



An
Bord
Pleanála

Inspector's Report

ABP-306907-20

Development	Construction of a 24-metre multi-user monopole carrying telecommunications equipment.
Location	Athlone GAA Club, Ballymahon Road , Cloghanboy, Co Westmeath
Planning Authority	Westmeath County Council
Planning Authority Reg. Ref.	197260
Applicant(s)	Cignal Infrastructure Ltd.
Type of Application	Permission.
Planning Authority Decision	Refuse permission.
Type of Appeal	First Party
Appellant(s)	Cignal Infrastructure Ltd.
Observer(s)	The Moorings Residents Committee, Deirdre Hannon and Others.
Date of Site Inspection	2 nd of June 2020.
Inspector	Stephanie Farrington

1.0 Site Location and Description

- 1.1. The site is located within the grounds of Athlone GAA Club approximately 1km northeast of Athlone Town centre. It is located to the north east of the existing playing pitches to the south of the proposed tennis club site and to the west of a playground and the Regional Sports Centre Fitness Park.
- 1.2. Access to the site is currently provided via the existing entrance to the GAA Club from the R915. There is an existing access track along the perimeter of the playing fields in the vicinity of the site. The proposal seeks to extend this track to provide access to the site.
- 1.3. The site is currently undeveloped. Existing residential development is located within 300m of the application site to the south west at The Moorings and within 220m to the west at properties along Ballymahon Road.

2.0 Proposed Development

- 2.1. The proposed development comprises the construction of a 24 meter multi-user mono pole carrying telecommunications equipment and associated equipment and cabinets. The proposal will accommodate mobile network operators as well as local and national broadband providers.
- 2.2. The development is enclosed within a 2.4m palisade fence compound. Access to the site compound is proposed via an extension to the existing 3m wide access track which runs along the perimeter of the playing fields.

3.0 Planning Authority Decision

3.1. Decision

Planning permission refused for the proposed development in accordance with the following reasons and considerations:

1. *“Having regard to the lack of justification for selection of this site, and the inadequate information and evidence to indicate that the applicant has made a reasonable effort to share or cluster with the existing mast sites in the*

vicinity, it is considered that the current proposal is contrary to the DoEHLG document “Telecommunications Antennae and Support Structures” (1996, amend 2012) and Policy P-ICT5 of the Athlone Development Plan 2014-2020 and would therefore be contrary to the proper planning and sustainable development of the area”.

2. *“Having regard to the scale and siting of the proposed mast on an open and exposed site situated in close proximity to recreational and residential uses, it is considered that the proposed development would be injurious to the visual amenity, landscape character and recreational value of the area and would be contrary to policy P-ICT4 of the Athlone Town Development Plan 2014-2020 and to the proper and sustainable development of the area”.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner’s report reflects the decision of the planning authority. The following provides a summary of the points raised.

- Nature, scale and height of the proposed development would constitute a visually intrusive feature in an open landscape which is surrounded by leisure and residential uses.
- The proposal will be highly visible from both long and short views and negatively impact upon its immediate environs.
- No justification has been provided for the siting of the mast.
- No mitigating measures have been submitted with regard to alleviating the negative visual impact.
- The applicant has not provided a rationale for not co-locating the mast at existing locations in the vicinity.
- Development Contribution Scheme 2014-2020 – Telecommunications structures is exempt from development contributions in accordance Section 7 of the Scheme.

3.2.2. Other Technical Reports

Environment Section: Report dated 07/02/2020. No objection to the proposed development subject to conditions. Conditions recommended including submission of a Construction Environmental Management Plan to the planning authority for written agreement, a Noise Condition identifying limits at nearest noise sensitive receptors and a condition restricting discharge of contaminated water to any surface water drainage system or surface water course.

Engineering Report: Report dated 07/02/2020. No objection to the proposed development.

3.3. Prescribed Bodies

Irish Aviation Authority: No observations on the application.

3.4. Third Party Observations

Towercom

- Towercom have an existing structure in the area which is 92m in height.
- Roslevin is an established telecommunications support structure in the area and has 50% spare capacity to accommodate additional radio antennae. This structure is available for co-location and sharing.
- The proposal is an unnecessary duplicate infrastructure and is in contravention of the guidance set out within the "Guidelines for Planning Authorities 1996, Telecommunications Antennae and Support Structures".

