



An
Bord
Pleanála

Inspector's Report

ABP-317299-23

Development	254 license for 18m Street Pole Solution with AW3871 multi-operator antenna and ground equipment cabinet.
Location	Ballinamuck, Co. Longford.
Planning Authority	Longford County Council
Planning Authority Reg. Ref.	LC21/19
Applicant(s)	Signal Infrastructure Limited
Type of Application	Section 254 Licence.
Planning Authority Decision	Grant Licence
Type of Appeal	Third Party
Appellant(s)	Tom and Padraig O'Toole.
Observer(s)	None.
Date of Site Inspection	08.09.2023.
Inspector	Fiona Fair

1.0 Site Location and Description

- 1.1. The subject appeal site is located on the public footpath to the eastern side of the L1017 local roadway c. 500m south of Ballinamuck village in County Longford. There is a recently constructed footpath along the eastern side of the L1017 local roadway, intermittent in places, from Saint Patrick's school to the south of the subject village north to the village.
- 1.2. The green ground equipment cabinet is currently in-situ.
- 1.3. A farm access and bungalow is located a short distance to the south and there is also a farm access a short distance to the north on the same side of the road. There are a number of bungalows dotted along the local road to the south of the site location.
- 1.4. The width of the footpath at this location is approx. 2m.

2.0 Proposed Development

- Section 254 Licence for the installation of an 18m Alpha Streetpole Solution with 1 no. 3.2m AW3871 ALPHA antennae at Azimuths (TBC) and 2 no. 300mm dishes.
- One no. ground equipment cabinet.
- The painted green cabinet is 1.898m in length x 0.80m in depth, with a height of 1.652m

3.0 Planning Authority Decision

3.1. Decision

The Executive Managers Order MO no.P29755, dated 18th February 2022 contains the details of the grant of permission.

It States:

“Being satisfied that all requirements relating to the application have been complied with and considering the proper Planning and Development of the County of

Longford, IT IS HEREBY DECIDED, in pursuance of the above Acts to Grant Permission to the applicant in the terms of this application.”

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Subsequent to further information being requested with respect to clarification that the site location is on public property in the charge of Longford County the Planning Department issued a recommendation for a grant of permission subject to 11 no. conditions

I note:

Condition No. 2 restricts the maximum height of the telecommunications street pole to 18.0m and the maximum width of the structure to 360mm

Condition No. 4 restricts any further dishes, antennae or equipment being attached without written approval of the PA.

Condition No. 6 In the event of obsolescence, it shall be removed from the site and the site reinstated at the applicant expense.

Condition No.7 requirement for a road opening licence

Condition No. 8 The public road shall not be adversely affected by the works with regard to pavement, obstructions, road operation, footpaths, verges, drainage or public lighting.

Condition No. 10 written agreement required for alternative temporary pedestrian route along the full length of the road during construction.

3.2.2. Other Technical Reports

- E.mail from Area Engineer which requires a condition be attached to any licence grant re: public road not being adversely effected (See Condition No. 8 attached).

3.3. **Prescribed Bodies**

None relevant

3.4. **Third Party Observations**

None on file – third party was only aware of the development when the cabinet was installed.

4.0 **Planning History**

None Relevant.

5.0 **Policy Context**

5.1. **National Guidelines**

5.1.1. **National Planning Framework – Project Ireland 2040**

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.’

5.1.2. **Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996)**

The ‘Guidelines for Planning Authorities on Telecommunications Antennae and Support Structures’ (1996) set out government policy for the assessment of proposed new telecommunications structures (‘the 1996 Guidelines’). The Guidelines state that the rapid expansion of mobile telephone services in Ireland has required the construction of base station towers in urban and rural areas across the country. This is an essential feature of all modern telecommunications networks. In many suburban situations, because of the low-rise nature of buildings and structures, a supporting mast or tower is needed.

