



An  
Coimisiún  
Pleanála

## Commission Order ACP-323879-25

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

**Planning Authority: Cork County Council**

**Planning Register Reference Number: S254/1/2025**

**Appeal** by Phoenix Tower Ireland III Limited against the decision made on the 23<sup>rd</sup> day of September, 2025 by Cork County Council to refuse permission for the proposed development.

**Licence Application:** Overground electronic communications infrastructure and associated physical infrastructure streetworks solution to address identified mobile and wireless broadband coverage blackspots, at Kilmoney Road, Lisclearly, Carrigaline, County Cork.

### 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 provisions of section 254 of the Planning and Development Act 2000, as amended, to national, regional and local policy objectives, as set out in the Cork County Development Plan 2022 - 2028 to support the development of a sustainable telecommunications network throughout the county, to the section 28 Statutory Guidelines, "Telecommunications Antennae and Support Structures: Guidelines for Planning Authorities", issued by the Department of the Environment, Heritage and Local Government in 1996, as updated by circular letter PL 07/12 in 2012, to the location of the proposed monopole along the edge of the R611 Regional Road, to the information submitted with the application which addresses the technical justification of the proposal at the subject location, and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity. The proposed development 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 carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted, 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 and the lands reinstated at the applicant's expense on removal of the telecommunications structure and ancillary structures, unless, prior to the end of the period, a licence shall have been granted for a further period. Details relating to the removal and reinstatement, shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

**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 within the curtilage of the site without a prior grant of planning permission.

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

4. Details of the proposed colour scheme for the pole, antennas and equipment containers shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

5. In the event of the telecommunications structure and ancillary structures hereby permitted ceasing to operate for a period of three 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 three months 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.



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**Emer Maughan**

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

Dated this 25<sup>th</sup> day of March 2026.