



An
Bord
Pleanála

Inspector's Report

ABP-321787-25

Development	Installation of a 24 metre monopole telecommunications structure and all associated site works.
Location	Pearsonbrook, Glasson, Athlone, Co. Westmeath.
Planning Authority	Westmeath County Council
Planning Authority Reg. Ref.	2460428
Applicant(s)	On Tower Ireland Limited
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	On Tower Ireland Limited
Observer(s)	Sean and Geralyn Mimmagh
Date of Site Inspection	9 th April 2025
Inspector	Aoife McCarthy

1.0 Site Location and Description

- 1.1. The subject site has a stated area of 151m², and is located in the townland of Pearsonbrook, Glasson, Co. Westmeath.
- 1.2. The site is located c. 1.2 km to the east of Glasson village; and c.10.7 km north-east of Athlone. The site and wider area are rural in character.
- 1.3. The site is accessed from Sweep Road to the south of the site. Sweep Road connects at a T junction with the L1437 (local road), c.430m to the east of the site.
- 1.4. The site is located within the southwestern corner of a wider landbank, all in agricultural use. The site is within an elevated position on a south facing slope in a pasture field. On the day of site visit, the wider site included grazing sheep.

2.0 Proposed Development

- 2.1. The proposed development consists of the installation of a 24 m monopole telecommunications support structure carrying antennas, dishes, remote radio units (RRUs), associated equipment, GPS, fencing, gantry poles, cable ladder, cable tray, concrete plinths and all associated site development works for wireless data and broadband services.
- 2.2. The report states that 'The 'Three Ireland' telecommunications sites portfolio was purchased by Cellnex Ireland Limited in late 2020, under its wholly owned subsidiary, namely, On Tower Ireland Limited, the Applicant in this instance.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The local authority issued a Notification of a Decision to Refuse Permission on 3rd January 2025 for 3 reasons, summarised as below:
 1. Having regard to the overall siting of the proposed development, it is considered that the height, scale and location of the proposed development situated on a site that is designated as a High Amenity Area would be injurious, visually incongruous and detract from the natural amenity of Lough Ree area of high amenity and contrary to policy CPO **13.20** and CPO **13.21** of the

Westmeath County Development Plan 2021-2027. By virtue of its elevated location and situated in the Lough Ree/Shannon Corridor the proposed development, if permitted, would be an unduly prominent and incongruous feature in a visually sensitive rural landscape, would interfere with the established appearance and character of views over the surrounding countryside and would therefore not be in compliance with policy CPO **13.55**. The proposed development would, therefore, be contrary to the 'Telecommunications Antennae and Support Structures Guidelines 1996'.

2. The applicant has failed to demonstrate the entire scope of works required for the development, that legal consent have been obtained and that adequate sightlines are available from the access laneway at the junction onto the L-1437, interfere with the safety and free flow of traffic at a point where the maximum speed limit applies. Accordingly, the proposed development is contrary to policy objective CPO **10.52** of the Westmeath County Development Plan 2021-2027, which seeks to safeguard the carrying capacity and safety of the County's local road network.
3. Having regard to the siting within proximity of Recorded Monument WM022-034 (Ringfort – rath) and Recorded Monument WM022-034001 (Souterrain), and in the absence of satisfactory documentation submitted to the contrary the proposed development would injure or interfere with the historic remains and setting of a monument which is subject to statutory protection in the Record of Monuments and Places. Accordingly, to permit the development as proposed would be contrary to Council's policy objectives CPO 14.6 and CPO 14.7 of the Westmeath County Development Plan 2012-2027, would seriously injure the amenities of the area.

3.2. Planning Authority Reports

3.2.1. Planning Report (3rd January 2025)

- The report includes a detailed summary of the site, description of development, planning history within the site and wider landholding.
- The report includes a summary of the 12 no. submissions received. Two of these are from local representatives (see below).
- The site is c.90m from the nearest Recorded Monument.

