



An
Bord
Pleanála

Inspector's Report

ABP-311273-21

Development	36M high Telecommunications mast. Associated ground and site works.
Location	Formoyle, Inagh, Co Clare
Planning Authority	Clare County Council
Planning Authority Reg. Ref.	21116
Applicant(s)	Hibernian Cellular Networks Ltd
Type of Application	Permission
Planning Authority Decision	Grant with Conditions
Type of Appeal	Third Party
Appellant(s)	Michael Barry Tom Cuddihy Patrick O Halloran
Observer(s)	None
Date of Site Inspection	31 st Of March 2022
Inspector	Adrian Ormsby

1.0 Site Location and Description

- 1.1. The site is located in an upland rural area or Formolye, c. 2km to the south west of Inagh and c. 600m east of Cloonmackan Lough.
- 1.2. The site is accessed from narrow private roads, passageway or agricultural tracks that connect to local public roads east and west of the site. The site is elevated and located just south of the existing Moneypoint to Oldstreet 400 kV overhead electricity transmission line with supporting pylon infrastructures. These transmission line run in a northeast to southwest direction and are visible on the local landscape.
- 1.3. The site itself is a small part of an existing agricultural landholding.

2.0 Proposed Development

- 2.1. The proposal comprises off-
 - a 36 metre-high lattice mast carrying antennas and dishes
 - associated ground-based equipment
 - all enclosed in security fencing and
 - an access track
- 2.2. The Planning Authority sought Further Information (FI) on the 07th of April 2021 in relation to the following-
 - Further details required in relation to the proposed access track including legal interest to utilise or develop parts of the access track.
 - A revised report including coverage mapping detailing why existing telecommunications structures and installations cannot provide coverage needs in the area and an assessment of alternative sites.
- 2.3. The applicants responded on the 16th of July 2021 as follows-
 - No works are proposed to the existing access track or outside the red line. The applicants are purchasing the site and will rely on acquiring historical rights of access to access the development.

- A report was submitted from Vodafone. Coverage in the area is provided by Vodafone from an electricity pylon. This is not sustainable given the requirement for roll out of next generation equipment. The proposal will be a multi user telecommunications structure which will be future proofed for equipment and network evolution in the Inagh area.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to grant permission on the 10th of August 2021 subject to 6 conditions generally of a standard nature for such developments.

4.0 Planning Authority Reports

4.1. Planning Reports

The report of the Planning Officers (30th of July 2021) reflects the decision of the Planning Authority. The following is noted from the report-

- In relation to access to the site regard is had to section 5.13 of the Development Management Guidelines.
- The Planning Authority sought further information in relation to access. It is clear the applicants are satisfied with regards their legal interest over the access tracks and no works are proposed outside the red line site boundary.
- The applicants did not indicate what alternative sites have been considered. From the FI response it would appear there is a requirement to improve phone and broadband coverage in the wider rural area.
- It is considered the site is suitable on grounds of environmental, visual and amenity issues.

4.2. Other Technical Reports

- West Clare Municipal District Engineer
 - No observations

4.3. Prescribed Bodies

- Shannon Airport Authority
 - The development will not penetrate either the Inner Horizontal Surface or the Transitional Surface or indeed have any effect on the aerodrome obstacle limitation surface (OLS)
- Department of Defence 08/03/21
 - No objection subject to type of lighting used
- Irish Aviation Authority 10/03/21
 - No objection or requirement for lighting.

4.4. Third Party Observations

There were five third party submissions and the majority of the issues raised are covered in the grounds of appeal in section 7.1 of this report. Other issues raised include-

- The mast is higher than existing pylons and will be visually intrusive in the landscape
- The proposal is misleading as it does not show the access track
- Level of use of the access track and impact upon residential amenity
- The proposed development is commercial in nature.

5.0 Planning History

C.20-80m North of the site-

- 161011 works associated with the refurbishment of the existing Moneypoint - Oldstreet 400 kV overhead line, **Grant** by Clare Co Co on the 24/09/2017

- 161747- works associated with the refurbishment of the existing Moneypoint - Oldstreet 400 kV overhead line. **Grant** by Galway Co Co on the 09/10/2017

6.0 Policy Context

6.1. National Policy and Guidelines

6.1.1. National Planning Framework

National Policy Objective 48 states-

'In co-operation with relevant Departments in Northern Ireland, develop a stable, innovative and secure digital communications and services infrastructure on an all-island basis.'