4.0 Planning History

4.1.1. The following history relates to the appeal site:

- **PA Ref 19/7244:** Application for construction of a 24m multi-user monopole carrying telecommunications equipment, together with associated equipment and cabinets enclosed within a 2.4m palisade fence compound deemed invalid.

4.1.2. The following recent planning history relates to the wider GAA Club lands.

- **P.A. Ref 19/7176:** Planning permission granted for tennis court facility to the north of the site comprising a) Six ITF (International Tennis Federation) tennis courts b) One mini practice tennis court c) young children's mini play area d) tennis pavilion (with roof terrace viewing area) e) new site entrance area f) high grade LED tennis court lighting including 12m high masts for each tennis court g) tennis court fencing h) site perimeter fencing i) landscaping including paved areas j) and all associated site works.
- **P.A Ref: 19/7002** planning permission granted for construction of a club fitness centre and erect 4 no. 5m high flood lights along the southern boundary of the GAA Club and all associated site works.
- **P.A. Ref: 14/7092** planning permission granted for the erection of 2 number set of goal posts (11m-13m high) and 2 number sets of dugouts on existing training pitches together with all associated site works.

5.0 Policy Context

5.1. Westmeath County Development Plan 2014-2020

- 5.1.1. Section 1.6 of the Westmeath County Development Plan relates to the legislative context of the County Development Plan and outlines that *“Athlone Town, which is a Planning Authority in its own right, is the subject of a separate Town Plan covering the Town Council area and its environs, which falls within the jurisdiction of Westmeath County Council”*.
- 5.1.2. Policies P-ICT1 to P-ICT7 of the County Development Plan relate to Telecommunications Infrastructure and reflect those set out within the Athlone Town Development Plan 2014-2020, detailed in Section 5.3.

5.2. Draft Westmeath County Development Plan 2021-2027

- 5.2.1. The Draft Westmeath County Development Plan is currently on public display. The Draft Plan outlines that Athlone will be subject to a forthcoming Urban Area Plan.
- 5.2.2. Section 10.30.2 of the Draft Plan relates to telecommunications. The Draft Plan outlines that the telecommunications system is important for the development of the economy.

- 5.2.3. The policies set out within the Draft Plan reflect those set out within the Policies P-ICT 1 -PICT9 of the Athlone Town Development Plan as detailed in Section 5.3 below.
- 5.2.4. Additional policies include Policy CPO 10.166 which seeks to
- 5.2.5. *“Promote and facilitate the sustainable development of a high quality ICT network the County in order to achieve balanced social and economic development, whilst protecting the amenities of urban and rural areas”.*
- 5.2.6. Development Management Standards are set out within Chapter 16 of the Draft Plan. In terms of telecommunications it is stated that *“an efficient telecommunications system is vital in the development of the economy, however all applications in respect of its justification and appropriate siting are assessed on planning merit also”.*
- 5.2.7. The Draft Plan outlines that applications for telecommunications will be assessed having regard to the following:
- DoELG “Planning Guidelines for Telecommunications Antenna and Supports Structures” (1996) and Circular PSSP 07/12.
 - Co-locating agreements to be provided where possible.
 - Visual impacts arising from proposal.

5.3. Athlone Town Development Plan 2014-2020

- 5.3.1. The site is zoned for “sporting/recreational use” within the Athlone Town Development Plan with an objective *“To provide for, protect and improve the accessibility and amenity value of sporting and recreational facilities”.* Telecom structures are listed as a use which is “open for consideration” on lands zoned for sporting/recreational purposes.
- 5.3.2. Section 13.2.6 of the development plan states that *“only development incidental to, or contributes to the enjoyment of recreation or leisure will be permitted within this zone and development that enhances the amenity value of such areas will be encouraged”.*

- 5.3.3. Policy AOR9 seeks *“to prohibit development that would significantly prejudice the form, character or setting of any recreational amenity, open space, walk or cycle way, or other identifiable or scheduled amenity asset”*.
- 5.3.4. The zoning map illustrates the site within the boundary of the Lissywollen South Local Area Plan. The western portion of the LAP lands, which includes the appeal site, are zoned for sport/recreational use. The eastern portion of the LAP lands are zoned for a range of uses including educational, community and institutional use (existing school) and existing and future residential development.
- 5.3.5. Map ATC 10 - Strategic Transportation Map illustrates a proposed strategic access route to the east of the application site. The existing cycle/walk route to the south of the site along the Old Rail Line is also identified. This forms part of the Mullingar to Athlone Greenway and part of the proposed Dublin to Galway National Cycle Network.

