

An
Bord
Pleanála

Board Order ABP-320148-24

Planning and Development Acts 2000 to 2022

Planning Authority: Cork City Council

Planning Register Reference Number: T23006

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 22nd day of May, 2024 by Cork City Council to grant, subject to conditions a licence.

Licence Application: Installation of a 15 metres dual operator pole, associated equipment, together with ground-based equipment cabinets and all associated site development works for wireless data and broadband services at Donnybrook Hill Road, Castletreasure, 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 GRANT a licence, based on the reasons and considerations under and subject to the conditions set out below.

REASONS AND CONSIDERATIONS

Having regard to the nature, scale, design and location of the proposed development, which is a 15 metres high monopole telecommunications structure, associated equipment and two cabinets, the provisions of Section 254 of the Planning and Development Act, 2000, as amended, the relevant provisions of Cork City Development Plan, 2022-2028, and the 'Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996) (as updated by Circular Letters PL 07/12 and PL 11/2020); it is considered that the proposed development, subject to compliance with the conditions set out below, would provide for a necessary improvement in telecommunications service, and would not seriously injure the visual or residential amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In reaching its decision the Board noted the location of the proposed development in an area not identified as a visually sensitive location. The Board accepted the assessment regarding the lack of suitable alternative locations and the need for a 15 metres high pole and two cabinets as the minimum required for operational purposes and to allow for future co-sharing with a second operator.

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, 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 the 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. The developer shall provide and make available at reasonable terms, the proposed support structure for the provision of mobile telecommunications antenna of third-party licenced telecommunications operators.

Reason: In the interest of avoidance of multiplicity of telecommunications structures in the area, in the interest of visual amenity and proper planning and sustainable development.

3. A second equipment cabinet and any ancillary equipment for a second future operator shall not be installed on site until such time as a second operator is first confirmed. The planning authority shall be notified in writing of the confirmation of a second operator four weeks before the installation of the second equipment cabinet and any ancillary equipment.

Reason: In the interest of clarity and to cater for the proper planning and sustainable development of the area.

4. (a) This licence shall apply for a period of five years from the date of this Order. The telecommunications structure and related ancillary structures shall then be removed unless, prior to the end of the period, a licence shall have been granted for a further period.
- (b) In the event of the telecommunications structure and ancillary structures hereby permitted becoming ceasing to operate for a period of six months, the structures shall be removed and the site shall be reinstated. Details regarding the removal of the structures and the reinstatement of the site shall be submitted to, and agreed in writing, within three months of the structures ceasing to operate, and the site shall be reinstated in accordance with the agreed details at the operator's expense.

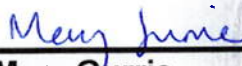
Reason: In the interest of the visual amenities of the area.

5. The telecommunications pole shall be a galvanised grey and the ancillary cabinets shall be a dark fir green unless otherwise agreed in writing with the planning authority prior to commencement of development.

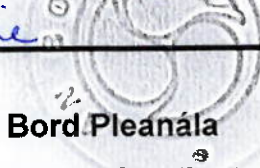
Reason: In the interest of the visual amenities of the area.

6. The proposed cabinets and pole shall be maintained regularly and shall be kept graffiti free.

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



Mary Gurrie
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.



Dated this 02 day of December 2024.