amenities of the area. The proposed development 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, as amended by the further plans and particulars submitted on the 21st day of April, 2021, 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 tower 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 developer shall liaise with Iarnród Éireann in relation to the position of any crane required during the construction phase. In default of agreement the matter shall be referred to An Bord Pleanála for determination.

Reason: In the interest of public health.

4. 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.

5. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.

Reason: In the interest of public health.

6. 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.

7. 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 amenity of the area.

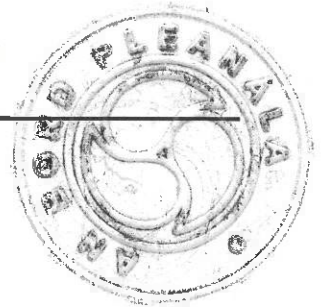
8. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or within the curtilage of the site without a prior grant of planning permission.

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



Paul Hyde

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



Dated this 29th day of November 2021.