

An  
Coimisiún  
Pleanála

## Commission Order ACP-323826-25

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**Planning and Development Acts 2000, as amended**

**Planning Authority: Tipperary County Council**

**Planning Register Reference Number: 2025/002**

**Appeal** by Phoenix Tower Ireland Limited against the decision made on the 3<sup>rd</sup> day of September 2025, by Tipperary County Council Council refuse a licence.

**Licence Application:** for a telecommunications street works solution and ground cabinet at Grass Verge on the R688 Ballyclerihan, Clonmel, County Tipperary.

### Decision

In exercise of the powers conferred on it under section 254 of the Planning and Development Act, 2000, as amended, An Coimisiún Pleanála, directs the planning authority to **GRANT** a licence, based on the reasons and considerations under and subject to the conditions set out below.

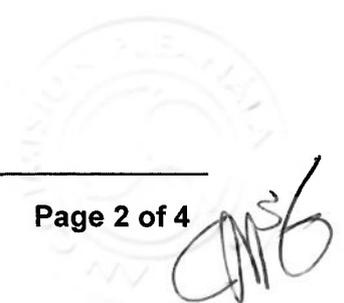
## Reasons and Considerations

Having regard to the nature, scale and design of the proposed development, comprising a 20-metre-high monopole telecommunications streetwork structure, with ground cabinet at a grass verge along the R688, the provisions of Section 254 of the Planning and Development Act 2000, as amended, Policy 6-6 of the Tipperary Development Plan 2022-2028 which supports the delivery and implementation of the National Broadband Plan and any subsequent plans, the 'Telecommunications Antennae and Support Structures - Guidelines for Planning Authorities (1996) (as updated by Circular Letters PL 07/12 and PL11/2020 respectively) and the Climate Action Plan 2025, in particular Section 10.1.8 "Digital Transformation", which supports the national digital transformation framework and recognises the importance of this transformation to achieve Ireland's climate targets, it is considered that, subject to compliance with the conditions set out below, the proposed development would not cause adverse impacts on visual amenities, would not impact on the character of the setting, and would not inconvenience the safety of road users, including pedestrians and cyclists. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 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 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. 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, continuance shall have been granted for their retention for a further period. The site shall be reinstated on removal of the telecommunications structure and ancillary structures. Details relating to the removal and reinstatement shall be submitted to, and agreed in writing with, the planning authority at least one month before the date of expiry of this licence.

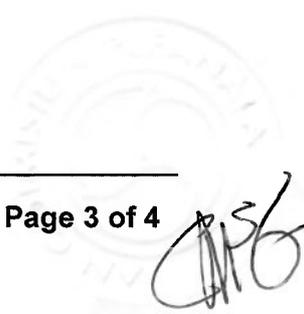
**Reason:** To enable the impact of the development to be re-assessed, having regard to changes in technology and design during the specified period.

3. Details of the proposed colour scheme for the telecommunications structure, ancillary structures and fencing shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

4. Transmitter power output, antennae type and mounting configuration shall be in accordance with the details submitted with this application and, notwithstanding the provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, shall not be altered without a prior grant of planning permission.

**Reason:** To clarify the nature and extent of the permitted development to which this permission relates and to facilitate a full assessment of any future alterations.

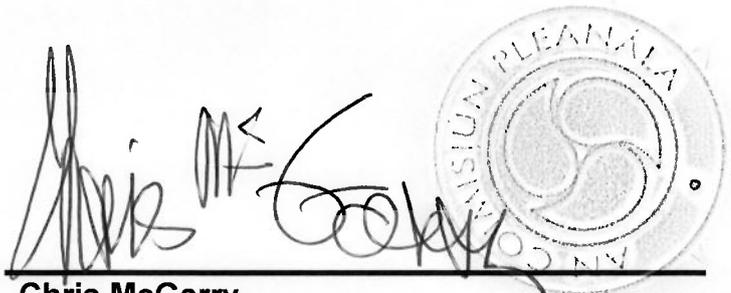


5. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or its appendages or within the curtilage of the site, without a prior grant of planning permission.

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

6. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including tree protection measures, traffic and pedestrian safety measures, hours of working, noise management measures and off-site disposal of construction waste.

**Reason:** In the interests of public safety and residential amenity.



**Chris McGarry**

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

Dated this 19<sup>th</sup> day of February 2026