The NPF sets out National Strategic Outcomes including Strengthened Rural Economies and Communities. In this regard the NPF states-

'.....improved connectivity, broadband and rural economic development opportunities are emerging which offer the potential to ensure our countryside remains and strengthens as a living and working community.'

6.1.2. Telecommunication Antennae and Support Structures: Guidelines for Planning Authorities 1996

These Guidelines set out the criteria for the assessment of telecommunications structures. The relevant points to this application and appeal are summarised below.

- planning authorities should not include monitoring arrangements as part of planning permission conditions nor determine planning applications on health grounds. These are regulated by other codes and such matters should not be additionally regulated by the planning process.
- An authority should indicate any locations where telecommunications installations would not be favoured or where special conditions would apply. Such locations might include high amenity lands or sites beside schools (Section 3.2).

- Along major roads or tourist routes, *'views of the mast may be intermittent and incidental, in that for the most of the time viewers may not be facing the mast.'* (Section 4.3).
- The sharing of installations and clustering of such facilities are encouraged as co-location will reduce the visual impact on the landscape (Section 4.5).
Developers will have to demonstrate that they have made a reasonable effort to share the use of the same structure or building with competing operators

6.1.3. **Circular Letter PL07/12 (October 2012)**

This Circular Letter revises elements of the 1996 Guidelines including-

- attaching a condition to a permission for a telecommunication mast and antennae which limit their life to a set temporary period should cease, except in exceptional circumstances.
- planning authorities should also cease specifying separation distance for such developments when making Development Plans as they can inadvertently have a major impact on the roll-out of viable and effective telecommunications network.
- planning authorities should be primarily concerned with the appropriate location and design of telecommunication structures and do not have the competence for health and safety matters in respect of telecommunication infrastructure. These are regulated by other codes and such matters should not be additionally regulated in the planning process.
- Development Contribution Schemes must include waivers for broadband infrastructure and these waivers are intended to be applied consistently across all local authority areas.

6.1.4. **Development Management Guidelines 2007**

Section 5.13 states-

'The planning system is not designed as a mechanism for resolving disputes about title to land or premises or rights over land; these are ultimately matters for resolution in the Courts. In this regard, it should be noted that, as section

34(13) of the Planning Act states, a person is not be entitled solely by reason of a permission to carry out any development. In this regard, it should be noted that, as section 34(13) of the Planning Act states, a person is not be entitled solely by reason of a permission to carry out any development. Where appropriate, an advisory note to this effect should be added at the end of the planning decision. Accordingly, where in making an application, a person asserts that he/she is the owner of the land or structure in question, and there is nothing to cast doubt on the bona fides of that assertion, the planning authority is not required to inquire further into the matter. If, however, the terms of the application itself, or a submission made by a third party, or information which may otherwise reach the authority, raise doubts as to the sufficiency of the legal interest, further information may have to be sought under Article 33 of the Regulations. Only where it is clear from the response that the applicant does not have sufficient legal interest should permission be refused on that basis. If notwithstanding the further information, some doubt still remains, the planning authority may decide to grant permission. However such a grant of permission is subject to the provisions of section 34(13) of the Act, referred to above. In other words the developer must be certain under civil law that he/she has all rights in the land to execute the grant of permission.'

6.2. Clare County Development Plan 2017-2023

6.2.1. The site is governed by the policies and provisions contained in the Clare County Development Plan 2017 to 2023.

6.2.2. Section 8.8.10 of the Plan deals with Telecommunications Infrastructure. The following objective is relevant-

- CDP8.43 Development Plan Objective: Broadband Connectivity. It is an objective of Clare County Council:

a. To work with the Department of Communications, Climate Change and Natural Resources to ensure the prompt implementation of the Rural Broadband Scheme in County Clare;

b. *To facilitate the delivery of high capacity ICT infrastructure throughout the County.*

- CDP8.44 Telecommunications Infrastructure, It is an objective of the Development Plan:

‘To facilitate the provision of telecommunications services at appropriate locations within the County having regard to the DoEHLG

‘Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities 1996 (as updated by PL07/12 of 2012).’

