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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Donegal County Council**

**Planning Register Reference Number: 21/51417**

**Appeal** by Eircom Limited (trading as eir), care of Towercom Limited of Usher House, Main Street, Dundrum, Dublin against the decision made on the 27<sup>th</sup> day of August, 2021 by Donegal County Council to refuse permission for the proposed development.

**Proposed Development:** Erect an 18 metre high telecommunications monopole carrying antennas and dishes and associated telecommunications equipment at eir Exchange, Carrickboy, Ballyshannon, County Donegal.

**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

In coming to its decision, the Board had regard to the following:

- (a) The Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, issued by the Department of Environment and Local Government in 1996,
- (b) the Telecommunications Antennae and Support Structures and Department of Environment, Community and Local Government Circular Letter PL07/12,
- (c) the objectives of the County Donegal Development Plan 2018-2024 (as varied),
- (d) the nature, scale and location of the proposed telecommunication structure,
- (d) the submissions and observations received, and
- (e) the decision of the planning authority.

and considered that the proposed development, subject to compliance with the conditions set out below, would achieve the objectives set out in National Policy and the County Donegal Development Plan 2018-2024 (as varied). The Board considered that the proposed development would not seriously injure the visual or residential amenities of the area and would otherwise be in accordance with the proper planning and sustainable development of the area. Furthermore, the Board was satisfied that the proposed development would not seriously injure the character or setting of the nearby Allingham Bridge (a Protected Structure). The proposed development would, therefore,

be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board noted the position of the proposed development in the town centre and in close proximity to Allingham Bridge (a Protected Structure) and recreational areas, and was satisfied that the height, location and scale of the proposal would not seriously detract from the visual amenities of the area nor contravene Policy TC-P-3 of the County Donegal Development Plan 2018-2024 (as varied). Furthermore, it is satisfied, on the basis of the documentation submitted with the application and the appeal, that the applicant has provided evidence of the need for the proposed telecommunications structure at this location, and that possible opportunities for co-location do not exist in the surrounding 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 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 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.

4. 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.

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.

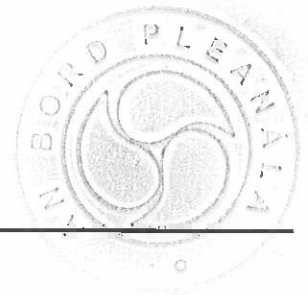
6. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or its appendages or within the curtilage of the site without a prior grant of planning permission.

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



Michelle Fagan

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



Dated this 9<sup>th</sup> day of May 2022