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 that should be considered assessing 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 Guidelines state that some masts will remain quite noticeable despite best precautions. For example, there will be local factors which have to be taken into account in determining the extent to which an object is noticeable or intrusive. This may include intermediate objects (buildings or trees), topography, the scale of the object in the wider landscape, the multiplicity of other objects in the wider panorama, the position of the object with respect to the skyline, weather, lighting conditions, etc. Softening of the visual impact can be achieved through a judicious choice of colour scheme and through the planting of shrubs, trees etc as a screen or backdrop.

Guidance on the Potential Location of Overground Telecommunications Infrastructure on Public Roads, (Dept. of Communications, Energy and Natural Resources, 2015)

This report provides advice to telecommunications operators as to how telecommunications infrastructure could be accommodated along all road types. Table A – Stand-alone poles are the preferred option in urban areas.

DoECLG Circular Letter PL07/12

This Circular was issued to Planning Authorities in 2012 and updated some of the sections of the above Guidelines including ceasing the practice of limiting the life of the permission by attaching a planning condition. It also reiterates the advice in the 1996 Guidelines that planning authorities should not determine planning applications on health grounds and 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. These are regulated by other codes and such matters should not be additionally regulated by the planning process'.

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.

DoHELG Circular Letter PL 11/2020

This circular provided clarification in relation to the planning exemptions applicable to telecommunications works undertaken by statutory undertakers authorised to provide telecommunications services

It advises Planning Authorities that:

- Section 254 of the Act outlines the provisions in relation to the licensing of appliances and cables etc on public roads. Where development of a type specified in section 254(1) of the Act is proposed to be carried out on a public road, approval for

the works is required from a Planning Authority by means of the obtaining of a section 254 licence.

- A Section 254 Licence is required for overground electronic communications infrastructure and its associated works, and that such works are exempt from planning permission.
- The exemptions for telecommunications infrastructure along public roads do not apply:
 - (a) where the proposed development is in sensitive areas where there is a requirement for Appropriate Assessment.
 - (b) where the proposed development would endanger public safety by reason of traffic hazard or obstruction of road users.

Section 254(5) of the Act outlines the criteria to which the Planning Authority shall have regard in assessing such proposals:

- a) the proper planning and sustainable development of the area,
- b) any relevant provisions of the development plan, or a local area plan,
- c) the number and location of existing appliances, apparatuses or structures on, under, over or along the public road, and
- d) the convenience and safety of road users including pedestrians.

Development Plan

5.1.3. The Longford County Development Plan 2021 – 2027 is the pertinent statutory Plan.

Section 5.9 Information Communication Infrastructure states:

The provision of a high-quality competitive information and communications telecommunications (ICT) service is essential in order to promote industrial and commercial development, and to enhance social inclusion and mobility. There is a reliance on the provision of such services for industrial, commercial, tourism and social development and the expansion of ICT infrastructure is key to meeting the needs of the County's population and a digital economy. This is addressed further in Chapter: Economic Development Strategy.

Section 5.9.1 Telecommunications Infrastructure is of relevance, it states:

“Fast, reliable and cost-effective telecommunications can encourage economic development in an area and can enhance quality of life in a number of areas by offering new choices in education, entertainment and communications. There are a number of mobile voice and data service providers operating across the county including Vodafone, O2, Three and Meteor.

Policy CPO 5.172 states:

Promote and facilitate the sustainable development of a high-quality ICT network throughout the county in order to achieve balanced social and economic development, whilst protecting the amenities of urban and rural areas

Policy 16.4.17 Telecommunications and Broadband states:

High quality communications and information technology networks are critical for the continued implementation of the Economic Strategy. Refer to Chapter 5: Transport, Infrastructure, Energy and Communications for relevant policies.

Policy DMS 16.183 states:

Require compliance with the requirements of the “Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities” July 1996, except where they conflict with Circular Letter PL 07/12 which shall take precedence, and any subsequent revisions or expanded guidelines in this area.

