

An  
Bord  
Pleanála

**Board Order**  
**ABP-317658-23**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 234390**

**Appeal** by Joe and Ber Doherty, Estuary View, Upper Ardmore, Passage West, County Cork against the decision made on the 5<sup>th</sup> day of July, 2023 by Cork County Council to grant subject to conditions a permission to APW UK WIP Limited trading as Icon Tower care of Charterhouse Infrastructure Consultants of Unit 2 HQ, 27 Market Street, Listowel, County Kerry in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Erecting a 24 metres high telecommunications lattice structure together with antennas, dishes and associated telecommunications equipment all enclosed by security fencing at Ardmore, Passage West, County Cork.

### **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 National Planning Framework, the Cork County Development Plan 2022-2028, the Telecommunications Antennae and Support Structures - Guidelines for Planning Authorities 1996 as revised by Circular Letter PL07/12, the existing telecoms infrastructure on the site, and the scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not give rise to unacceptable impacts on visual amenity of the area, or on residential amenity, or, give rise to the creation of a traffic hazard. 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, as amended by further plans and particulars received by the planning authority on the 15<sup>th</sup> day of June 2023, 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.

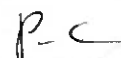
**Reason:** In the interest of clarity.

2. Details of the design and 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 the commencement of development.

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

3. 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.



4. The developer shall allow, subject to reasonable terms, other licensed mobile telecommunications operators to co-locate their antennae onto the subject structure.

**Reason:** In order to avoid the proliferation of telecommunications structures in the interest of visual amenity.

5. (a) In the event of the proposed structure becoming obsolete and being decommissioned, the developer shall, at its own expense, remove the mast, antenna and ancillary structures and equipment.
- (b) The site shall be reinstated upon the removal of the telecommunication structure and ancillary structures. Details of the reinstatement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of orderly development.



**Patricia Calleary**

**Member of An Bord Pleanála**

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

Dated this *29* day of *April* 2024.