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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Louth County Council**

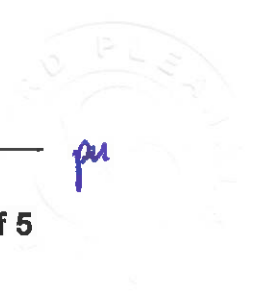
**Planning Register Reference Number: 21417**

**Appeal** by Gerard and Anne Hamill care of Steven Peck of Chestnut Cottage, Commons Road, Dromiskin, County Louth against the decision made on the 4<sup>th</sup> day of June, 2021 by Louth County Council to grant subject to conditions a permission to Eircom Limited care of Focusplus Limited of N3 Arbourfield House, Dundrum Business Park, Dundrum Road, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Permission for construction of an 18 metre high free standing communications structure with its associated antennae, communication dishes, ground equipment and all associated site development works. The development will form part of Eircom Ltd. existing telecommunications and broadband network; all at site at Eircom Exchange, Togher, Drogheda, County Louth.

**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 National Planning Framework, the current Louth County Development Plan, the “Telecommunications Antennae and Support Structures Guidelines for Planning Authorities” issued by the Department of the Environment and Local Government in July, 1996 and Circular Letter PL 07/12, the existing telecoms infrastructure on the site, the established use of the site for telecommunications purposes, the scale and design of the proposed development, it is considered that the proposed development would be in accordance with national policy for telecommunications infrastructure and the provisions of the current Louth County Development Plan 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, 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. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.

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

3. 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.

4. The trees and hedgerows along the site boundaries shall be retained and prior to the commencement of development, a comprehensive boundary treatment and landscaping scheme for the site, to include a plan for the protection of existing trees to be retained during construction, shall be submitted to, and agreed in writing with, the planning authority.

**Reason:** To protect trees and planting during the construction period in the interest of visual amenity.

5. The proposed mast shall be made available for the provision of mobile telecommunications antennae/dishes of third-party licensed mobile telecommunications operators. Details of which, as the need arises, shall be agreed in writing with the planning authority.

**Reason:** To avoid unnecessary proliferation of telecommunications structures in the landscape, in the interest of visual amenity.

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.

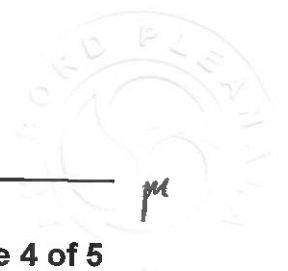
**Reason:** In the interest of the visual amenities of the area.

7. 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 traffic management during the construction phase, details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste, as well as protective measures to be employed during the construction of the pedestrian access track with respect to boundary hedgerow.

**Reason:** In the interests of public safety and amenity.

8. 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.

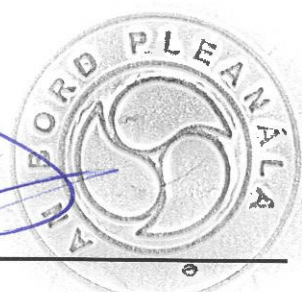



9. The transmitter power output, antenna type and mounting configuration shall be in accordance with the details submitted with this application and, notwithstanding the provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, shall not be altered without a prior grant of planning permission.

**Reason:** To clarify the nature and extent of the permitted development to which this permission relates and to facilitate a full assessment of any future alterations.

10. When the telecommunications structure and ancillary structures are no longer required, they shall be removed and the site shall be reinstated at the operator's expense in accordance with a scheme to be agreed in writing with the planning authority prior to the removal of the structures.

**Reason:** In the interest of protecting the landscape.



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**Paul Hyde**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

Dated this 2<sup>nd</sup> day of ~~NOVEMBER~~ 2021.