



An
Bord
Pleanála

Board Order

ABP-321787-25

Planning and Development Acts 2000 to 2022

Planning Authority: Westmeath County Council

Planning Register Reference Number: 24/60428

Appeal by On Tower Ireland Limited care of Entrust Limited of Unit 1, First Floor, Oranmore Business Park, Oranmore, County Galway against the decision made on the 3rd day of January, 2025 by Westmeath County Council to refuse permission.

Proposed Development: Installation of a 24-metre monopole telecommunications support structure carrying antennas, dishes, remote radio units (RRUs), associated equipment, together with ground-based equipment cabinets, GPS, fencing, gantry poles, cable ladder, cable tray, concrete plinths and all associated site development works for wireless data and broadband services, all at Pearsonbrook, Glasson, Athlone, County Westmeath.

Decision

GRANT permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.

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 compliance with the conditions set out below, the proposed development 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 developer (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 proposed development would not seriously injure the amenities of the area, would not be visually incongruous or detract from the natural amenity of the area and would 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 would 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 developer 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.

The Board considered that the proposed development is a project for the purposes of the Environmental Impact Assessment Directive. However, the Board concluded that the proposed development does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 to the Planning and Development Regulations 2001, as amended, and, therefore, no preliminary examination, screening for environmental impact assessment, or environmental impact assessment is required.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 30th day of 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 proposed 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 the 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 commencement of development, the developer shall engage a suitably qualified licenced 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, and
 - (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 shall 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 only between the hours of 0700 and 1900 Mondays to Fridays, inclusive, between 0800 and 1400 on Saturdays and not at all on Sundays or 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 proposed 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 proposed development, including:
- (a) the location of the site and materials compound(s), including area(s) identified for the storage of construction refuse;
 - (b) the location of areas for the 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; and
- (j) the means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains;

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall made be available for inspection by the planning authority.

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

9. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Liam McGree

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

Dated this 04 day of JUNE 2025.