Policy DMS 16.184 states:

All proposed applications to address the following:

a) To encourage the location of telecommunications structures at appropriate locations within the County, subject to environmental considerations, providing open access networks in all developments.

b) To require the co-location of antennae on existing support structures and where this is not feasible require documentary evidence as to the non-availability of this option in proposals for new structures.

c) To avoid the location of structures in sensitive landscapes, in nature conservation areas, in highly sensitive landscapes and where views are to be preserved (see Chapter 11: Built and Cultural Heritage, Chapter 12: Natural Heritage and Environment and Chapter 13: Green Infrastructure).

d) Within the life of a planning permission, opportunities to modify and improve existing structures shall be taken into consideration. In the event of obsolescence, the antennae and their support structure shall be demolished / removed, and the site reinstated at the operator's expense. This will be a condition of planning permission.

5.2. **Natural Heritage Designations**

5.3. The site is not located within or adjacent to a Natura 2000 site.

5.4. **EIA Screening**

The proposed development is not of a type that constitutes an EIA project and environmental impact assessment is not required.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

6.1.1. A third-party appeal has been received from Tom and Padraig O'Toole of Gaigue, Ballinamuck, Co. Longford. It is summarised as follows:

- The appellants only became aware of the development when the cabinet was installed at the side of the road to support the pole.
- Concern with respect to residential amenity
- Concern of visual amenity impact to natural rural environment.
- Negative impact upon heritage of the area
- Concern of traffic safety.

- Query the ownership of the lands and submit that they are within private ownership and not public.
- The closest dwelling is only 30m distant not 84 m as submitted.
- Proximity to the school located 540m to the south.
- No reasonable rationale or justification for choosing the site. Failure to reasonably discount alternative options.
- Material contravention of policies of the County development Plan
- No screening for AA carried out therefore the licence is invalid.
- No EIA Screening was carried out
- The location is within a historical 1798 battlefield site.
- Concern of health and safety impact exposure to harmful effects of EMFs. Negative impact of the development on human health and well-being.
- Its in breach of conditions of the licence – no road opening licence was obtained.
- Concern it is a hazard to pedestrians and road users.
- The position of the cabinet at 1.8m high blocks visibility from adjoining farm entrance gate – traffic safety hazard.
- A letter of objection, date 16.05.2023, from Peter and Carmel Gill is attached to the appeal.

6.2. Applicant Response

6.2.1. A response to the 3rd party appeal was submitted by Dave Mulcachy on behalf of the applicant Cignal Infrastructure Limited. It is summarised as follows:

- There is no requirement for the applicant to erect a site notice, publish a newspaper notice or consult with the public.
- Note a letter on file from Longford County Council confirming the local primary road adjacent to the site (footpath) has been taken in charge.
- The Board have approved multiple street poles on footpaths and grass verges along public roads.

- Refer the Board to similar case granted a licence under Ref. ABP 311679-21
- The location was chosen based on the 500m diameter search area surrounding the National Broadband Plan's Broadband Connection Point ("BCP") at the community centre.
- There are no existing telecommunications facilities or tall buildings in the area.
- A street works solution was selected as the best method of delivering mobile coverage to the specified area.
- The search ring also encompasses the high point in the area to ensure coverage both to the village of Ballinamuck and the BCP.
- The pole provides mobile connectivity in a blackspot area and should be regarded as a positive, as it delivers much needed public service to the local community.
- All Plans, Guidelines and Directives referenced by the appellant support the delivery of modern communications networks to all parts of the County.
- The policies and objectives set out in the CDP are very supportive of telecommunications infrastructure, subject to the normal checks and balances.
- The streetpole is no more impactful on the amenity of an area than adjacent light posts.
- Accept that the closest dwelling is c. 30 m and not 84m. However, submit that as the dwelling presents a blank gable wall facing the monopole location it will not have an material impact on the amenity of the dwelling in terms of visual impact.
- The subject site is located approx. 13.2 Km from the closest Natura 2000 site Clooneen Bog SAC.
- Given the scale and nature of the proposal, it is unlikely to have a significant effect on a European site.