Telecommunications

- 5.3.6. Section 8.9 of the Development Plan relates to Telecommunications and reference is made to the existing distribution of telecommunications structures in Athlone. It is stated that these occupy prominent locations in the landscape and existing structures are envisaged to cater for the needs of the town during the lifetime of the plan.
- 5.3.7. The plan furthermore outlines that the need for telecommunications structures may diminish with advances in satellite technology and refers to opportunities to remove/lower existing structures. Policy P-ICT8, cited below, is noted in this regard.
- 5.3.8. The following ICT Policies are stated within the Development Plan
- P-ICT1 To support the delivery of high capacity Information Communications Technology Infrastructure, broadband connectivity and digital broadcasting in order to ensure economic competitiveness and enabling more flexible work practices e.g. teleworking.
 - P-ICT2 “To support the co-ordinated and focused development and extension of broadband infrastructure throughout Athlone”.

- P-ICT3 “To achieve a balance between facilitating the provision of telecommunications infrastructure in the interests of social and economic progress and sustaining residential amenity and environmental quality.
- P-ICT4 “To ensure that the location of telecommunications structures should minimise and/ or mitigate any adverse impacts on communities, public rights of way and the built or natural environment”.
- P-ICT5 “To encourage co-location of antennae on existing support structures and to require documentary evidence as to the non-availability of this option in proposals for new structures. The shared use of existing structures will be required where the number of masts in any single area is considered to be excessive”.
- P-ICT6 “To facilitate the provision of telecommunications infrastructure in Athlone in accordance with the requirements of the “Telecommunications Antennae and Support Structures- Guidelines for Planning Authorities” July 1996 and Circular Letter PL 07/12.
- P-ICT7 To protect areas of significant landscape, habitats and species importance from the visual intrusion of large-scale telecommunications infrastructure.
- P-ICT8 To review all telecommunication structures in the Town, in light of advances in telecommunications and satellite technology.
- P-ICT9 To maintain a register of approved telecommunications structures in Athlone in co-operation with operators.

5.3.9. Section 12.25 of the Development Plan sets out Development Management Standards for Telecommunications Structures. This states that co-locating agreements are desirable for the granting of planning permission. Where new facilities are proposed applicants will be required to satisfy the Council they have made a reasonable effort to share facilities or to locate facilities in clusters.

5.3.10. It is furthermore stated that as part of the planning application, operators should furnish a statement of compliance with the International Radiation Protection Association.

5.4. Lissywollen South Framework Plan 2018-2024

5.4.1. The Framework Plan provides a development strategy for Lissywollen South area in accordance with the policies and objectives of the Athlone Town Development Plan 2014-2020.

5.4.2. Section 5.2 of the Framework Plan outlines that Lissywollen South represents one of the most significant and strategically located areas of undeveloped residential zoned landbank in Athlone. It comprises a large tract of residentially zoned land extending to 20ha in area and has an indicative development capacity of c. 600 units.

5.4.3. Section 1.2 of the Plan outlines that the Urban Framework Plan is advisory in nature and includes a long term vision for the future, which allows sufficient flexibility to manage the changing circumstances of society, economy, environment and culture. It offers a vision for the area within the structure of the Athlone Town Development Plan 2014-2020.

5.4.4. Section 5.5.2 of the Framework Plan relates to Telecommunications and Broadband and outlines that it is essential that new development in the plan area accommodates the provision of a universal open access ducting network to allow for telecommunications, broadband and digital services. Such infrastructure shall be agreed in advance to ensure consistency.

5.4.5. Section 5.5.3 outlines that the provision of service/ utilities shall be delivered in a co-ordinated approach between land owners and service providers pre-development to ensure that lands are adequately serviced with drainage and water infrastructure, including utilities infrastructure such as gas/electricity and telecommunications.

