

An
Bord
Pleanála

Board Order
ABP-314806-22

Planning and Development Acts 2000 to 2022

Planning Authority: Monaghan County Council

Planning Register Reference Number: 22/334

Appeal by Eircom Limited (trading as Eir) care of Towercom of Usher House, Main Street, Dundrum, Dublin against the decision made on the 12th day of September, 2022 by Monaghan County Council to refuse permission for the proposed development.

Proposed Development: Permission to replace number two 12 metres high timber monopole structures with a 15 metre monopole telecommunications structure together with antennas, dishes and associated telecommunications equipment at Eir Exchange, Inishkeen Glebe, Inishkeen, County Monaghan.

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 the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the Telecommunications Antennae and Support Structures - Guidelines for Planning Authorities 1996 and with the policies and objectives of the Monaghan County Development Plan 2019-2025 and would not seriously injure the visual or residential amenities of the area or the amenities of property in the vicinity of the site. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Board considered that the development is a project for the purposes of the Environmental Impact Assessment Directive. However, the Board concluded that the proposed development does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 to the Planning and Development Regulations 2001, as amended, and therefore no preliminary examination, screening for environmental impact assessment, or environmental impact assessment is required.

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 telecommunications monopole structure shall not be higher than 15 metres.

Reason: In the interest of clarity.

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

Reason: In the interests of visual amenity and the proper planning and development of the area.

4. 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

5. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

6. The site shall be landscaped in accordance with a scheme of landscaping (including any boundary treatments), details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. All landscaping shall be carried out no later than the first planting season following commencement of development on site. All planting shall be adequately protected from damage until established. Any plants which die or become seriously damaged or diseased, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.



7. In the event of the proposed structure becoming obsolete and being decommissioned, the developers shall, at their own expense, remove the mast, antenna and ancillary structures and equipment.


Reason: In the interest of orderly development.

8. 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

9. 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 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.



Stewart Logan

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *28* day of *November* 2023.