

**An
Bord
Pleanála**

**Board Order
ABP-310764-21**

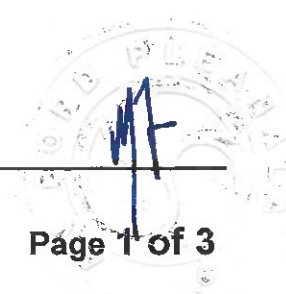
Planning and Development Acts 2000 to 2020

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 21/327

Appeal by Ontower Ireland Limited care of Indigo of Raheen Business Park, Limerick in relation to the application by Waterford City and County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 2 of its decision made on the 10th day of June, 2021.

Proposed Development: Retention of an existing telecommunications support structure (previously granted under planning register reference number 12500054) together with associated ground equipment within a fenced compound at Mill Lane Complex, Ballindud, Tramore Road, Waterford.



Decision

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number 2 and directs the Council to REMOVE condition number 2 and the reason therefor.

Reasons and Considerations


Having regard to:

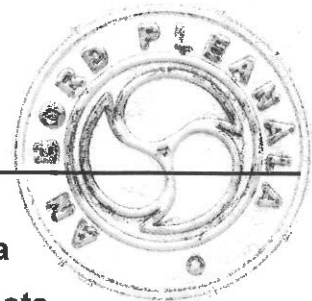
- (a) the provisions of the Waterford County Development Contribution Scheme 2015-2021, which states - "Broadband infrastructure (that is, masts, dishes and antennae) will be exempt from development contributions", and
- (b) the submission made in the appeal,

it is considered that the proposed development constitutes a facility for communications purposes that forms part of the National Broadband Scheme, or a subsequent endorsed initiative as defined by the Department of Communication, Energy and Natural Resources, and that the terms of the Development Contribution Scheme have not been properly applied.

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.


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



Dated this 5th day of December 2021.