- CDP10.6 Broadband

It is an objective of the Development Plan: To advocate for, and facilitate the extension of, broadband infrastructure throughout the County and encourage e-commerce and IT telecommunications in support of rural enterprise.

6.2.3. Map 13A: Landscape Designations- The site is located in a ‘Settled Landscape’.

- CDP13.2 Development Plan Objective: Settled Landscapes. It is an objective of the Development Plan:

To permit development in areas designated as ‘settled landscapes’ that sustain and enhance quality of life and residential amenity and promote economic activity subject to:

- *Conformity with all other relevant provisions of the Plan and the availability and protection of resources;*
- *Selection of appropriate sites in the first instance within this landscape, together with consideration of the details of siting and design which are directed towards minimising visual impacts;*
- *Regard being given to avoiding intrusions on scenic routes and on ridges or shorelines.*

Developments in these areas will be required to demonstrate:

- *That the site has been selected to avoid visually prominent locations;*
- *That the site layouts avail of existing topography and vegetation to reduce visibility from scenic routes, walking trails, water bodies, public amenities and roads;*

- *That design for buildings and structures reduce visual impact through careful choice of forms, finishes and colours, and that any site works seek to reduce visual impact.*

6.2.4. Scenic Routes- CDP13.7-

Development Plan Objective: Scenic Routes

It is an objective of Clare County Council:

- a To protect sensitive areas from inappropriate development while providing for development and change that will benefit the rural community;*
- b To ensure that proposed developments take into consideration their effects on views from the public road towards scenic features or areas and are designed and located to minimise their impact;*
- c. To ensure that appropriate standards of location, siting, design, finishing and landscaping are achieved.*

The R474 from Connolly to Milltown is identified as a scenic route in Map C Landscape Designation of the County Development Plan. This is also shown in map 13A of the Landscape Designations of the main Development Plan document. The application site is located c. 3km north of the R474 and it is considered views north towards the site would be minimal at best given the distance, existing trees and vegetation and the topography of the area.

6.3. **Natural Heritage Designations**

There are no relevant designated areas within the vicinity of the site. The site is located-

- c. 11km north west of the Pouladatig Cave SAC (000037)
- c. 11 km south west of Toonagh Estate SAC (002247)
- c. 10 km south west of Ballycullinan Lake SAC (000016)
- c. 10km south east of Inagh River Estuary SAC (000036)

6.4. EIA Screening

- 6.4.1. An Environmental Impact Assessment Screening report was not submitted with the application. A telecommunications mast such as that proposed is not listed as requiring mandatory EIA as per Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended). By reason of the nature, scale and location of the subject site, the proposed development would not be likely to have significant effects on the environment and that on preliminary examination an environmental impact assessment report for the proposed development was not necessary in this case (See Preliminary Examination EIAR Screening Form).

7.0 The Appeal

7.1. Grounds of Appeal

Three third party appeals has been received from the following-

- Patrick O'Halloran
- Tom Cuddihy and
- Michael Barry

The grounds of appeal are supported by appellants land registry, folio details and photographs. The grounds can be summarised as follows-

- The applicants do not have the legal right or way or consent of relevant landowners to use existing private passageways to access the site. There are concerns over potential third party liabilities.
- The existing access passageways are not suitable for use of large vehicles to access the site for construction purposes. There is no consent given to allow for upgrade works to private passages ways.
- The proposed mast will negatively impact upon existing residential amenity by way of noise, proximity to existing houses, devaluation and impacts of electromagnetic radiation.
- There are alternative sites available in the locality that would not impact on locals in this area and are accessible through the public road network.