- The proposed development is not of a type that constitutes an EIA project and given the minor size and scale of the proposal an environmental impact assessment is not required.
- The subject site is not identified in the Historic Environment viewer as being in the immediate vicinity of a Recorded Monument or within the zone of notification associated with same.
- A heritage impact assessment is not considered necessary to establish whether a modest roadside utility development is significantly impactful on the nearby protected structure.
- The location of the streetpole is not protected or designated and views of the structure from sensitive vantage points nearby are not imposing or otherwise out of character within the mixed visual envelope.
- Refer the Board to section 2.6 of Circular Letter: PL 07/12 which sets out that planning authorities should not determine planning applications on health grounds.
- Comreg is the appropriate authority with responsibility for health and safety.
- The proposed equipment and installation are designed to be in full compliance with the limits set by the Guidelines of the International Commission on Non-Ionising Radiation Protection.
- A Road Opening Licence was granted in Aug 2022 and has been extended.
- The applicant has no objection to a condition specifying an expiry date.
- The proposal is not within the visibility triangle of either entrance gate to the north and south of the development; therefore, the proposed development is not anticipated to generate a detriment to traffic safety for road users or pedestrians.
- The grounds stated are exaggerated and without foundation in fact.

6.3. Planning Authority Response

- None received.

6.4. **Observations**

- None Received.

6.5. **Further Responses**

- Not Relevant.

7.0 **Assessment**

7.1.1. The proposed development is brought forward under section 254(1) of the Planning and Development Act 2000 (as amended). In their consideration of the development, under section 254(5) of the Act, the Board is required to have regard to:

- a. the proper planning and sustainable development of the area,
- b. any relevant provisions of the development plan, or a local area plan,
- c. the number and location of existing appliances, apparatuses or structures on, under, over or along the public road, and
- d. the convenience and safety of road users including pedestrians.

7.1.2. Having regard to these requirements, local and national planning policy, the application details, the appeal submitted, all other documentation on file and my inspection of the site, I consider that the main issues for this appeal relate to:

- **Legislative Context & Application for a License**
- **Appropriateness of the Location,**
- **Technical Justification**
- **The convenience and safety of road users including pedestrians.**
- **Impact Upon Amenity of Surrounding Environs**
- **Impact Upon Public Health**
- **Environmental Impact Assessment Screening.**
- **Appropriate Assessment**

7.2. Legislative Context & Application for a License

- 7.2.1. The appellant submits that subject pole is not located on a public road and therefore s254 is not the appropriate mechanism under which to erect such a utility.

Section 254(1)(e) of the Planning & Development Act, 2000 (as amended), states that a person shall not erect, construct, place or maintain overground electronic communications infrastructure and any associated physical infrastructure on, under, over or along a public road save in accordance with a licence under this section.

- 7.2.2. The definition of 'public road' is covered under Section 2 of the Planning & Development Act, 2000 (as amended). This states that "public road" has the same meaning as in the Roads Act, 1993. Section 2 of the Roads Act, 1993 (as amended) defines a public road as meaning 'a road over which a public right of way exists and the responsibility for the maintenance of which lies on a road authority'. Section 2 also states; "road" includes—

(a) any street, lane, footpath, square, court, alley or passage,

(b) any bridge, viaduct, underpass, subway, tunnel, overpass, overbridge, flyover, carriageway (whether single or multiple), pavement or footway,

(c) any weighbridge or other facility for the weighing or inspection of vehicles, toll plaza or other facility for the collection of tolls, service area, emergency telephone, first aid post, culvert, arch, gully, railing, fence, wall, barrier, guardrail, margin, kerb, lay-by, hard shoulder, island, pedestrian refuge, median, central reserve, channelliser, roundabout, gantry, pole, ramp, bollard, pipe, wire, cable, sign, signal or lighting forming part of the road, and

(d) any other structure or thing forming part of the road and—

(i) necessary for the safety, convenience or amenity of road users or for the construction, maintenance, operation or management of the road or for the protection of the environment, or

(ii) prescribed by the Minister;'

- 7.2.3. The applicant submits that the subject pole and cabinet are on the public road which has been taken in charge by the local authority and therefore within the definition of a road. From my site visit and from the plans, drawings and photographs submitted it is clear that the cabinet and pole will be located within the footpath and on lands

within the operation and management of the road carriageway. I therefore agree, the subject site forms part of the footpath / hardstanding adjacent to the road carriageway.

