



An
Bord
Pleanála

Inspector's Report ABP-310692-21

Development	Construction of free standing communications structure.
Location	Togher, Drogheda, Co Louth
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	21417
Applicant(s)	Eircom Limited
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Gerard and Anne Hamill
Observer(s)	None
Date of Site Inspection	12 th of October 2021
Inspector	Angela Brereton

1.0 Site Location and Description

- 1.1. The existing compound is situated on the south side of the public road to the west of Togher Crossroads. The site is accessed via the L2240 road and proximate to the junction with the R166. It is substantially screened by trees and hedgerows and comprises of an exchange building and hardstanding area within the site. There is a pedestrian gated entrance to the site. There is no vehicular entrance.
- 1.2. There is a dwelling on the adjoining site in proximity to the west which I noted on site has a 'Sale Agreed' sign. There is a hedgerow and fence along the eastern site boundary with the exchange. In general, the site is well screened by trees and hedgerows. There is a yard area and commercial agricultural premises to the east. The latter is fenced off and has gated entrance to the public road. There is a hard standing in front of this premises. There is a Protected Structure to the north-west facing the R166 and another on the opposite side of the crossroads. The settlement of Togher includes dwellings, a shop and a public house 'Togher Crossroads'.

2.0 Proposed Development

- 2.1. Permission is sought for the construction of an 18m high free-standing communications structure with its associated antennae, communication dishes, ground equipment and all associated site development. The development is to form part of Eircom Ltd. existing telecommunications and broadband network.
- 2.2. Documentation submitted with the application includes the following:
 - A Planning Report and a Radio Emissions Statement - EIR
 - Drawings include a Site Layout Plan, Elevations and Sections.

3.0 Planning Authority Decision

3.1. Decision

On the 4th of June 2021, Louth County Council granted permission for the proposed development subject to 5no. conditions. These generally concern issues relative to

construction works, landscaping, site development works, co-location and road drainage.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner had regard to the locational context of the site, planning history and policy, to the inter-departmental reports and the submissions made. Their Assessment included the following:

- They have regard to policy and objectives and note that the principle of telecommunications structures is considered appropriate subject to the Development Management Assessment criteria.
- They note the Applicant's justification and that the site is an established one and forms part of the Eircom mobile telecommunications network.
- It is accepted that the proposed development is promoted at National Government level through national policy for the establishment of high quality and effective mobile telecommunications/broadband infrastructure.
- Having reviewed the scale and design of the proposal they do not consider that it will give rise to any undue noise or nuisance to properties in the vicinity.
- They refer to other Board decisions cited by the applicant and consider the points relating to the location of the telecommunications structures and visual amenity are pertinent in this case.
- They consider that the proposal would not have an unduly adverse impact on the visual amenities of the area.
- They are satisfied that the proposed location of the mast will not adversely affect the Protected Structure to the north-east.
- They consider it reasonable to insert a condition as per the Environment Section recommendations, including that the applicant be notified of the need to obtain a licence from the Director of Telecommunications Regulations.
- Given the scale and nature of the proposed development and the distance from European sites, they are satisfied that a stage 2 AA is not required.

- They conclude that the design and appearance of the proposal is acceptable and would not have a harmful impact on the visual amenity of the surrounding area or on the residential amenity of neighbouring properties. They recommended that permission be granted subject to conditions.

3.3. **Other Technical Reports**

Infrastructure Section

They have no objection subject to recommended conditions.

3.4. **Prescribed Bodies**

Irish Aviation Authority

The IAA does not object to the proposed development.

3.5. **Third Party Observations**

Submissions made have been expressing concern about the proposed development. These have been noted in the context of the Planner's Report. Issues raised are considered further in the context of the Third Party grounds of appeal and in the Assessment below.

4.0 **Planning History**

The Planner's Report notes one historical case relevant to the site:

- 67250 – Application finalised for an Automatic Telephone Exchange (1967).

5.0 **Policy Context**

5.1. **Relevant Government Guidelines**

National Planning Framework – Project Ireland 2040

This is broadly supportive of the national rollout of broadband communications.