7.2. Applicant Response

The applicant's response to the grounds of appeal can be summarised as follows:

- In terms of right of way and legal entitlement the Board is reminded that remedy for legal matters or disputes can and should be addressed in Court. The provisions of section 34 (13) of the P & D Acts apply to any grant of permission.
- This matter was raised by the Planning Authority at FI stage and was addressed by the applicants in their response.
- The applicants have been advised by the landowner that he and his predecessors have used the access track for several decades. The landholding does not abut local public roads but is accessible by private tracks. These will be used during construction and subsequent infrequent site visits.
- Use of such sites distant from public roads for telecommunications masts is not unusual. The existing tracks are already used by heavy agricultural vehicles and will be suitable for construction traffic. Using them will prevent the need for new tracks on the landscape.
- Construction will take approx. 1 month. There will be c. 5 truck visits during construction and will be carried out to minimise and avoid injurious impact on appellants, their farms or other residents in the area.
- There is no evidence of noise impacts from wind or property devaluation and should be dismissed by the Board. There will not be excessive traffic on the tracks during construction or operation. Temporary construction impacts will be kept to a minimum.
- The applicants question an appellants need for a new dwelling given the recently renovated farmhouse on lands near the site. The appeal based on a potential application for a new dwelling is aspirational.
- Impacts of electromagnetic radiation any other health concerns from telecommunications masts are addressed in the 1996 Telecommunications

Guidelines and repeated in section 2.6 of Circular PL07/12. It is not a planning consideration.

- There are no grounds or justification for an Oral Hearing.

7.3. Planning Authority Response

The Planning Authority's response to the grounds of appeal received on the 01st of October 2021 can be summarised as follows-

- The council notes the three third party appellants grounds of appeal and respectfully requests the Board to uphold their decision to grant permission.

7.4. Observations

- None

8.0 Assessment

8.1. Introduction

8.1.1. Having examined the application details and documentation on file including the third party appeals, having inspected the site and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- Justification and Compliance with National Guidance
- Legal Matters relating to site access
- Nature and use of existing access tracks
- Visual and Residential Amenity Impacts
- Appropriate Assessment.

8.2. Justification and Compliance with National Guidance

8.2.1. The application proposes a 36m high telecommunications mast at this elevated upland site to provide telecoms and broadband coverage in the wider area. The

application is accompanied by current broadband coverage maps¹ which shows the large area surrounding the site that is going to require broadband intervention by the state. The proposed mast will increase broadband coverage in this general area.

8.2.2. The application details that the proposed mast will facilitate Vodafone and EIR operators to provide improved 4G coverage in the area. Coverage mapping is submitted with the application showing existing 4G at the pin pointed area as 'Good' for Vodafone and 'Fair' for EIR. These areas appear to be specific to the application site which is sparsely populated. I note the text accompanying the maps describes these as 'Fair to Fringe'. I have reviewed the maps² and note the general coverage in and around the closest settlement of Inagh c 2km north east of the site can be best described as 'Fair to Fringe'. Inagh is identified as a 'Large Village' in the Core Strategy of the County Development Plan.

8.2.3. The Planning Authority sought further information (FI) including why existing telecommunications structures and installations cannot provide coverage needs in the area and an assessment of alternative sites. An appellant has considered there are more suitable alternative sites for the development.

8.2.4. In response to the FI request the applicants detail that the use of existing equipment from electricity pylons is not sustainable given the requirement for the roll out of next generation equipment and once the existing pylons are disregarded there will be no existing support structures in the area to provide coverage from. The response is accompanied by a report from Vodafone which includes maps showing existing and improved coverage from the development to Inagh.

8.2.5. Based on the information submitted and available on the weblinks provided in the footnotes below, I am satisfied that there is a need for improved telecommunications in the general wider area including Inagh and the location of the development as proposed has been adequately justified to provide improved coverage that will benefit the wider area. While alternative sites in the area could provide similar or

¹ <https://www.gov.ie/en/publication/5634d-national-broadband-plan-map/>

² https://coveragemap.comreg.ie/map?location=52.87708987702453,-9.175603833141864&technology=4g&network=three&place_id=

even further coverage improvements, I see no reason to refuse the proposed mast on this basis alone.

