

An
Bord
Pleanála

Board Order
ABP-311848-21

Planning and Development Acts 2000 to 2021

Planning Authority: Mayo County Council

Planning Register Reference Number: P21/365

Appeal by Hibernian Cellular Networks Limited care of Entrust Limited of Unit 1D, Deerpark Business Centre, Oranmore, County Galway against the decision made on the 7th day of October, 2021 by Mayo County Council to refuse permission for the proposed development

Proposed Development: A 36-metre multi-user telecommunications structure carrying telecommunications equipment, including antennas, dishes, together with associated exchange cabinets, fence and all associated site development works. The development will provide for strategic transmission of wireless data and broadband services, all at Knockanillaun, Ballina, County Mayo.

Decision

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

MBH

Reasons and Considerations

Having regard to:

- (a) the Guidelines relating to telecommunications antennae and support structures which were issued by the Department of the Environment and Local Government to planning authorities in July 1996, as updated by Circular Letter PL/07/12 issued by the Department of the Environment, Community and Local Government in October 2012,
- (b) the policy of the planning authority, as set out in the Mayo County Development Plan 2022-2028, supporting the provision of telecommunications infrastructure,
- (c) the established telecommunications use in the vicinity of the appeal site,
- (d) the general topography and landscape features in the vicinity of the site,
- (e) the existing pattern of development in the vicinity,

it is considered that, subject to compliance with the conditions set out below, the development proposed would not adversely impact upon the 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, as amended by the further plans and particulars received by the planning authority on the 14th day of September, 2021 and by the further plans and particulars received by An Bord Pleanála on the 2nd day of November, 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. Details of the proposed colour scheme for the telecommunications structure, ancillary structures and fencing 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.

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

Reason: In the interest of public health.

4. The construction of the development shall be managed in accordance with a Construction and Environmental Management Plan which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of traffic management during the construction phase, details of intended construction practice for the proposed development, including hours of working, noise management measures and off-site disposal of construction/demolition waste, invasive species management measures, as well as protective measures to be employed with respect to the boundary hedgerows.

Reason: In the interests of public safety and visual and residential amenity.

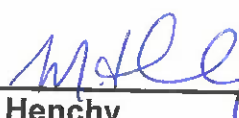
5. All trees and hedgerows within and on the boundaries of the site shall be retained and maintained, with the exception of the following:
- (a) Specific trees, the removal of which shall be authorised in writing by the planning authority to facilitate the proposed development.
 - (b) Trees which are agreed in writing by the planning authority to be dead, dying, or dangerous through disease or storm damage, following submission of a qualified tree surgeon's report, and which shall be replaced with agreed specimens.

Retained trees and hedgerows shall be protected from damage during construction works. Within a period of six months, following the substantial completion of the proposed development, any planting which is damaged or dies shall be replaced with others of similar size and species, together with replacement planting required under paragraph (b) of this condition.

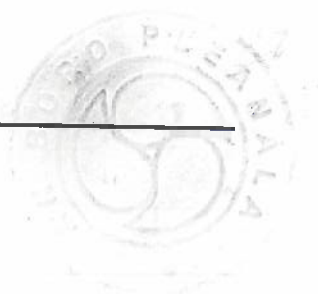
Reason: In the interest of visual amenity.

6. Within six months of the cessation of use, the telecommunications structure and ancillary structures shall be removed and the site shall be reinstated. Details relating to the removal and reinstatement 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.



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



Dated this 18 day of May 2023