

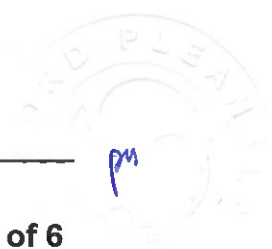
Planning and Development Acts 2000 to 2020

Planning Authority: Cork County Council

Planning Register Reference Number: 21/05268

Appeal by Catherine Verling of Churchview House, Kill Saint Anne, Castlelyons, County Cork and by Joe Barry care of Gordon Warner of Inchydoney, Clonakilty, County Cork against the decision made on the 5th day of July, 2021 by Cork County Council to grant subject to conditions a permission to Eircom Limited care of Focus Plus Limited of number 3 Arbourfield House, Dundrum Business Park, Dundrum Road, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of an 18 metres high free-standing communications structure with its associated antennae, communication dishes and ground equipment, at Eircom Exchange, Kill Saint Anne South, Castlelyons, Fermoy, County Cork. 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.

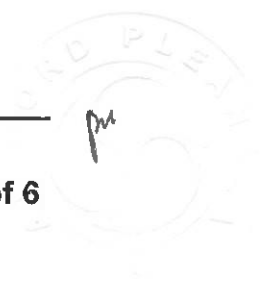
Matters Considered

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 “Telecommunications Antennae and Support Structures Guidelines for Planning Authorities”, issued by the Department of the Environment and Local Government in 1996,
- (b) the “Circular Letter: PL 07/12 Telecommunications Antennae and Support Structures Guidelines”, issued by the Department of Environment, Community and Local Government in October 2012,
- (c) the objectives of the Cork County Development Plan 2014,



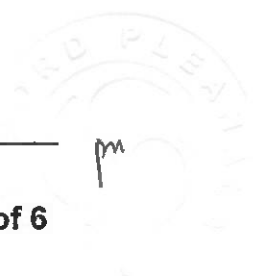
- (d) the siting of the proposed development within a site already developed for utilities, and
- (e) the nature and scale the proposed mast and associated infrastructure,

it is considered that the proposed development, subject to compliance with the conditions set out below, would assist in the achievement of the objectives set out in national policy and the Cork County Development Plan in relation to telecommunications infrastructure. Furthermore, 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.

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. The proposed mast and all associated antennae, equipment and fencing shall be demolished and removed from site when no longer required. The site shall be reinstated to its predevelopment condition on the removal of the telecommunications structure and ancillary structures at the expense of the developer.

Reason: In the interest of orderly development.

3. The developer shall allow, subject to reasonable terms, other licensed mobile telecommunications operators to co-locate their antenna onto the proposed structure.

Reason: In order to avoid the proliferations of telecommunications structures, in the interest of visual amenity.

4. The transmitter power output, antenna 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. The proposed cabinet at the base of the mast shall be acoustically insulated. Details of the insulated cabinet shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential amenity.

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

Reason: In the interest of public health.

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 amenities of the area.

8. 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.

9. Landscaping of the site shall be carried out in accordance with a landscaping scheme, which shall be submitted to and agreed in writing with planning authority prior to commencement of development.

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

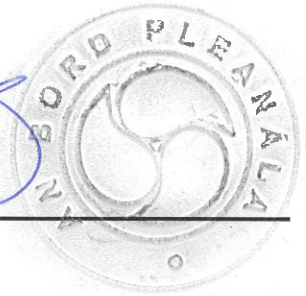
10. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The plan shall provide details of the intended construction practices, including hours of working, noise management measures, site specific measures for handling surface water, and traffic management measures.

Reason: in the interest of public safety and residential amenity.



Paul Hyde

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



Dated this 13th day of October 2021.