- 8.2.6. Section 4 of the Telecommunication Antennae and Support Structures: Guidelines for Planning Authorities 1996 set out the criteria for Development Control and Telecommunications. The relevant criteria to this application and appeal include design and siting, visual impact, access, sharing and clustering.
- 8.2.7. Section 4.2 deals with 'Design and Siting'. The proposal is for a 36m high lattice tower. The drawings show a small narrow element protruding above the 36m level that is likely to host obstacle lighting. 6 no. 2m antenna and 6 number dishes are shown and are all to be installed on the lattice structure below the 36m level. The structure will be enclosed by a 2.4m palisade fence at ground level in which 3 no equipment cabinets are to be installed on a concrete plinth.
- 8.2.8. The drawings indicate the structure is located at a ground level of +86.00m. The Ordnance Survey Discovery Series mapping available to ABP show the site near the 80m contour. The R460 regional road from Inagh to Milltown Malbay c. 1.5km to the north has a contour level of c. 60-70m. The peak of Slieve Callan c. 5.7km south west of the site is at a level of 391m. The R474 regional road from Connolly to Milltown Malbay c. 3km south of the site is at a contour level of c. 100m. The site is located in an upland area but is not considered to be sited on an overly prominent landscape.
- 8.2.9. The site is located c. 60m south of an existing 400 kV overhead line and c. 110m south of a supporting pylon. In this context, the site is considered appropriate for the proposed mast where existing similar infrastructure exists.
- 8.2.10. Section 4.3 of the Guidelines deals with 'Visual Impact' which is considered among the most important considerations to be taken into account. The proposed development is best described as within an 'upland/hilly, mountainous area' as per the categories provided in the Guidelines. The site is not considered within a 'fragile or sensitive landscape' and it is considered unlikely the mast would be visible from the scenic route along the R 474 Regional Road from Connolly to Milltown Malbay given the distance and topography of land between the scenic route and the site.
- 8.2.11. The mast will be visible more locally especially from public roads surrounding the site. However it is considered that such views will generally be intermittent and the

extent of the visual impact will be mitigated by the presence of the existing 400kw overhead transmission wires and supporting pylon infrastructure.

- 8.2.12. Section 4.4 deals with 'Access Roads and Poles'. It details that access roads can cause greater visual impact than the actual installation. As detailed in section 8.3 and 8.4 the application proposes uses the existing access routes to the site and no works to same are proposed. In this context the development will not have a negative visual impact.
- 8.2.13. Section 4.5 deals with 'Sharing and Clustering' of such structures and this will reduce the visual impact on the landscape. I note the proximity of existing telecommunications facilities in close proximity to the site³. In the context of the existing electricity infrastructure in the area I do not consider these to have a negative visual impact. The siting of the proposed mast in close proximity to the transmission wires and pylons is in keeping with the provisions of section 4.5. The application also makes provision for future collocation on the mast which should be encouraged and this can be addressed further by condition.
- 8.2.14. Overall, I am satisfied the applicants have justified the need for the development at this location and in general the proposed structure complies with the provisions of the Telecommunication Antennae and Support Structures: Guidelines for Planning Authorities 1996.

8.3. Legal Matters relating to site access

- 8.3.1. It is clear from the grounds of the appeals that there are matters relating to the applicants legal entitlement to access the site over existing private farmyard passageways or tracks. It is argued that the existing landowner only has domestic and agriculture rights to use the route. These rights do not include for commercial development such as that proposed.
- 8.3.2. The Planning Authority sought clarity on this matter through a request for Further Information (FI). In the applicants FI response they clearly detail that they are acquiring the site subject to planning permission. If permission is granted they will

³ <https://siteviewer.comreg.ie/#site/3832/52.8555526185/-9.1955288837/1/Site%203832>

then rely on the existing landowners historical rights of access to carry out the development.

- 8.3.3. I am satisfied this issue is a legal matter and not one for resolution through the planning system. Section 5.13 of the Development Management Guidelines 2007 details that-

The planning system is not designed as a mechanism for resolving disputes about title to land or premises or rights over land; these are ultimately matters for resolution in the Courts. In this regard, it should be noted that, as section 34(13) of the Planning Act states, a person is not be entitled solely by reason of a permission to carry out any development.

- 8.3.4. Based on the information on file I cannot say with certainty that the applicant and landowner do not have the legal right to traverse the existing access routes to implement the development if permitted. This needs resolution in the Courts. Accordingly and having regard to section 34(13) of the Act, I am satisfied that the Board is not precluded from granting permission for this development.