5.5. National Planning Framework

5.5.1. It is an objective to develop a stable, innovative and secure digital communications and services infrastructure on an all-island basis. The delivery of improved connectivity and broadband is identified as a National Strategic Outcome critical to strengthen the economy and communities.

5.5.2. Athlone is designated as a Regional Centre within the National Planning Framework.

5.6. Telecommunications Antennae and Support Structures –Guidelines for Planning Authorities, 1996.

5.6.1. These Guidelines set out the criteria for the assessment of telecommunications structures. The relevant points to this case are summarised below.

- The 1996 Guidelines advise that planning authorities should not include monitoring arrangements as part of planning permission conditions nor determine planning applications on health grounds. These are regulated by other codes and such matters should not be additionally regulated by the planning process.
- An authority should indicate any locations where telecommunications installations would not be favoured or where special conditions would apply. Such locations might include high amenity lands or sites beside schools (Section 3.2).
- Along major roads or tourist routes, views of the mast may be intermittent and incidental, in that for the most of the time viewers may not be facing the mast. (Section 4.3).
- In the vicinity of larger towns and in the city suburbs operators should endeavour to locate in industrial estates or in industrially zoned land.
- Only as a last resort should free-standing masts be located within residential areas or beside schools. If such location should become necessary, sites already developed for utilities should be considered and masts and antennae should be designed and adapted for the specific location. The support structure should be kept to a minimum height consistent with effective operation and should be monopole (or poles) rather than a latticed tripod or square structure (Section 4.3).
- The sharing of installations and clustering of antennae is encouraged as co-location will reduce the visual impact on the landscape (Section 4.5).

5.7. Circular Letter PL07/12

- 5.7.1. This Circular Letter revises elements of the 1996 Guidelines. In particular, Section 2.2 advises Planning Authorities to cease attaching time limiting conditions to telecommunications masts, except in exceptional circumstances.
- 5.7.2. Section 2.4 advises that the lodgement of a bond or cash deposit is no longer appropriate and instead advises that a condition be included stating that when the structure is no longer required it should be demolished, removed and the site reinstated at the operators' expense.

5.8. Natural Heritage Designations

- 5.8.1. There are no relevant designated areas within the vicinity of the site. The site is located c. 1.8km from the Lough Rea SAC and Lough Ree SPA and is c.1.5km from River Shannon Callows SAC and River Shannon Callows SPA.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. 4 Site Consultants have prepared a first party appeal which addresses the points raised within the decision of Westmeath County Council to refuse planning permission for the development. The following provides a summary of the grounds of appeal.
- Existing sites within the wider area do not meet the technical requirements of the operator or the needs of the area.
 - The coverage objectives of the operator dictate that a structure needs to be positioned close to where a coverage problem is identified. There is a specific requirement to locate the structure within the area identified in order to resolve a coverage situation.
 - Existing telecommunications sites in Athlone are located a significant distance from the target area and will not meet coverage requirements. Co-location is not suitable with existing sites.

- A response to the submission from Towercom is provided. The location is deemed unsuitable on grounds of overlap in coverage.
- The site is not located within any special amenity areas. There are no sensitive views around the site.
- The site is not located within the curtilage of a protected structure or within an Architectural Conservation Area.
- Visual Impact Assessment is submitted which assesses the potential Impact of the proposal on the surrounding area.

6.2. Planning Authority Response

- None.

6.3. Observations

The Moorings Residents Committee – objection to the proposed development on the basis of the following:

- Health and Safety Grounds: Sufficient testing has not been carried out on the detrimental effects of radiation from such structures.
- Visual Impact: Visual Impact of the proposed development from the Moorings, surrounding woodlands and listed building and adjoining residential estates.
- Infrastructure is Superfluous to Needs: existing pre existing telecommunications pole at this location which serves the area.
- Hindrance to recreation: visual impact on walkway on the old railway.
- Noise: Noise from generators and towers.
- Devaluation of Property: detrimental impact on value of housing.
- Inappropriate location: inappropriate location in proximity to residential properties.

