

An
Coimisiún
Pleanála

Commission Order

ACP-323494-25

Planning and Development Act 2000, as amended

Planning Authority: Clare County Council

Planning Register Reference Number: 2560366

Appeal by Adrian Moloney and Others of Ballymorris, Cratloe, County Clare against the decision made on the 31st day of July, 2025 by Clare County Council to grant subject to conditions a permission to ESB Telecoms Limited care of Brid Reardon of Barrowside Business Park, 10 Sleaty Road, Graiguecullen, Carlow in accordance with plans and particulars lodged with the said Council.

Proposed Development: The development will consist of retaining the existing 21.5 metre-high monopole telecommunications structure and to construct a 3.5 metres extension to the existing 21.5 metres-high monopole telecommunications structure (overall height to be 25 metres), carrying antennae and dishes, along with ancillary finial and all ancillary works at ESB Telecoms Limited Compound, ESB Cratloe 38kV Substation, Ballymorris, Shannon, County Clare.

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 the Telecommunications Antennae and Support Structures-Guidelines for Planning Authorities 1996 and Circular Letter PL07/12; Development Plan Objective CDP 11.54 of the Clare County Development Plan 2023-2029 which supports and facilitates the delivery of high-capacity ICT infrastructure; the existing telecoms infrastructure on the site and the established use of the site for telecommunications purposes; the justification for the development having regard to the ComReg coverage maps which confirm that the surrounding area currently does not benefit from good ICT coverage; and the scale and design of the proposed development and development proposed to be retained. It is considered that subject to compliance with the conditions set out below, the proposed development and development proposed to be retained would be in accordance with National Policy for telecommunications infrastructure and the development plan and would not adversely impact the character of the area or be seriously injurious to the visual or residential amenities of the area. The proposed development and development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Commission considered that the proposed development is a project for the purposes of the Environmental Impact Assessment Directive. However, the Commission 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 retained, 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 commencement of development and the development shall be retained, carried out and completed in accordance with the agreed particulars.


Reason: In the interest of clarity.

2. In the event of the telecommunications structure and ancillary structures hereby permitted ceasing to operate for a period of nine months, the structures shall be removed, and the site shall be reinstated within three months of their removal. Details regarding the removal of the structures and the reinstatement of the site shall be submitted to, and agreed in writing, within one month of the structures ceasing to operate, and the site shall be reinstated in accordance with the agreed details at the operators expense.

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

3. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or its appendages or within the curtilage of the site without a prior grant of planning permission.

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



Tom Rabbette

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this *9th* day of *Dec.* 2025