



An
Bord
Pleanála

Board Order ABP-320522-24

Planning and Development Acts 2000 to 2022

Planning Authority: Tipperary County Council

Planning Register Reference Number: 24/60388

Appeal by APW UK WIP Limited t/a Icon Tower care of Charterhouse Infrastructure Consultants of 27 Market Street, Listowel, County Kerry against the decision made on the 15th day of July, 2024 by Tipperary County Council to refuse permission.

Proposed Development: A 21-metre-high telecommunications monopole with antennas, dishes and associated equipment, including an equipment cabinet at ground level all enclosed by security fencing, all at 2 Kickham Street Parking Lot, Kickham Street, Thurles Townparks, Thurles, County Tipperary.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

It is considered that the proposed development, situated in an area governed by the Regeneration-1 Designation, could undermine and compromise the Urban Core Zoning Objective which seeks to provide for targeted enterprise and/or residential-led regeneration for the subject site and the lands immediately surrounding the site. Furthermore, it is considered that the applicant has not demonstrated that more suitable alternative locations may be available which would not compromise a key strategic objective for the site as set out in the Thurles Local Area Plan 2024 – 2030. 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 permission, the Board noted that the proposed development was located in a key strategic redevelopment and regeneration site within Thurles Town Centre and the proposal to locate a telecommunications mast upon these lands could compromise any future proposals to redevelop the designated Regeneration Site in the future. The Board noted the Inspector's inclusion of condition number 2(a) which limited the grant of planning permission to a period of 10 years in order to allow the for the impacts of the proposed development on the potential of the regeneration of the site to be reviewed; however, the Board noted the Departmental Guidance set out under Circular Letter PL07/12 which advises that attaching a condition to a permission for a telecommunication mast which limit their life to a set temporary period should cease, and that, only in exceptional circumstances where particular site or environmental conditions apply, should a permission issue with conditions limiting their life. The Board did not consider that such exceptional circumstances applied in this instance.

The Board considered that the proposed 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.



Paul Caprani

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

Dated this 3rd day of January 2025.