- 7.2.4. I am satisfied that the siting of the infrastructure meets with the provisions of section 254 of the Planning and Development Act because it would be located on a public road.
- 7.2.5. The appellant refers to a number of other cases for Section 254 applications for similar licences permitted by other Planning Authorities and the Board adjoining public roads.

7.3. Appropriateness of the Location

- 7.3.1. The subject appeal site is located on un-zoned lands on the public footpath to the eastern side of the L1017 local roadway c. 500m south of Ballinamuck village in rural County Longford. There is a recently constructed footpath along the eastern side of the L1017 local roadway, intermittent in places, from Saint Patrick's school to the south of the subject village north to the village.
- 7.3.2. The proposed street pole and antennae would have a height of 18m with 1 no. 3.2m AW3871 ALPHA antennae at Azimuths (TBC) and 2 no. 300mm dishes. The painted green ground, equipment cabinet which measures 1.898m in length x 0.80m in depth, with a height of 1.652m is currently in-situ on the footpath verge.
- 7.3.3. There is a bungalow located approx. 30 m to the south on the same side of the local road (eastern side). This dwelling has two gable windows facing north towards the subject site. It also has a telegraph pole located in its northern side garden, c. 20m from the subject site. There is a high coniferous hedge located along the northern boundary of the dwelling.
- 7.3.4. In terms of zoning, the site is located on the public footpath, under the control of the Roads Department of LCC. It has an unclassified designation within the Longford County Development Plan 2021 – 2027. As set out above in Section 5.0 Policy Context of this report national legislation, policy and guidelines 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.

7.3.5. I note and agree with the first party that the LCDP 2021 – 2027 also supports the provision of a high-quality competitive information and communications telecommunications (ICT) service. Section 5.9.1 Telecommunications Infrastructure is of relevance, it states:

“Fast, reliable and cost-effective telecommunications can encourage economic development in an area and can enhance quality of life in a number of areas by offering new choices in education, entertainment and communications. There are a number of mobile voice and data service providers operating across the county including Vodafone, O2, Three and Meteor.

Policy CPO 5.172 states:

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- b) To require the co-location of antennae on existing support structures and where this is not feasible require documentary evidence as to the non-availability of this option in proposals for new structures.
- c) To avoid the location of structures in sensitive landscapes, in nature conservation areas, in highly sensitive landscapes and where views are to be preserved.
- d) Within the life of a planning permission, opportunities to modify and improve existing structures shall be taken into consideration. In the event of obsolescence, the antennae and their support structure shall be demolished / removed, and the site reinstated at the operator’s expense. This will be a condition of planning permission”.

In the planning statement and documentation submitted, the applicant has reasoned why the location was chosen. Essentially, it is within the search ring. It is on high ground to ensure coverage both to the village of Ballinamuck and the Broadband Connection Point (“BCP”) at the community centre. There are no existing telecommunications facilities or tall buildings in the area. There is adequate space to locate a street works solution and cabinet. The location will not interfere with the existing services or footpath pedestrian flow. The pole provides mobile connectivity in a blackspot area and should be regarded as a positive, as it delivers much needed public service to the local community.

7.3.6. The site has no specific amenity designation. There are no protected scenic routes proximate. It is not within an ACA or within a SPA/SAC. There are no protected structures or national monuments in the immediate vicinity, regard is had to the appellants submission with respect to the location and the village of Ballinamuck is within a historical 1798 battlefield site.

7.3.7. The telecommunications pole itself is nondescript in character and design and not dissimilar in scale or design of a lamp standard or traffic light pole. I consider that the applicant’s agent has clearly established the acceptability of the application under the provisions of section 254. Given national and local policy I consider the development as proposed to be acceptable in principle at this location.

7.4. Technical Justification

7.4.1. There is a satisfactory explanation within the submission provided by the applicant as to the lack of scope for colocation of existing infrastructure and the purpose of the proposed installation in responding to an existing blackspot in network coverage in the area and with regard to site selection and potential impact on the amenities of the environs.