National Policy Objective 24: *Support and facilitate delivery of the National Broadband Plan as a means of developing further opportunities for enterprise, employment, education, innovation and skills development for those who live and work in rural areas.*

National Policy Objective 48: *In co-operation with relevant Departments in Northern Ireland, develop a stable, innovative and secure digital communications and services infrastructure on an all-island basis.*

Other NPO's referred to by the Appellant include:

National Policy Objective 14: *Protect and promote the sense of place and culture and the quality, character and distinctiveness of the Irish rural landscape that make Ireland's rural areas authentic and attractive as places to live, work and visit. The Action Plan for Rural Development will support this objective up to 2020; thereafter a review of the Action Plan will be undertaken to ensure continued alignment and consistency with the National Policy Objectives of this Framework.*

National Policy Objective 60: *Conserve and enhance the rich qualities of natural and cultural heritage of Ireland in a manner appropriate to their significance.*

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

These Guidelines set out the criteria for the assessment of telecommunications structures. The relevant points include the following:

Section 4.3 of the Guidelines refers to visual impact and states that only as a last resort should free-standing masts be located within or in the immediate surrounds of smaller towns or villages. If such locations 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 the minimum height consistent with effective operation. The Guidelines also state that visual impact is among the more important considerations which should be considered in arriving at a decision for a particular application. In most cases, the Applicant will only have limited flexibility as regards location, given the constraints arising from radio planning parameters, etc. Visual impact will, by definition, vary with the general context of the proposed development.

The Guidelines state that the approach will vary depending on whether a proposed development is in:

- a rural/agricultural area;
- an upland/hilly, mountainous area;
- a smaller settlement/village;
- an industrial area/industrially zoned land; or
- a suburban area of a larger town or city.
- The sharing of installations and clustering of antennae is encouraged as co-location will reduce the visual impact on the landscape (Section 4.5).

Circular Letter PL07/12 This Circular Letter revised the Telecommunication Antenna and Support Structures Guidelines, 1996. (October 2012)

The circular advises that Planning Authorities should cease attaching time limit conditions to telecommunications masts, except in exceptional circumstances. It advises Planning Authorities to:

- Cease attaching time limiting conditions or issuing temporary durations to telecommunications masts, except in exceptional circumstances.
- Avoid including minimum separation distances between masts or schools and houses in Development Plans.
- Omit conditions on planning permissions requiring security in the form of a bond/cash deposit.
- Not include monitoring arrangements on health and safety or to determine planning applications on health grounds.
- Include waivers on future development contribution schemes for the provision of broadband infrastructure.

Circular PL03/2018 - Revisions to Development Contributions Guidelines in respect of Telecommunications Infrastructure

This includes a requirement that Local Authority Development Contribution Schemes include waivers and reductions for broadband infrastructure (masts and antennae). The waiver applies to any telecommunications infrastructure both mobile and broadband. This includes masts, antennae, dishes and other apparatus or equipment being installed for such communications purposes.

Architectural Heritage Guidelines for Planning Authorities 2011

These Guidelines provide a practical guide in relation to the Record of Protected Structures, Architectural Conservation Areas, Declarations and Places of Worship as well as development control advice and detailed guidance notes on conservation principles.

5.2. Louth County Development Plan 2015-2021

The application site is located within Development Zone 5 of the Plan. The east side of the settlement of Togher on the opposite side of the crossroads is in Zone 2.

Table 2.2 provides the Settlement Hierarchy, and it is noted that Togher is not included as a Level 4 Settlement/Village.

Section 9.11.7 Telecommunications (Structures and Antennae) notes the importance of high quality telecommunications infrastructure.

Section 9.12 sets out the Development Management Assessment Criteria for Telecommunications Structures.

Policies EnCo 36 to EnCo 43 are relevant to the siting, design and co-location of telecommunications structures.

EnCo 37: To promote best practice siting and design in relation to the construction of telecommunication structures and in particular secure a high quality of design of masts, towers and antennae and other such infrastructure in the interests of visual amenity and the protection of sensitive landscapes subject to engineering parameters.

EnCo 38: *To operate a presumption against the location of antennae support structures where such structures would have a serious negative impact on the visual amenity of sensitive sites and locations.*

EnCo 39: *To require co-location of antennae support structures and sites where feasible. Operators shall be required to submit documentary evidence as to the non feasibility of this option in proposals for new structures.*

5.3. **Natural Heritage Designations**

The site is situated c.4km from the nearest European Site Dundalk Bay SAC and Dundalk SPA.