Deirdre Hannon and Others – “Westmeath 4G and 5G Response Group”

- Health and Safety Grounds radiation from monopole

- Existing telecommunication tower in area
- Visual Impact – visual impact of 2 telecommunications towers on walkway along old railway
- Noise: disturbance to residents close to the GAA grounds and people who use the walkway.
- Recreational: Impact on GAA grounds, tennis courts and new walkway.
- Impact on visual amenity, landscape character and recreational value of the area.
- Contrary to Policy P-ICT 4 of Athlone Town Development Plan.

7.0 Assessment

7.1.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- Principle of Proposal
- Compliance with National Guidance and the Athlone Town Development Plan in relation to siting and co-location.
- Compliance with Lissywollen South Framework Plan 2018-2024
- Visual Impact
- Appropriate Assessment.
- Other Matters.

7.1.2. These issues are considered in turn as follows.

7.2. Principle of Proposal

7.2.1. The site is zoned for sporting/recreational purposes within the Athlone Town Development Plan. Telecommunication use is listed as a use which is “open for consideration” under this zoning objective.

7.2.2. The guidance in the Development Plan outlines that *“only development incidental to, or contributes to the enjoyment of recreation or leisure will be permitted within this zone and development that enhances the amenity value of such areas will be encouraged”*.

7.2.3. On this basis I consider that the proposed telecommunications use would be incidental to the overall sports and recreational use of the sports grounds and in this regard remains ancillary. The principle of the proposed telecommunications mast can be considered in this regard.

7.3. Compliance with National Guidance and the Athlone Town Development Plan in relation to siting and co-location.

7.3.1. The first reason for refusal relates to a lack of justification for the site location and inadequate information and evidence submitted in conjunction with the application to indicate that the applicant has made a reasonable effort to share or cluster with the existing mast sites in the vicinity. In this regard it is stated that the proposal is not in accordance with national policy guidance and Policy ICT5 of the Athlone Town Development Plan.

7.3.2. Policy ICT5 seeks *“To encourage co-location of antennae on existing support structures and to require documentary evidence as to the non-availability of this option in proposals for new structures. The shared use of existing structures will be required where the number of masts in any single area is considered to be excessive”*.

7.3.3. The siting of the proposed telecommunications mast is also raised within the Observations on the application and appeal. A submission on the application was made by Towercom which identifies that Roslevin which is a 92 m high established telecommunications support structure in the area, has 50% spare capacity to accommodate additional radio antennae and is available for co-location and sharing.

7.3.4. The first party appeal provides a justification for the siting of the proposed telecommunications antennae. At the outset a case is made that there is a specific requirement to locate the structure within the area identified in order to resolve a coverage situation.

- 7.3.5. Figures 5,6 and 7 of the appeal seek to illustrate current and predicated capacity coverage within the area. I note that Figure 5 entitled “Eir current high capacity coverage footprint” does not relate to the Athlone area and the details shown relate to coverage in Co. Clare. However, Figure 7 of the appeal illustrates the additional coverage that would be provided by the proposed development. This indicates that additional coverage will be provided to Athlone Community College, Athlone football stadium and the N6.
- 7.3.6. In terms of options for co-locating with existing structures within the area, 4 options for co-locating within 1km of the site are considered. These are discounted as appropriate locations for the structure on the basis that their distance from the coverage area would not meet the coverage requirements and that existing structures are not capable of meeting the technical requirements of the operator.
- 7.3.7. A response to the submission from Towercom is provided which outlines that the Roslevin location is unsuitable on grounds of overlap in coverage with the operators existing Athlone Town Centre site which has antennas of 51m and is located just 400m from Roslevin. It is stated that co-location would result in too much overlap in coverage and having 3 sectors cover the target area would not be possible due to azimuth separation issues.
- 7.3.8. Having regard to the information submitted in conjunction with the first party appeal I consider that a rationale has been provided in relation to the siting of the proposed telecommunications structure. I furthermore consider that the applicant has demonstrated that options for co-locating the structure are not feasible.
- 7.3.9. In this regard, I consider that the requirements of Policy ICT5 of the Development Plan have been addressed together with the requirements for siting of telecommunications structures as set out within the Telecommunications Antennae and Support Structures –Guidelines for Planning Authorities, 1996.

