

Board Order PL 25M.248395

Planning and Development Acts 2000 to 2017

Planning Authority: Westmeath County Council

Planning Register Reference Number: 17/6048

Appeal by ESB Telecoms Limited of 27 Lower Fitzwilliam Street, Dublin against the decision made on the 7th day of April, 2017 by Westmeath County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission for the continued use of the existing 30 metre high, free standing communication structure, carrying antennae and communication dishes, within an existing 2.4 metre high fenced compound (previously granted temporary permission under local planning authority reference number 12/2022) at ESB Loughanalla 38 kV Substation, Townland of Townparks, Castlepollard, County Westmeath.

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 2 and the reasons therefor.

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, which encourage applicants to share facilities and to satisfy the authority that they have made a reasonable effort to share,
- (b) the provisions of the Westmeath County Development Plan 2014-2020,
- (c) the provisions of the Planning and Development Regulations 2001, as amended, in respect of exempted development for telecommunications and in particular the conditions and limitations contained therein,
- (d) the nature and scale of the proposed development, and
- (e) the pattern of development in the area,

the Board did not consider that particular circumstances arose that would necessitate the limiting of exempted development in this case.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

> Member of An Bord Pleanála duly authorised to authenticate the seal of the Board.

Dated this day of 2017

PL 25M.248395 Board Order Page 2 of 2