



An
Bord
Pleanála

Board Order
ABP-312808-22

Planning and Development Acts 2000 to 2021

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 21/1620

Appeal by Kilcornan Residents' Group care of John and Miriam Nealon of Curraghchase North, Kilcornan, County Limerick against the decision made on the 26th day of January, 2022 by Limerick City and County Council to grant subject to conditions a permission to Signal Infrastructure Limited care of Indigo Telecom Group of 4Site House, Raheen Business Park, Limerick in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a 24-metre lattice mobile and broadband tower with headframe carrying telecommunications equipment, together with associated equipment and cabinets enclosed within a 2.4 metre palisade fence compound, all at Cowpark, Kilcornan, Pallaskenry, County Limerick.

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) National policy regarding the provision of mobile and telecommunications services,
- (b) the Telecommunications Antennae and Support Structures Guidelines for Planning Authorities issued by the Department of the Environment and Local Government in July 1996, as updated by Circular Letter PL07/12 issued by the Department of the Environment, Community and Local Government on the 19th day of October 2012,
- (c) the policy of the planning authority, as set out in the Limerick Development Plan 2022-2028, to support the provision of telecommunications infrastructure, and
- (d) the nature and scale of the proposed telecommunications support infrastructure,

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 area and would not be contrary to the overall provisions of the current development plan for the area. 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, 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. The developer shall provide and make available at reasonable terms the proposed telecommunications structure for the provision of mobile telecommunications antenna of third-party licensed mobile telecommunications operators.

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

3. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.



4. 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.

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

Reason: In the interest of public health.

6. Site development and building works shall be carried out only between the hours of 0700 and 1900 Mondays to Fridays, inclusive, between 0800 and 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.

7. Within six months of the date of cessation of use, the telecommunications structures and ancillary structures shall be removed, and the site shall be reinstated at the developer's expense. Details relating to the removal and reinstatement shall be submitted to, and agreed in writing with, the planning authority prior to the date of cessation of the use of the structures.

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



8. The construction of the proposed 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 commencement of development. This plan shall provide details of intended construction practice for the proposed development, including noise management measures and off-site disposal of construction/demolition waste.

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

Eamonn Patrick Kelly

Eamonn Patrick Kelly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board



Dated this *14* day of *June* 2023.