



An
Bord
Pleanála

Board Order ABP-319909-24

Planning and Development Acts 2000 to 2022

Planning Authority: Cork County Council

Planning Register Reference Number: S254/2/2024

Appeal by Emerald Tower Limited care of Entrust Limited of Unit 1, First Floor, Oranmore Business Park, Oranmore, County Galway against the decision made on the 24th day of April, 2024 by Cork County Council Council to refuse a licence.

Licence Application: Wireless broadband overground electronic communications infrastructure, data communications streetworks pole and associated physical infrastructure at Fermoy West, Duntaheen, County Cork.

Decision

In exercise of the powers conferred on it under section 254 of the Planning and Development Act, 2000, as amended, An Bord Pleanála, directs the planning authority to **REFUSE TO GRANT** a licence, based on the reasons and considerations under.

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REASONS AND CONSIDERATIONS

Having regard to the location of the proposed site within the settlement boundary of Fermoy in a prominent location at the entrance to a residential estate and adjacent to existing residential properties, the information presented with the application and appeal, and the Commission for Communications Regulation outdoor mobile coverage mapping, the Board was not satisfied that there was sufficient justification provided in the application for the need for an 18 metres data communications streetworks pole and associated infrastructure at this specific location. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant a licence, the Board noted and shared the view of the Inspector that the proposed development would not be seriously detrimental to the residential or visual amenities of the area and would not result in a traffic hazard but considered that the applicant had indicated that the proposal was to facilitate improved coverage for Eir and GoMo brands which, as the Inspector identified, are already provided at 'Very Good' 5G and 'Good' 4G outdoor coverage in the area as indicated by the ComReg Outdoor Mobile Coverage map. The Board did not agree with the Inspector that there was sufficient justification for the proposed development adjacent to the residential area to address a shortfall in 4G coverage for other operators.

Environmental Impact Consideration

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.



Marie O'Connor
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.



Dated this *05* day of *March* 2025.