

An  
Bord  
Pleanála

**Board Direction**  
**BD-019806-25**  
**ABP-321787-25**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/05/2025.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the Telecommunications Antennae and Support Structures Guidelines 1996 as revised by Circular Letter PL 07/12, and Section 10.30.1 (ICT and Broadband Policy Objectives) of the Westmeath County Development Plan 2021-2027, it is considered that, subject to conditions, the proposal would contribute to the roll out of broadband services in accordance with national, regional, and local objectives. Having regard to the development on unzoned lands, the Planning Statement submitted by the applicant (dated October 2024) and the technical notes contained therein, the design of the proposed structure, the submitted Assessment of Landscape and Visual Impacts and the proposed screening of the base of the structure, the Board was satisfied that the development would not be injurious, visually incongruous or detract from the natural amenity of the area and therefore be in compliance with CPOs 13.55, 3.20 and 13.21, would not injure or interfere with the historic remains or setting of a monument in compliance with CPOs 14.6 and 14.7, or interfere in a substantial way or over a long duration with the safety and free flow of traffic at an existing junction used by commuter and agricultural vehicles entering/exiting Sweep Road, at a point where the maximum speed limit applies, and so be in compliance with CPO 10.52 The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission for reasons of traffic safety, the Board was satisfied that the Traffic Management Plan submitted by the applicant forms the basis for a safe and practical means (to be agreed with the planning authority) by which to ensure safety at the road junction over the limited construction period. The appropriate selection of vehicles, plant and equipment to safely access the site along Sweep Road, already used by agricultural machinery and passenger vehicles, and the use of temporary traffic lights and/or trained traffic controllers would mitigate any significant issues at the junction.

### **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on 5 November 2024, and the further information submitted to the Board with the first party appeal on 30 January 2025, 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. A detailed construction traffic management plan, based on the details submitted with the appeal shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include:
  - (a) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
  - (b) Measures to obviate queuing of construction traffic on the adjoining road network;
  - (c) Specific details for managing construction traffic at the junction of Sweep Road and the L1437, including the use of traffic controllers (flag men) and temporary traffic lights.

**Reason:** In the interest of traffic safety and convenience.



3 Prior to the commencement of development, the developer shall engage a suitably qualified licence eligible archaeologist (licensed under the National Monuments Acts) to:

- (a) conduct (or arrange the conduct of) a geophysical survey across the field in which the proposed development site is located, to confirm the exact extent of the recorded ringfort (including any outer ditches too degraded to be visible above ground) and of the souterrain, and to identify any other subsurface features that might be present, followed by a programme of archaeological testing to confirm the findings of the survey and to assess the significance, nature and extent of any archaeological features identified during the survey.
- (b) conduct pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/site clearance/dredging/underwater works and/or construction works. The report shall include an archaeological impact statement and mitigation strategy. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record and/or monitoring may be required. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the planning authority. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.

**Reason:** To ensure the continued preservation either in situ or by record of places, caves, sites, features or other objects of archaeological interest.

- 4 Landscaping of the site shall be carried out in accordance with a landscaping scheme, including hedging planted inside the boundary fence, to 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.

- 5 A low intensity fixed red obstacle light shall be fitted as close to the top of the mast as practicable and shall be visible from all angles in azimuth. Details of this light, its location and period of operation shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of public safety.

6. 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.

7. Site development and building works shall be carried out between the hours of 0700 and 1900 Mondays to Fridays inclusive, between 0800 and 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

**Reason:** To safeguard the amenity of property in the vicinity.

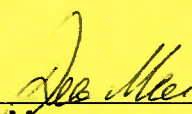
8. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:



- a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- b) Location of areas for construction site offices and staff facilities;
- c) Details of site security fencing and hoardings;
- d) Details of on-site car parking facilities for site workers during the course of construction;
- e) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- f) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- g) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- h) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- i) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- j) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- k) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority;

**Reason:** In the interest of amenities, public health and safety and environmental protection

**Board Member**

  
Declan Moore

**Date:** 29/05/2025