

An
Bord
Pleanála

Board Order
ABP-311200-21

Planning and Development Acts 2000 to 2021

Planning Authority: Mayo County Council

Planning Register Reference Number: P20/779

Appeal by Eircom Limited (trading as eir) care of Towercom of Usher House, Main Street, Dundrum, Dublin against the decision made on the 28th day of July, 2021 by Mayo County Council to refuse permission for the proposed development.

Proposed Development: Erection of a 21 metres high monopole telecommunications support structure together with antennae, dishes and associated telecommunications equipment at the eir Exchange, Balla Garda Station, Main Street, Balla, County Mayo. The proposed development was revised by further public notices received by the planning authority on the 5th day of July, 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.

Reasons and Considerations

Having regard to:

- (a) the Department of the Environment Heritage and Local Government Section 28 Statutory Guidelines; Telecommunications Antennae and Support Structures: Guidelines for Planning Authorities, 1996, as updated by circular letter PL 07/12 in 2012,
- (b) the Mayo County Development Plan 2022 – 2028,
- (c) the location of the site outside any area of scenic or landscape designation within the development plan for the area,
- (d) the nature and scale of the proposed telecommunication structure, and
- (e) the demonstrated need for the telecommunications infrastructure at this location,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual and residential amenities of the area or of property in the vicinity, and would not adversely affect the character and setting of Saint Cronan's Church, a Protected Structure. 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 31st day of May 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 development hereby permitted shall be restricted to that as described in the public notices.

Reason: In the interest of clarity.

3. The developer shall provide and make available at reasonable terms, the proposed support structure for the provision of mobile telecommunications antenna of third-party licenced telecommunications operators.

Reason: In the interest of avoidance of multiplicity of telecommunications structures in the area, of visual amenity and of proper planning and sustainable development.

4. Within six months of the cessation of the use of the telecommunications structure, all structures shall be removed from the site, and the site shall be reinstated at the operator's expense in accordance with a scheme to be agreed in writing with the planning authority as soon as practicable.

Reason: In the interest of protecting the landscape.

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. 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.

Reason: In the interest of public safety.

7. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or its appendages or within the curtilage of the site.

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

8. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

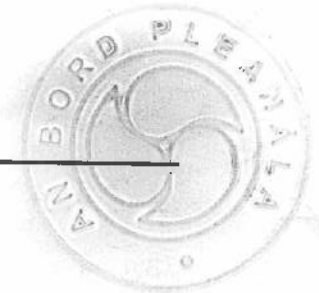
Reason: In order to safeguard the residential amenities of property in the vicinity.

DR. Maria Fitzgerald

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.



Dated this 23rd day of January 2023.