



An  
Bord  
Pleanála

Board Order  
ABP-317167-23

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Clare County Council**

**Planning Register Reference Number: 23127**

**APPEAL** by Hibernian Cellular Networks Limited care of Kieran O'Malley and Company Limited of 2 Priory Office Park, Stillorgan Road, Blackrock, County Dublin against the decision made on the 26th day of April, 2023 by Clare County Council to refuse permission for the proposed development.

**Proposed Development:** (1) Retention of part of land reclamation works consisting of peat topsoil extraction, hardcore gravel, access track and fencing; (2) permission for removal of part of land reclamation works consisting of hardcore gravel, fencing and container and reinstatement of stockpiled peat topsoil and (3) permission for the installation of a 30 metres multi-user lattice support structure carrying telecommunications equipment including antennas, dishes, together with concrete equipment building, cabinets and all associated site development works. The proposed development is in a different location to that proposed under planning reference P22/453 which was refused permission. The development will provide for strategic transmission of wireless data and broadband services; all at Reaskcamoge, Woodcock Hill, County Clare.

## **Decision**

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## **Reasons and Considerations**

1. The development to be retained and development proposed would result in a net loss of the habitats Upland Blanket Bog and Wet Heath within the Natural Heritage Area site Woodcock Hill Bog (Site Code 002402), both habitats which are qualifying interests for the designated site. Furthermore, the proposals for part reinstatement do not adequately demonstrate a remediation methodology informed by a hydrological study of the site and peatland habitats in and adjacent to the site. As such, it is considered that the proposed application for retention and permission has not clearly demonstrated that the development will not have a significant adverse effect on the Natural Heritage Area. The proposed development and development to be retained if permitted would, therefore, be contrary to objectives CDP 3.3 of the Clare County Development Plan 2023-2029 regarding the conservation and protection of the environment and biodiversity and CDP15.5 regarding the conservation and protection of areas designated as Natural Heritage Areas (including proposed sites) and would, furthermore, be contrary to the proper planning and sustainable development of the area.

2. The Board is not satisfied on the basis of the information submitted and taking into account the conservation significance of Woodcock Hill Natural Heritage Area that sufficient justification has been provided for siting the telecommunications structure on this ecologically sensitive site. Furthermore, it has not been sufficiently demonstrated that the existing masts lack capacity for multiple use, which would be in line with national policy encouraging co-location and sharing of such facilities, and that all alternatives have been exhausted at the existing mast locations. It is therefore considered that the proposed development would be contrary to objectives CDP 11.55 of the Clare County Development Plan 2023-2029 aiming to facilitate the development of infrastructure that respects the recognised value of the natural and built heritage and encourage the co-location of masts and antennae on existing structures within the county.

*Eamonn James Kelly*

**Eamonn James Kelly**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**



Dated this *10<sup>th</sup>* day of *January* 2025.