



An  
Bord  
Pleanála

## Board Order ABP-318211-23

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### Planning and Development Acts 2000 to 2022

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 23/5201**

**Appeal** by Concerned Residents care of Niall Murphy of Mount Leader, Millstreet, County Cork against the decision made on the 15<sup>th</sup> day of September, 2023 by Cork County Council to grant permission subject to conditions to Vantage Towers 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:** Erection of a 24 metre high telecommunications lattice structure together with antennas, dishes and associated telecommunications equipment all enclosed by security fencing at Clover Hill Food Ingredients Limited, Mount Leader Industrial Estate, Mount Leader, Millstreet, 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:

- (a) the 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 19<sup>th</sup> day of October 2012,
- (c) the policy of the planning authority as set out in the Cork County Development Plan 2022-2028 to support the provision of telecommunications infrastructure,
- (d) the location of the site within an industrial estate, and
- (e) 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, 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 the further plans and particulars received by the planning authority on the 14<sup>th</sup> day of June, 2023 and the 28<sup>th</sup> day of August, 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. 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. 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 the commencement of development.

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

4. The proposed cabinets at the base of the free-standing structure shall be acoustically insulated in order to minimise any potential noise nuisance to the occupants of nearby residential units. Details of the insulated cabinets shall be submitted to and agreed in writing with, the planning authority prior to the commencement of development.

**Reason:** In the interest of visual amenity.

5. Site development and building works shall be carried out only between the hours of 0800 and 1900 Monday to Friday inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays of 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 of the site.

6. The construction of the 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 development including noise management measures and offsite disposal of construction and demolition waste.

**Reason:** In the interests of public safety and residential amenity.

7. When equipment or structures are no longer required, they shall be decommissioned, dismantled and removed from the site within three months of the cessation of its use unless otherwise agreed in writing with the planning authority.

**Reason:** In the interests of the proper planning and sustainable development of the area.

8. The mast shall be made available for use by third party operators who wish to co-locate.

**Reason:** In the interest of proper planning and sustainable development.



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**Liam Bergin**

**Member of An Bord Pleanála**

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

**Dated this 18<sup>th</sup> day of September 2024**