



An  
Bord  
Pleanála

## Inspector's Report ABP-317678-23

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<b>Development</b>	Construction of multi-operator telecommunications infrastructure
<b>Location</b>	Eir Exchange, Railway Road, Killeshandra, Co Cavan
<b>Planning Authority</b>	Cavan County Council
<b>Planning Authority Reg. Ref.</b>	20471
<b>Applicants</b>	Eircom Limited
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse Permission
<b>Type of Appeal</b>	First Party
<b>Appellants</b>	Eircom Limited
<b>Inspector</b>	Dolores McCague

## **1.0 Background to Addendum Report**

- 1.1.1. This addendum report is required, in response of the Board Direction of 14<sup>th</sup> August 2023, to provide an updated report.
- 1.1.2. Following the remitting of the case, back to the Board, by the High Court, for a fresh determination, all participants were notified and invited to make further submissions.

## **2.0 Further Responses**

### **2.1. Planning Authority Response**

- 2.1.1. The Planning Authority responded that it has adopted a new development plan - Cavan County Development Plan 2022-2028.
- 2.1.2. The issues remain as stated in the planner's report dated 8<sup>th</sup> December 2020 and the appeal submission dated 8<sup>th</sup> February 2021. They recommend that planning permission be refused.

### **2.2. Applicant Response**

- 2.2.1. Towercom have responded on behalf of the applicant, which response includes that section 2.3 of the circular letter PL07/12 states that planning authorities should not include separation distances from telecommunications structures as they can inadvertently have a major impact on the roll out of a viable and effective telecommunications network. The presence of commercial and retail premises, dwellings, schools, offices, recreational and tourist attractions in the area increases the justification for the proposed infrastructure as there is an increased demand for services in the area and the population of users increases.
- 2.2.2. Telecommunications services is a factor in the attractiveness of a small town. In addition a new 12km cycleway linking Killykeen and Killeshandra was opened in 2020.
- 2.2.3. Sections 2.11.1 and 2.11.5 of the development plan are quoted.
- 2.2.4. A list of recent planning authority and Board decisions in relation to telecommunications infrastructure is referred to.

## 3.0 Policy Context

### 3.1. Development Plan

- 3.1.1. Cavan County Development Plan 2022-2028 is the operative plan. Relevant provisions include:

The site is within Killeshandra, defined as a small town, where it is zoned whitelands; with the objective to provide for appropriate mixed-use development within the development envelopes of small town and villages; and with the vision to cater for the continued growth and development of small town and village town cores.

Other relevant provisions:

Development objectives:

ICT 05 Ensure the locations of telecommunications structures minimise and/or mitigate any adverse impacts on communities, public rights of way and built or natural environment.

ICT 06 Encourage co-location of antennae on existing support structures and to require documentary evidence as to the non-availability of this option in proposals for new structures. The shared use of existing structures will be required where the numbers of masts located in any single area is considered to have an excessive concentration.

ICT 07 Facilitate the provision of telecommunications infrastructure throughout the county in accordance with the requirements of the 'Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities' July 1996 and Circular Letter PL 07/12 or any update thereof.

## 4.0 Assessment and Recommendation

- 4.1.1. The policy environment in relation to the subject application is not significantly altered by the development plan 2022-2028.
- 4.1.2. The further submissions received are noted and have been considered.
- 4.1.3. I recommend that planning permission be refused for the reasons and considerations stated in my recommendation dated 8<sup>th</sup> July 2021 on file 309255-21.

## 5.0 Reasons and Considerations

Having regard to

(a) the guidelines relating to telecommunications antennae and support structures which were issued by the Department of the Environment and Local Government to planning authorities in July, 1996,

(b) the height, scale and location of the proposed development in the centre of the town, and

(c) the failure to fully assess alternative locations or demonstrate that this is a last resort location,

it is considered that the proposed development would be visually obtrusive and would seriously injure the amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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Planning Inspector

26 September 2023

Appendix Cavan County Development Plan 2022-2028, extracts.