5.4. **EIA Screening**

Having regard to the nature and scale of the proposed development, which is for a telecommunications support structure, and the absence of any significant environmental sensitivity in the vicinity there is no real likelihood of significant effects on the environment arising from the proposed development. The need for an environmental impact assessment therefore can be excluded at preliminary examination.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

Steven Peck, Chartered Town Planner, has submitted a Third Party Grounds of Appeal on behalf of local residents Gerard and Anne Hamill. These are summarised as follows:

Ground 1 – Inappropriate Siting of Mast

- The Appellant's house is situated to the west of the application site of the proposed mast. They consider the siting is inappropriate in respect of the impacts on their residential amenities. It will devalue their property.
- It would set a harmful precedent for similar developments locally and nationally and they request that permission be refused.

- There is nothing in the application which specifies why, in mobile coverage terms, the mast is required to be located specifically at the location proposed.
- It is submitted that locating the mast at the compound cannot be considered as significantly reducing the cumulative visual impact of infrastructural development.
- It is not possible to demonstrate that any harms arising from the siting of the proposed mast have been minimised, apart from by comparison with alternative siting options considered for the mast.
- Alternative siting options, apart from siting it at the Eircom compound do not appear to have been considered.
- They consider that the siting of the proposed mast is inappropriate due to the adverse impacts arising and set out details of these.
- There is insufficient intervening screening to mitigate visual impact on the Appellant's property during winter months.
- They note concerns about telecommunications masts and health.
- They have regard to the Telecommunications Antenna and Support Structures Guidelines for Planning Authorities (1996) which provided that only as a last resort should free standing masts be located within or in the immediate surrounds of smaller towns and villages.
- They refer to Table 1 *Consideration as per Section 4.3 of the Telecommunications Antenna and Support Structures Guidelines and evaluation in respect of the siting of the proposed development*. They provide an evaluation of such.
- They contend that the Board should consider the siting of the proposed mast as unacceptable due to harm to the landscape character and harm to amenity.

Impact on Built Heritage

- They refer to the Architectural Heritage Guidelines (2011) and to the relevant policies in the National Planning Framework (2018). Proposals should not have an adverse effect on the special interests of the P.S.

- They have regard to the proximity to a Protected Structure NIAH (Reg.No. 13901914) of Regional value.
- It is submitted that the siting of the proposed mast will adversely impact on the P.S in the vicinity and is contrary to relevant mast siting policy at national and local levels.
- They consider that the Board should consider the siting of the proposed mast as unacceptable due to harm to the setting and special interest of a designated heritage site.

Impacts on Landscape and Amenity

- Togher crossroads is on the border of the Dunany to Boyne Estuary Coast and Muirhevna Plain Landscape Character Areas as set out in the Louth LCA, both of which are classified as of Regional Importance.
- The proposed siting does not benefit from any significant screening when viewed from the east along the L2240 road and will dominate views in the vicinity.
- The Togher crossroads is located at the junction of roads (L2240 and R166) and is a notable attractive rural landmark on the tourist route to the coast at Port and Clogherhead. The proposed mast will be dominant and highly visible in views east and west of Togher crossroads.

Ground 2 – Conflict with the Relevant Planning Policy Framework

- Reference is had to Table 2 – *The proposed development is considered to be in conflict with multiple key planning policies at both national and local level.*
- They refer to Section 4 of the Telecommunications Antenna and Support Structures Guidelines (1996) and consider that there are no mitigating factors sufficient to render the siting of the development as acceptable in respect of landscape impacts.
- In addition to Local Planning Policy relevant to Mobile Telecommunications Structures both in the current and draft County Development Plans. This includes reference to the Chief Executive's Report on Submissions to the Draft Development Plan.

- They submit that the proposal is contrary to mast siting policy and refer to Section 9.11.7 of the current Development Plan and to Policy EnCo 38/draft Development Plan Policy IU40. These state a presumption operates against the location of antennae support structures which such structures would have a serious negative impact on the visual amenity of sensitive sites and locations.
- They submit that the proposal is contrary to relevant built heritage policy and objectives, including NPO60 of the National Planning Framework and policies and objectives which seek to protect heritage in the Louth CDP.
- In addition, that the proposal is contrary to relevant Landscape policies and objective in the National Planning Framework (NPO14) and in the Louth CDP.

