



An
Bord
Pleanála

Board Order ABP-321751-25

Planning and Development Acts 2000 to 2022

Planning Authority: Laois County Council

Planning Register Reference Number: 24/60664

Appeal by Transport Infrastructure Ireland of Parkgate Business Centre, Parkgate Street, Dublin against the decision made on the 18th day of December 2024 by Laois County Council to grant subject to conditions a permission to Vantage Towers Limited care of Charterhouse Infrastructure Consultants of 27 Market Street, Listowel, County Kerry.

Proposed Development: 24-metre lattice telecommunications support structure on a 1.2-metre-high raised foundation (providing an overall height of 25.2 metres) together with associated antennas and dishes and to remove the existing 15-metre lattice telecommunications structure with antennas (providing an overall height of 16.5 metres). The proposed development is all enclosed within an existing compound, all at Colt, Ballyroan, County Laois.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

Having regard to the location of the proposed development immediately adjacent to the N77 National Route, to Transportation Policy Objective TRANS1 of the Laois County Development Plan 2021-2027 which aims to protect the safety, efficiency and capacity of Laois's roads network, the lack of a Technical Acceptance Report signed off by Transport Infrastructure Ireland (TII), and the lack of detail or certainty in relation to the potential provision of a layby adjoining the site or access to adjoining lands during the construction phase of the proposed development, it is considered that the applicant has not demonstrated compliance with the TII publication DN-STR-03001 - Technical Acceptance of Road Structures on Motorways and Other National Roads, and has not adequately demonstrated that the proposed development would not pose a traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board had regard to the TII publication DN-STR-03001 - Technical Acceptance of Road Structures on Motorways and Other National Roads which requires the Technical Acceptance process to be completed for masts adjoining national routes. The Board agreed with the planning authority's roads department which recommended that the applicant should submit an approved Technical Acceptance Report by way of further information considering that the Technical Assessment process could have implications for the design and construction of the mast in view of Transport Infrastructure Ireland's concerns in relation to the proposed development. The Board further considered that, in the absence of detail in relation to the potential provision of a layby adjoining the site or access to adjoining lands during the construction phase of the proposed development, there remained an unresolved road safety risk in relation to the construction phase of the proposed development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Eamonn James Kelly

Eamonn James Kelly

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 26th day of May, 2025.