8.4. Nature and use of existing access tracks

- 8.4.1. The appellants have raised concerns about the condition, width and nature of the existing passageway and tracks to access the site. They argue the routes are not suitable for use of large vehicles for construction and operational purposes.
- 8.4.2. In their response to the appeal, the applicants argue that such telecommunication sites are often some distance from public roads. The existing tracks already cater for heavy agricultural vehicles and will be suitable for construction traffic. It is clearly detailed that the applicants propose no works to the existing access routes.
- 8.4.3. The proposed development is relatively small scale and will not require significantly large vehicles or number of trips of such vehicles for construction purposes. Subject to the applicants acquiring the appropriate rights to access the site for construction and operational purposes I see no reason why the existing passageways and tracks could not cater for types of machinery required to carry out and operate the development.

8.5. Visual and Residential Amenity Impacts

- 8.5.1. It is raised in the appeals that the proposed development will negatively impact upon existing residential amenity by way of noise from vehicles to the site and wind through the mast, proximity to existing houses and devaluation of property.
- 8.5.2. The applicants have indicated that the proposed development will be constructed in approximately one month. They detail there will be c. 5 truck visits during construction. I accept there will be noise from trucks accessing the site from existing routes adjoining existing houses. However, such noise will be limited and temporary. It will not significantly impact upon residential amenity. General operation and maintenance of the site will require minimal site visits and will not create excessive noise that will detract from residential amenity.
- 8.5.3. I note the proximity of one dwelling c. 70m east of the application site. I do not accept that the siting of the mast in this close proximity to the house will lead to noise of any such extent, including from wind that would warrant refusal of the development. While I appreciate there may be noise during the construction period this will generally be for a short period and can be managed by condition relating to time and days for development work.
- 8.5.4. I note concerns raised in relation to a potential application for a future house in the general area of the mast. It is not considered appropriate to have regard to the potential location of a house that may or may not be applied for and/or granted permission.
- 8.5.5. I note the concerns raised in the appeal in respect of the devaluation of the nearby house and property in the area. No evidence has been submitted to support this. Having regard to this assessment and the distance between the proposed telecommunications structure and these properties, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property in the vicinity. The provision of improved mobile and broadband services could have a positive benefit upon the valuation of some properties in the area where broadband services could otherwise be difficult to provide.

8.6. Health

- 8.6.1. Health concerns are raised within the appeals. Circular Letter PL07/12 states that planning authorities should be primarily concerned with the appropriate location and design of telecommunications structures and therefore do not have the competence for health and safety matters in respect of telecommunications infrastructure. The Circular also notes that telecommunication infrastructure is regulated by other codes and such matters should not be additionally regulated by the planning process. The issue of health and safety in this regard does not require further planning consideration.

8.7. Appropriate Assessment

- 8.7.1. Having regard to the nature of the proposed development and its operational use, its separation distance to any European site it is considered that no Appropriate Assessment issues arise and the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on any designated European site.

9.0 Recommendation

- 9.1. I recommend that permission is granted subject to the following conditions-

10.0 Reasons and Considerations

- 10.1. Having regard to the provisions of the National Planning Framework, the Clare County Development Plan 2017-2023, the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, 1996 and associated Circular Letter PL07/12, the proximity of existing 400 kV overhead transmission lines and supporting pylon infrastructure and 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 and visual amenities and character of the area or of property in the vicinity and would not be prejudicial to public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 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 on the 16th day of July, 2021, 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. Prior to commencement of development, details of the proposed colour scheme for the telecommunications structure and ancillary structures shall be submitted to, and agreed in writing with, the planning authority.

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.

4. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.

Reason: In the interest of public health.

5. (a) In the event of the proposed structure becoming obsolete and being decommissioned, the developers shall, at their own expense, remove the mast, antenna and ancillary structures and equipment.

(b) The site shall be reinstated upon the removal of the telecommunication structure and ancillary structures. Details of the reinstatement shall be

submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of orderly development.

6. The developer shall provide and make available at reasonable terms the proposed support structure for the provision of mobile telecommunications antenna of third party licenced telecommunications operators.

Reason: To avoid a multiplicity of telecommunications structures in the area, in the interest of visual amenity, and proper planning and sustainable development.

7. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

Adrian Ormsby
Planning Inspector

11th of April 2022