



Planning and Development Acts 2000 to 2019

Planning Authority: Westmeath County Council

Planning Register Reference Number: 19/7260

Appeal by Cignal Infrastructure Limited care of 4site, 4site House, Coughkeating Avenue, Raheen Business Park, Limerick against the decision made on the 21st day of February, 2020 by Westmeath County Council to refuse a permission to Cignal Infrastructure Limited for the proposed development.

Proposed Development: Construction of a 24-metre multi-user monopole carrying telecommunications equipment, together with associated equipment and cabinets enclosed within a 2.4 metres palisade fence compound with temporary access track, all at Athlone GAA Club, Ballymahon Road, Cloghanboy, County Westmeath.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

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.

Reasons and Considerations

Having regard to the provisions of the National Planning Framework, the Athlone Town Development Plan 2014 - 2020, the “Telecommunications Antennae and Support Structures: Guidelines for Planning Authorities” published by the Department of the Environment in July 1996 and associated Circular Letter PL07/12, the existing pattern of development in the area 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 amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and with the appeal, 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. Details of the proposed colour scheme for the telecommunications structure, ancillary structures and fencing shall 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.

3. The proposed telecommunication monopole shall have a maximum height of 24 metres.

Reason: In the interest of clarity.

4. 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.

5. 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.

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

Reason: In the interest of public health.

7. Landscaping of the site shall be carried out in accordance with a landscaping scheme which shall be submitted to, and agreed in writing with, planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

8. Noise levels from operation of the mast shall be kept within the following limits when measured at noise sensitive locations close to the site boundary:

- Day time: Leq 55 dB(A)
- Night time: Leq 45 dB(A)

In addition, noise levels at noise sensitive locations in the vicinity of the site shall not exceed a level of 10 dB(A) above existing noise levels during core working hours and 5 dB(A) at any other time. All noise measures shall be carried out and assessed in accordance with “Environmental Protection Agency Guidance Note for Noise: Licence Applications, Surveys and Assessments in Relation to Scheduled Activities (NG4)”. Noise sensitive locations shall be agreed with the planning authority.

Reason: In the interest of residential amenity.

9. On decommissioning of the telecommunications service, or if the service ceases operation for a period of more than one year, the telecommunications structure, associated antennae and related ancillary structures including foundations and access arrangements shall be removed and the site lands shall be reinstated on removal of the telecommunications structure and ancillary structures within three months of decommissioning at the operators' expense.

Reason: To ensure satisfactory reinstatement of the site upon cessation of the service.

10. Prior to the commencement of development, a Construction Environment Management Plan shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of orderly development.

Stephen Bohan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board

Dated this day of 2020