7.4. Compliance with Lissywollen South Framework Plan 2018-2024

- 7.4.1. The Athlone Town Development Plan illustrates the site within the Lissywollen South Local Area Plan boundary. A Framework Plan has been prepared for the area which sets out a strategy for the future development of the area which is identified to accommodate c.600 additional residential units. In accordance with the Development Plan zoning objectives the GAA pitches form part of a larger land parcel identified for

sports/recreational use within the Framework Plan. Future residential development is identified for the eastern portion of the LAP lands.

- 7.4.2. In terms of the status of the Plan, Section 1.2 outlines that the Urban Framework Plan is advisory in nature and includes a long-term vision for the future, which allows sufficient flexibility to manage the changing circumstances of society, economy, environment and culture.
- 7.4.3. Section 5.5.3 of the Plan outlines that the provision of service/ utilities shall be delivered in a co-ordinated approach between land owners and service providers pre-development to ensure that lands are adequately serviced with drainage and water infrastructure, including utilities infrastructure such as gas/electricity and telecommunications.
- 7.4.4. No reference to the location of the site within the LAP area or evidence that a co-ordinated response to the provision of telecommunications infrastructure within the LAP lands is provided within the appeal or application.
- 7.4.5. Notwithstanding the above, I note that the requirement for utilities such as telecommunications is identified within the Framework Plan and the proposed structure would serve the existing developed area of the LAP lands which are currently underserved including Athlone Community College and Athlone Football Stadium.
- 7.4.6. I furthermore note that Westmeath County Council did not include reference to the lack of a co-ordinated approach to the siting of the mast within the Framework Plan lands as a reason for refusal.

7.5. Visual Impact

- 7.5.1. Westmeath County Council's second reason for refusal relates to the visual impact of the proposed 24m high telecommunications structure and outlines that *"the proposed development would be injurious to the visual amenity, landscape character and recreational value of the area and would be contrary to policy P-ICT4 of the Athlone Town Development Plan 2014-2020 and to the proper and sustainable development of the area"*.
- 7.5.2. Policy ICT-4 of the Athlone Town Development Plan seeks *"To ensure that the location of telecommunications structures should minimise and/ or mitigate any*

adverse impacts on communities, public rights of way and the built or natural environment”.

- 7.5.3. The planner’s report which informs the decision of Westmeath County Council to refuse planning permission for the proposed development refers to the siting of the structure within an open and exposed area of the site in the immediate vicinity of a children’s playground and the regional sports centre fitness park which is currently under construction. It is stated that the proposal will be highly visible on both long and short views and would negatively impact on the immediate environs.
- 7.5.4. Concerns relating to visual impact are furthermore cited within observations on the appeal from The Moorings Residents Committee and Deirdre Hannon and Others. A case is made that the proposed structure would have a negative visual impact on adjoining residential areas, the permitted tennis court facility, woodlands, the listed building within the Moorings and the amenity walkway along the old railway.
- 7.5.5. The proposal is for an 24m high monopole type structure and associated equipment. This is a typical design for this type of structure and is slender in nature with a diameter ranging from c.1.12m at the base to 0.8m at the top. No design issues arise.
- 7.5.6. The appeal site is not located in an Architectural Conservation Area or within any designated protected landscape. No important/protected views are identified within the vicinity of the site within Map ATC 01 “Natural Heritage Map” of the Athlone Town Development Plan.
- 7.5.7. The site is located within an urban setting where there is a variety of development types in the immediate vicinity, which primarily include recreational and residential uses. The sports fields immediately adjacent to the site comprise flood lights, goal posts and ball nets.
- 7.5.8. The nearest residential property is over 220m to the west of the site at properties along Ballymahon Road and c. 300m to the south west of the site at The Moorings. The site is surrounded by a cluster of recreational uses including Athlone GAA Club and playing pitches, Athlone football club and tennis courts. The Regional Sports Centre and a playground are located to the east of the site. The Old Railway Walkway is located to the south of the site.