Conclusion

- The Third Party Appeal demonstrates that the siting of the proposed mast is inappropriate in respect of its impacts on the Appellant's residential amenity and the value of their property, built heritage and landscape and amenity, and the development is contrary to planning policy. They consider that the proposed development would set a harmful precedent for similar developments locally and nationally in this regard and request that permission for the proposed development be refused.

6.2. Applicant Response

None noted on file, submitted within the appropriate time period.

6.3. Planning Authority Response

The Planning Authority states that they have no further comment and refer all interested parties to the planning reports on file.

6.4. Observations

None noted on file.

6.5. Further Responses

None noted on file.

7.0 Assessment

7.1. The main planning considerations relevant to this appeal case are:

- The Principle of the Proposed Development
- Rationale for Proposal
- Discussion of Alternatives and Co-Location
- Impact on Adjacent Residential Amenity
- Impact on the Heritage and Character of the area

7.2. The principle of the proposed development

- 7.2.1. The 'Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities' (DOE, 1996) state that it is national policy to develop a comprehensive mobile telecommunications service within Ireland in order to promote industrial and commercial development, to improve personal and household security, and to enhance social exchange and mobility. Such proposals are considered in light of this guidance in addition to revisions provided in Circular PL07/12.
- 7.2.2. This strategic policy is reiterated in the National Planning Framework: Project Ireland 2040. National Policy Objective 24 seeks to support and facilitate broadband including for those who live and work in rural areas and NPO48 which aims to develop stable, innovative and secure digital communications and services infrastructure on an all-island basis. The National Broadband Plan also aims to deliver a high-speed broadband network throughout Ireland.
- 7.2.3. It is noted that Section 9.11.7 of the Louth County Development Plan 2015-2021, recognises the importance of high quality telecommunications infrastructure as a prerequisite for a successful economy and accepts the critical importance of high quality telecommunications service at national, regional and local level. However due to the height of these structures in addition to the materials utilised, these telecommunications structures can significantly impact on the landscape, both urban

and rural. Therefore, in dealing with applications for such development it is essential that care and consideration is afforded to discreet siting and design. Section 9.12 provides the Development Management Assessment Criteria for Telecommunications Structures. This includes regard to the Telecommunications Guidelines and to Design and Siting, Visual Impact, Access Roads and Poles, Sharing Facilities and Clustering. Policies EnCo 36 – 43 refer.

- 7.2.4. Regard is had to the Policy Section above and it is noted that policy provisions are broadly supportive of the development of telecommunications infrastructure both within the county and nationwide. However, while the principle of such development is acceptable, this is subject to appropriate locations and regard to sensitive sites. Reference is had to the documentation submitted including regard to the rationale and merits of the proposed development. In addition, to the Third Party concerns including relative to the siting/locational context, impact on residential and visual amenities, built heritage and the landscape character of the area and to the of consideration of alternatives. These issues are considered further in this Assessment below.

7.3. Rationale for Proposed Development

- 7.3.1. The documentation submitted with the application, provides that the development will consist of the construction of an 18 metre high free standing communications structure with its associated antennae, communication dishes, ground equipment and all associated site development works at the existing Eircom Exchange, Togher, Drogheda, Co. Louth. The applicants provide that the proposed communications structure will provide vital communication services to the surrounding area. Should the structure be given planning permission it will be offered to all licenced network operators as a point of co-location. This will reduce the need for alternative structures in the area. They provide that the plans which are attached to this application show cabins and cabinets that are associated with all communication development, noting that these items are exempted development under Class 31 of the Planning and Development Regulations 2021-2018.
- 7.3.2. It is proposed that it be accessed using an existing entrance off the local Togher Road. Once built the compound will be used two or three times annually by the

operators to access their equipment, therefore, they provide, would have no impact on the traffic on the main road. It is noted that there is no vehicular entrance on site, nor is it proposed to provide one. The site is accessed via a gated pedestrian entrance. Once constructed traffic to the site will be infrequent.

