

An
Bord
Pleanála

Board Order
ABP-311343-21

Planning and Development Acts 2000 to 2021

Planning Authority: Tipperary County Council

Planning Register Reference Number: 21/739

Appeal by Eircom Limited care of FocusPlus Limited of N3 Arbourfield House, Dundrum Business Park, Dundrum Road, Dublin against the decision made on the 31st day of August, 2021 by Tipperary County Council to refuse permission.

Proposed Development: Construction of an 18-metre-high free-standing communications structure with its associated antennae, communication dishes, ground equipment and all associated site development works. The development will form part of the existing telecommunications and broadband network, all at Eircom Exchange, Kilcooley Way, Gortnahoe, Thurles, County Tipperary.

Decision

GRANT permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to:

- (i) Policy 6-6 of the Tipperary County Development Plan 2022-2028, which supports the provision of broadband/telecommunications infrastructure subject to environmental considerations,
- (ii) the Telecommunications Antennae and Support Structures Guidelines for Planning Authorities published by the Department of the Environment and Local Government in July 1996 (as updated by Circular Letters PL 07/2012 and PL 11/2020 respectively) which recognises that it may be necessary to locate such infrastructure in towns and villages and advises that existing utility sites should be considered along with site specific design,
- (iii) all the documentation provided regarding potential alternative locations, and the justification for siting at what is considered to be a last resort location,
- (iv) the proposed location on an existing and established Eircom site, peripheral to the village centre, community facilities and residential properties in a highly suitable and appropriate location for the purposes of providing broadband and wireless signal coverage in the area,
- (v) the availability of the proposed mast for co-location in the future in accordance with National Policy, and
- (vi) the proposed monopole design,

It is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the village. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 received by the planning authority on the 4th day of August, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to commencement of development details of the proposed colour scheme for the telecommunication structure and ancillary structures shall be submitted to, and agreed in writing with, the planning authority.

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

3. 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.

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

Reason: In the interest of public health.

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

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

6. Suitable tree planting shall be carried out towards the western end of the exchange property (area outlined blue). Prior to commencement of development, revised drawings providing for this shall be submitted for the written agreement of the planning authority.


Reason: In order to protect the residential amenity of the adjacent property to the west.

7. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

8. (a) In the event of the proposed structure becoming obsolete and being decommissioned, the developer shall, at its own expense, remove the mast, antenna and ancillary structures and equipment.
- (b) The site shall be reinstated upon the removal of the telecommunication structure and ancillary structures. Details of the reinstatement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of orderly development.



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



Dated this 27 day of July 2023.