- 7.5.9. A visual impact assessment has been submitted in conjunction with the application and first party appeal. This is accompanied by 10 no. viewpoints taken from various locations from the surrounding environment. The views submitted with the application reflect those attached to the first party appeal and primarily illustrate views within the immediate vicinity of the structure.
- 7.5.10. Views 2 and 3 are taken from adjoining residential areas at the Moorings and Sarsfield Square. The proposed mast is not visible in View 2 at the Moorings and while the structure is visible from Sarsfield Square, View 3, the impact is identified as slight/neutral due to existing screening and the distance between the structure and these properties. View 4 relates to a view from the car park along the western boundary of the GAA Club and illustrates the existing visual clutter in the vicinity of the appeal site including flood lights and poles. On this basis the visual impact is classified as Slight/Neutral.
- 7.5.11. Having reviewed the visual impact assessment and having regard to the distance between the appeal site and the nearest existing residential properties together with the presence of existing screening I do not consider that the proposed development would have a negative visual impact on residential properties. I do not consider that a refusal of permission on this basis is warranted.
- 7.5.12. Observations on the appeal raise concerns in relation to the impact of the proposed structure on the existing protected structure at The Moorings. The property is described within the RPS as a detached 3 bay 2 storey over basement house built c.1835 and is allocated a Regional Rating by the NIAH. While no views have been provided from this structure, I do not perceive a negative visual impact having regard to the distance between the property and the proposed structure.
- 7.5.13. In terms of impact on adjoining recreational uses, I note that Policy AOR9 of the Athlone Town Development Plan seeks *“to prohibit development that would significantly prejudice the form, character or setting of any recreational amenity, open space, walk or cycle way, or other identifiable or scheduled amenity asset”*.
- 7.5.14. The old rail walkway/cycleway, which forms part of the Mullingar to Athlone greenway, is located to the south of the site. No views are provided from the walkway within the visual impact assessment. On site inspection I note that the existing 92m high telecommunications mast at Roslevin is a prominent view and

dominant feature in the landscape. By contrast I consider that views of the proposed 24m high telecommunications structure from the walkway would be intermittent and in many instances screened by the existing boundary treatment as illustrated on the attached photographs.

- 7.5.15. The planner's report refers to the proximity of the proposal to the existing playground and Regional Fitness Centre to the east of the site. View 5 illustrates the proposal from the car park of the sports centre and includes views from the outside of the playground. This view is classified as slight/neutral within the visual impact assessment having regard to the presence of existing visual clutter and screening.
- 7.5.16. While I would consider that View 5 does not present the worse case scenario of visual impact of the proposal from the existing playground I note that the GAA pitches and playground are both currently enclosed by fencing. The Development Plan objective for a proposed strategic transportation route between the GAA pitches and playground will furthermore impact on the visual relationship between the playground and the appeal site. On this basis, I concur with the assessment in the visual impact assessment that the view would not be overly significant.
- 7.5.17. Concerns relating to the impact of the proposal on the tennis court facility permitted under P.A. Ref 19/7176 are raised within observations on the appeal. The permitted facility is located approximately 45m the north of the appeal site and comprises 6 no. tennis courts, pavilion and LED floodlight along site boundaries. While I note that the proposed monopole will be visible from the permitted facility I do not envisage the visual impact to be significant having regard to the existing visual clutter within the area including the permitted flood lighting for the facility.
- 7.5.18. The visual impact assessment concludes that the proposed development will be visible from the surrounding area owing to the location of the site and height of the proposed structure. It is stated that the highest level of visual impact will be within the immediate vicinity of the site in residential dwellings around Athlone GAA Club. The impacts are classified as being moderate to low on the basis of the location of the site within an urban area and the transient nature of views towards the structure.
- 7.5.19. Having regard to the information submitted it is evident that there would be some limited visual impact from the proposed structure within the immediate surrounding area, however I consider that views of the structure are likely to be intermittent due

to the location of the structure centrally within the GAA grounds and set back from adjoining residential areas and the public road.

7.5.20. I also note that there are currently a number of existing structures on the site including poles for ball nets, goal posts, flood lights etc. I am satisfied that the proposal would not have a significant, prominent or negative visual impact at this location and that the proposed monopole structure has been designed to ensure that there would be limited visual impact on the wider area.

7.5.21. Having regard to the above reasons and considerations I do not consider that the proposal would be injurious to the visual amenity, landscape character and recreational value of the area or contrary to policy P-ICT4 of the Athlone Town Development Plan 2014-2020.