- 7.3.3. The rationale provides details on Site Coverage. This notes that as part of Eircom Ltd Licensing requirements and the continuing rollout of their 3G and 4G network, Eircom require a site in Togher, Co. Louth. The submit that the current sites in the area for Eircom do not provide adequate indoor services for high speed mobile broadband in and around the area. They provide that Eircom's current coverage in this area specifically around Togher and the R166 Road and the surrounding regional road areas experience reduced quality of service and capacity and a Mobile base station deployment at the proposed location would greatly support Eircom customers in the area. Image 2 of the documentation submitted shows the gap in the coverage area, and Image 3 the predicted Eircom coverage footprint (blue) with the proposed installation at Togher Exchange.

7.4. Discussion of Alternatives and Co-Location

- 7.4.1. Concerns about the lack of investigation of alternatives are noted. The details submitted provide that existing masts in proximity to Togher were investigated to ensure that no potential site sharing opportunities were overlooked. They refer to Image 4 taken from ComReg Site Viewer, which shows that there are no existing telecommunications installation within 2km of the search area. They provide that there are no other telecommunications structures or commercial structures in this area that would meet the mobile operators service provisions obligations.
- 7.4.2. It is submitted that if permission for this telecommunications facility is refused Eircom Ltd will lose essential coverage. That due to the nature of the topography and land use in the area, it would not be possible to secure an alternative site that satisfies the requirements of the Louth CDP. They submit that the proposed development represents an important component of strategic telecommunications infrastructure within the Louth area.
- 7.4.3. In addition, they provide that in line with the Department of the Environment Guidelines, Eircom Ltd share all existing structures with licensed operators. That the

proposed structure will be available for co-location with all other licensed operators and will provide a valuable contribution to the telecommunications infrastructure of the area. That they continue to operate a policy of co-location and have substantially expanded its base of co-location partners. That as the sole telecommunications structure in the area, the proposed development has been chosen for its capabilities in allowing multiple operators of both mobile and broadband to deliver the latest services to end users in the Togher area. That the proposed development is essential to the effective delivery of several mobile networks in the area. It is considered that in accordance with the telecommunications guidelines and in the interests of limiting the number of masts in the area that this co-location is to be encouraged.

7.5. Impact on the Adjacent Residential

- 7.5.1. The Third Party who reside in the house to the west of the site are concerned that the proposed siting of the mast does not strike an appropriate balance between delivery of improved communications and the protection of existing residential amenity. That the construction of an 18m mast within 6m of their property (c.10m as shown on the Site Layout Plan from the house) will be overbearing and overly dominant and will seriously harm their outlook. They submit that in summary in view of the assessment in Tables 1 and 2 of their Appeal, the siting of the proposed mast reflects negatively in respect of the siting considerations as set out in Section 4.3 of the Telecommunications Antennae and Support Structures Guidelines for Planning Authorities and that there are no mitigating factors sufficient to render the siting of the development as acceptable in respect of landscape merits.
- 7.5.2. It is of note that details submitted with the application provide that the siting of the proposed development within the exchange site is not introducing a new feature to the landscape, rather consolidating the existing use of the site of the telephone exchange for utility purposes. That a slimline monopole type structure was selected for this site in order to reduce the visual impact. Details submitted cite and refer to similarities with other Board decisions where telecommunications masts are seen to be acceptable located proximate to residential property. Regard is also had to Circular Letter: PL07/12 which provides an update to certain sections of the Telecommunications Antennae and Support Structure Guidelines (1996) and does

not include separation distances. In view of these considerations, I would not consider that the proposed development in view of its siting will impact adversely on the residential amenities of adjacent residential or commercial properties in the vicinity.

- 7.5.3. At the lower levels the site is well screened by trees and landscaping. If the Board decides to permit it is recommended that it be conditioned that these be retained and augmented. Also, that the fencing including that along the western boundary with the adjoining residential site be retained.

