



An
Coimisiún
Pleanála

Commission Order
ACP-323173-25

Planning and Development Act 2000, as amended

Planning Authority: Longford County Council

Planning Register Reference Number: 2560092

Appeal by Phoenix Tower Ireland III Limited care of INDIGO of Houston Hall, Ballycummin Avenue, Raheen Business Park, Limerick against the decision made on the 4th day of July 2025, by Longford County Council to grant permission, subject to conditions, in accordance with plans and particulars lodged with the said Council.

Proposed Development: (1) Retention permission to retain the existing 24 metre telecommunications support structure carrying antenna and dishes, communications cabins, and associated site works, within a palisade fenced compound (previously granted under Planning Register Reference Number 10130). (2) Permission to install additional antenna, dish equipment to the support structure including ground equipment cabinets and associated site works at Kilmore Lower, Cloondara, County Longford.

Decision

Having regard to the nature of the condition the subject of the appeal, the Commission is satisfied that the determination by the Commission of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 8 and the reasons therefor.

Reasons and Considerations

Having regard to:

- (a) the nature, scale and location of the telecommunications structure,
- (b) The Telecommunications Antennae and Support Structures -Guidelines for Planning Authorities, issued by the Department of Environment and Local Government in 1996,
- (c) The Telecommunications Antennae and Support Structures and Department of Environment, Community and Local Government Circular Letter PL07/12,
- (d) DMS 16.183 (Development Management Standards- Telecommunications) of the Longford County Development Plan 2021-2027,

it is considered that the confirmation that a bond in respect of a previous development has been lodged to the planning authority or that the lodgement of a cash deposit or bond from an insurance company insurance bond to secure the restoration of the site to its original condition as required by condition number 8 attached to the planning authority's decision are contrary to the national and local policy that apply in respect of the specific development type proposed.

The Commission shared the Inspector's reasoning in respect of requiring the removal of the structures when they become obsolete or are no longer required. The Commission noted that these requirements are consistent with Development Management Standard (DMS) 16.184 of the Longford County Development Plan 2021-2027. The Commission was satisfied that these requirements are adequately addressed in condition 2 attached by the planning authority. In this regard, condition number 2 requires confirmation of the anticipated operational life of the mast and ancillary structures and the reinstatement of the site upon their removal, together with the submission of a reinstatement plan to, and agreement with the planning authority.

Accordingly, the Commission did not consider it was necessary to amend condition number 8. The Commission otherwise concurred with the Inspector that the requirement for a cash deposit or bond is not a reasonable requirement.

Patricia Calleary

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**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this *17th* day of *November* 2025.