7.5. The convenience and safety of road users including pedestrians.

7.5.1. The third party have raised a concern with respect to traffic safety and visibility from adjoining farm entrance gate. No issue or concern has been raised by the planning department or the area engineer with respect to traffic safety or obstruction to pedestrians. The L1017 at the subject site location is straight with no obstructions, the footpath and gravel verge is some c. 3m in width at the site location, there would

be c1.5m clear footpath to the west of the cabinet to accommodate pedestrians. This I consider acceptable.

7.5.2. I note that the site layout plan submitted does not show the location of the two adjoining agricultural entrances. However, the first party's response deals with the matter.

7.5.3. Having carried out a site visit and noting the location of the proposed telecommunications cabinet on the footpath located tight against the boundary fence on a straight stretch of road. I consider that the sightlines from 2 m set back using DMURS criteria as submitted with the appeal response documentation is valid and I am of the opinion, given the proposed location of the cabinet, it would not impact upon sightlines exiting the agricultural entrances, regard being had to its height and location. I therefore agree with the PA in this regard.

7.6. Impact Upon Amenity of Surrounding Environs

7.6.1. I consider that the selected site location has capacity to accept the proposed pole, antenna and associated equipment. The surrounding landscape is not sensitive the immediate environs being that of a rural local road serving the south of the village of Ballinamuck, the local residences and national school. The structure, in combination, with existing esb poles would not have a significant impact or alteration to the existing views along the public road and towards the site location in particular from the surrounding residential developments, individual dwellings and the public realm.

7.6.2. While the structure would possibly represent a minor change in the character of the views towards the landscape from the property to the south, is not accepted that any material undue adverse impacts, from a planning perspective would arise should the license be granted. The streetpole is no more impactful on the amenity of an area than adjacent light posts. The applicant submitted a visual impact assessment including photomontages illustrating the visual impact and such demonstrate that the visual impact would be satisfactory.

7.7. Impact Upon Public Health

7.7.1. With respect to the matter of health concerns raised. I note the first party response that the proposed development will be built in accordance with the current health and safety legislation and guidance which is ultra virus to the planning process. ComReg

is the appropriate authority with responsibility for same. The proposed equipment and installations are designed to be in full compliance with the limits set by the Guidelines of the International Commission On Non-Ionising Radiation Protection (ICNIRP).

7.7.2. I note circular letter PL07/12 states planning considerations in the assessment of telecommunications infrastructure should be related to location and design and not health and safety matters.

7.7.3. Subject to the proposed infrastructure being installed, operated and maintained so that there is compliance with the international standards relating to emission of non-ionising radiation, the safety standards under COMReg and relevant guidance, standards and legislation no issues with regard to risk to public health from a planning perspective will arise.

7.8. Environmental Impact Assessment Screening.

7.8.1. As set above in section 5.4 the proposed development is not of a type that constitutes an EIA project and environmental impact assessment is not required.

7.8.2. Further I consider, having regard to the nature and scale of the proposed development and its location removed from any sensitive locations or features, there is no real likelihood of significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

7.9. Appropriate Assessment

7.9.1. Having regard to the minor nature of the development, its location on the footpath verge, 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.

8.0 Recommendation

It is recommended that the Board directs the planning authority to Grant the licence subject to the following conditions:

9.0 Reasons and Considerations

Having regard to the provisions of Longford County Development Plan 2021 - 2027, 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 area, or give rise to a traffic or pedestrian hazard. The proposed development 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. The site shall be reinstated on removal of the telecommunications structure and ancillary structures. Details relating to the removal and reinstatement shall be submitted to and agreed in writing with the planning authority, prior to the commencement of installation of the street pole.

Reason: In the interest of orderly development and visual amenity.

3. Notwithstanding the provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, the telecommunication structures shall not be altered and no additional apparatus shall be attached, without written approval.

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

4. The public road shall not be adversely affected by the works with regard to pavement, obstructions, road operation, footpaths, verges, drainage or public lighting.

Reason: In the interests of traffic safety and amenity of the area.

5. The proposed cabinets and pole shall be maintained regularly and shall be kept graffiti free.

Reason: In the interests of visual amenity of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Fiona Fair
Senior Planning Inspector

09. 09. 2023