7.6. Public Health Considerations

- 7.6.1. In respect of the health and safety concerns associated with telecommunications infrastructure, with particular reference to the emission of electro-magnetic and nonionising radiation, such matters are regulated by the terms and conditions of the licensing arrangements issued to the operators of such facilities by the telecommunications regulator (ComReg). It is a requirement of any such licensing that operators ensure that the level of non-ionising radiation emitted from any such facility does not exceed the limits set by the International Commission on NonIonising Radiation Protection (ICNIRP). Accordingly, the proposed development has to operate within these limits, and in view of the regulatory controls operated by ComReg, I consider this matter to have been satisfactorily addressed.
- 7.6.2. Furthermore, the 'Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities, 1996' advise that planning authorities should not include monitoring arrangements as part of planning permission conditions nor should they determine planning applications on health grounds and this advice is reiterated in Section 2.6: 'Health and Safety Aspects' of Circular Letter PL07/12 which asserts that planning authorities should be primarily concerned with the appropriate location and design of telecommunications structures given that they do not have the competence for health and safety matters in respect of telecommunications infrastructure. Such matters are regulated by other codes and should not be additionally regulated by the planning process.

7.7. Impact on Heritage and the Character of the Area

- 7.7.1. Reference is made to concerns about the impact on Built Heritage in particular relevant to Protected Structures in the area, and issues raised about impact on their setting and visual amenity. Volume 2C - Appendix 18 of the Louth CDP provides the list of Protected Structures. The proposed development is approx.35m south-west of a house and outbuildings which, while not listed in the Record of Protected Structures (RPS) is listed within eh NIAH (Reg. no. 13901914) as of Regional value. It is submitted that the mast would appear overly dominant in the landscape and the siting would be detrimental to the character and setting of the P.S. Fig. 4 of the Third Party Appeal provides a view of the P.S and the location of the proposed mast.
- 7.7.2. There is also another PS. on the opposite side of Togher crossroads (NIAH Reg.no. 13901912 refers). This is also on the Louth CDP RPS (LHSO19-014 refers) to Darby's Togher, *Detached five-bay two storey house built c. 1800* and has been in use as a public house.
- 7.7.3. However, it is noted that these P.S are not adjoining the site nor on the same side of the road and are some distance from the siting of the proposed mast. In view of their locational context and the proposed siting, I would not consider that the proposed development would adversely impact on the setting of these Protected Structures.
- 7.7.4. The details submitted with the application provide that the slimline monopole structures is of a design and scale that would not be out of character or be visually obtrusive or an incongruous feature in the landscape, within the settlement of Togher, proximate to the crossroads. They provide that the 18m height was selected as no other lower height could provide the required coverage and accommodate co-location for other licensed mobile telecommunications operations.
- 7.7.5. A series of photomontages has been provided to demonstrate the Visual Impact of the proposed development. These photomontages views show what degree of visual impact the proposed development will have on the existing landscape. It is provided that these views show that the proposed development will not have a significant visual impact in the area.
- 7.7.6. The Third Party submit that the siting of the proposed mast will harm the character and visual amenity of the local landscape, which is of significant value as a regional

tourist attraction and that the crossroads provides a gateway to beaches and to Clogherhead. However, it could also be argued that the mast will be seen within the context of the settlement of Togher and the existing telecommunications exchange.

- 7.7.7. While in view of its height, it will provide a new prominent feature in the landscape, I would consider that a rationale in support of its provision has been provided and that it will not be visually detrimental to the character of the area. It would not be my opinion that the proposal would cause unacceptable harm to the setting and special interest of designated heritage assets. On balance having regard national and local policy it is considered that the proposal would not seriously injure the visual amenities, including the heritage of the area and would not seriously injure the residential amenities of the area and of properties in the vicinity. The proposal would therefore be in accordance with the proper planning and sustainable development of the area.

7.8. Screening for Appropriate Assessment

- 7.8.1. Having regard to the limited nature and scale of the proposed development, the nature of the receiving environment, and the proximity of the lands in question to the nearest European site, no appropriate assessment issues arise and that the proposed development would not be likely to have a significant effect, either individually or in combination with other plans or projects, on any Natura 2000 site.

8.0 Recommendation

I recommend that permission be granted subject to the conditions below.

9.0 Reasons and Considerations

Having regard to the National Planning Framework, the Louth County Development Plan 2015-2021, the Telecommunications Antennae and Support Structures - Guidelines for Planning Authorities 1996 and Circular Letter PL07/12, the existing telecoms infrastructure on the site, the established use of the site for telecommunications purposes, the scale and design of the proposed development, the Board considered that the proposed development would be in accordance with

National Policy for telecommunications infrastructure and the current Louth County Development Plan 2015-2021 Policy and would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 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.

Angela Brereton
Planning Inspector

15th of October 2021