7.6. Appropriate Assessment

7.6.1. Having regard to the minor nature of the development, the absence of a pathway to and the separation distance to any European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

7.7. Other Issues

Devaluation of Property

7.7.1. I note the concerns raised in the observation on file from the Moorings Residents Committee in respect of the devaluation of neighbouring property. However, having regard to the assessment and conclusion set out above and the distance between the proposed telecommunications structure and these properties, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property in the vicinity.

Health and Safety

7.7.2. Health concerns are raised within observations on the appeal. Circular Letter PL07/12 states that planning authorities should be primarily concerned with the appropriate location and design of telecommunications structures and do not have competence for health and safety matters in respect of telecommunications infrastructure. It also notes that telecommunication infrastructure is regulated by

other codes and such matters should not be additionally regulated by the planning process. The issue of health and safety and associated conditions applied by the planning authority will therefore not be considered any further.

- 7.7.3. I also note that the Environment Department in Westmeath County Council have not raised concerns in relation to the proposed development subject to conditions.

Access and Transportation

- 7.7.4. Access to the site is provided via the existing access to the GAA grounds from Ballymahon Road. Within the GAA grounds it is proposed to extend an existing 3m wide access track to connect to the site compound.
- 7.7.5. The application documentation outlines that the proposed telecommunications installation is an unmanned installation which is remotely monitored and controlled. Once operational, maintenance engineers will visit the site on average of 2 to 8 times per year. Having regard to the limited use of this access, I consider that no traffic impact related issues arise. I furthermore note that no objection is raised by the Roads Department in Westmeath County Council.
- 7.7.6. Map ATC 10 Strategic Transportation Map of the Athlone Town Development Plan illustrates a proposed strategic route to the east of the application site. The alignment of this road appears to connect from the existing access to the Regional Sports Centre and run to the east of the GAA pitches.
- 7.7.7. The Lissywollen South Framework Plan outlines that this route is intended to alleviate local traffic congestion and shall be designated to prioritise public transport and sustainable modes of traffic including walking and cycling. It will traverse the Old Rail Trail Greenway at grade. I do not consider that the proposal would prejudice the delivery of this strategic route and furthermore note that no objection was raised by Westmeath County Council in this regard.

Noise

- 7.7.8. Concerns in relation to the noise impact of the generators associated with the telecommunications monopole are raised within the observations on the appeal. I note that no objection to the proposal on noise grounds are raised within the report on the file from the Environment Department of Westmeath County Council subject to compliance with noise limits at noise sensitive receptors.

7.7.9. The limits identified within the proposed condition are in accordance with those defined within the County Westmeath Noise Action Plan 2018-2023 for commercial and industrial developments. Policy P-NAL of the Westmeath County Development Plan seeks “to implement the Westmeath Noise Action Plan”. I have no objection to the proposed condition in this regard. Noise associated with construction activities should be addressed within a Construction Management Plan.

8.0 Recommendation

8.1. I recommend that permission is granted subject to standard conditions.

9.0 Reasons and Considerations

9.1. 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, 1996 and associated Circular Letter PL07/12 and 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. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>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.</p> <p>Reason: In the interest of clarity.</p>
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2.	<p>Prior to commencement of development, 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.</p> <p>Reason: In the interest of the visual amenities of the area.</p>
3.	<p>The proposed telecommunication monopole shall have a maximum height of 24m.</p> <p>Reason: In the interest of clarity.</p>
4.	<p>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.</p> <p>Reason: In the interest of the visual amenities of the area.</p>
5.	<p>Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.</p> <p>Reason: In the interest of public health.</p>
6.	<p>Details of a proposed landscaping scheme shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
7.	<p>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:</p> <ul style="list-style-type: none"> • Day time: Leq 55 Db (A) • Night time: Leq 45 Db (A) <p>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</p>

	<p>Assessments in Relation to Scheduled Activities (NG4). Noise sensitive locations shall be agreed with the planning authority”.</p> <p>Reason: In the interest of residential amenity.</p>
8.	<p>The site shall be reinstated upon the removal of the telecommunication structure and ancillary structures. Details of the reinstatement shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.</p> <p>Reason: In the interest of orderly development.</p>
9.	<p>Prior to the commencement of development, a Construction Environment Management Plan shall be submitted for written agreement of the planning authority.</p> <p>Reason: In the interest of orderly development.</p>

Stephanie Farrington
Senior Planning Inspector
24th of June 2020