



An
Bord
Pleanála

Board Order ABP-318031-23

Planning and Development Acts 2000 to 2022

Planning Authority: Tipperary County Council

Planning Register Reference Number: 23/184

Appeal by Richard Rice of Middlequarter, Newcastle, County Tipperary against the decision made on the 21st day of August, 2023 by Tipperary County Council to grant subject to conditions a permission to Vodafone Ireland Limited and Tipp FM Limited 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: Retention of the existing 18-metre-high lattice telecommunications tower together with all associated equipment, all at Middlequarter, Newcastle, Clonmel, County Tipperary.

Decision

GRANT permission for the above 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 provisions of the Tipperary County Development Plan 2022-2028, the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996) issued by the Department of Housing, Local Government and Heritage, and associated Circular Letter PL07/12, the location of the site in a relatively remote setting and the slim-line design of the telecommunications tower, it is considered that, subject to compliance with the conditions set out below, the proposed retention of the existing telecommunications facility would be in accordance with the relevant policies of the development plan, in particular Policy 6-6, in relation to telecommunications and digital connectivity infrastructure, would not seriously injure the visual or residential 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 retained 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 and the development shall be retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. 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.

3. Within six months of the permanent cessation of use of the telecommunications structure and associated equipment hereby permitted, all structures on the site shall be removed at the developer's expense in accordance with a restoration plan to be submitted to, and agreed in writing with, the planning authority within three months of the date of this Order.

Reason: In the interest of orderly development, visual amenity and the proper planning and sustainable development of the area.

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

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



Stewart Logan

Member of An Bord Pleanála

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

Dated this 5th day of July 2024.