- The proposal is not acceptable in principle, due to the location of the site within a High Amenity Area, and is contrary to policies CPO 13.20, CPO 13.21 and CPO 13.55 of the Development Plan, as well as the 'Planning Guidelines for Telecommunications Antennae and Support Structures'.
- By reason of height, and design, the proposed structure would result in significant adverse impacts to the visual amenities of the area.
- The proposal would constitute an inappropriate development, and would be visually incongruous, having regard to the elevated position of the site and location within Landscape Character Area 6 – Lough Ree/Shannon Corridor, breaking the skyline. The proposal would be contrary to CPO 13.20 and CPO 13.21.
- The proposal would detract from the established appearance and character of views within the wider area, contrary to policy CPO 13.55. Permission should be refused on this basis.
- The Construction Management Plan is insufficiently detailed for this phase includes conflicting information with respect to construction traffic.
- The sightline drawing is inadequately detailed.
- The TMP and Planning Statement set out that adequate sightlines on Lisnascreen Road (at two junctions), are difficult to achieve without hedge clearance and tree felling. As a result, a series of mitigation measures including temporary traffic lights are proposed in lieu. The planning authority considers this to be wholly inappropriate, having regard to the requirement for adequate sightlines on local roads; and noting that traffic movements and the nature of vehicles during this phase have not been identified.
- The applicant has failed to demonstrate vehicular access to the site, noting that the laneway is narrow and rises steeply westwards from the L1437.
- The presence of an old stone wall and overhanging branches of mature trees all impede access for heavy vehicles and lifting equipment.
- No details have been provided with respect to site entrance (including set back, gateway and hardstanding) and proposed enabling works are required.

- The proposal lacks sufficient detail and fails to demonstrate that adequate sightlines. Refusal is also recommended on this basis.
- No reference or assessment with respect to biodiversity has been provided. No detail has been provided on tree and hedgerow removal as part of the application.
- The site is located c.90m south of Recorded Monument WM022-034 classified as a Ringfort-rath and near WM022-034001- : Souterrain. The Dept have advised that the proposed development could impact subsurface archaeological remains and should be refused on that basis.
- The access forms part of historic trail used by walkers.
- No issues arise with respect to EIA and AA.
- **Area Engineer' Report (10th December 2024):** Report received requires Further Information.

3.3. Prescribed Bodies

Department of Housing, Local Government and Heritage (20th November 2024)

- 3.3.1. The proposed development is located in proximity to Recorded Monuments WM022-034 and Ringfort - rath and WM022-034001- Souterrain', both of which are subject to statutory protection in the Record of Monuments and Places (RMP), established under section 12 of the National Monuments (Amendment) Act 1994. The proposed development could impact on subsurface archaeological remains. The report recommends that an Archaeological Impact Assessment, to assess any impact on archaeological remains within the proposed development site.

3.4. Third Party Observations

- 3.4.1. A total of 12 no. submissions have been received, (including from 2 no. Elected Members of Westmeath County Council). The grounds of the submissions are summarised below:
- Reference to previous decision of the Council to refuse permission for a similar development.

- The proposal would have significant adverse impacts of visual and residential amenities within Glasson village and location within Lough Ree High Amenity Area.
- Scale of development is excessive in this rural area.
- Photomontages are not representative of winter months and those of the tower are misleading.
- Reduction in height of the tower from 27-24m is negligible in terms of visual impact.
- Sweep Road provides a substandard access to serve this type of development.
- Sweep Road is used on a daily basis by local farmers, residents and as a walking track by walkers. Large vehicles accessing the site would damage the current “boreen” infrastructure and natural walking track.
- An accident serious accident occurred at this junction earlier. The proposed increase in construction traffic would make this junction even more dangerous and pose a significant risk to pedestrians, cyclists and drivers.
- The proposal is in close proximity to WM022-034 (a ringfort).
- The proposal would substantially diminish residential and visual amenities of residential properties in proximity and alter the rural character.
- Research suggests possible associations with health concerns as a result of living in close proximity to telecommunication towers, particularly radiofrequency (RF).
- The 1996 Department of the Environment and Local Government guidelines recommend that placing a mast in close proximity to residents should be a 'last resort'.
- Negative impacts on historic tourism in this area, including deterring walkers along this route.
- Environmental impact of the proposed during construction and operational phases have not been fully assessed.

- The proposal would contravene CPO 13.20, CPO 13.21, and CPO 13.55 of the Westmeath Plan.
- Failure to provide compelling evidence of the necessity for this mast.
- Residents, enjoy reliable 4G service and access to fibre broadband.

4.0 Policy Context

4.1. National and Regional Guidance

4.2. Climate Action Plan (CAP) 2025

- 4.2.1. CAP 2025 to be read in conjunction with CAP 2024, the relevant part being Section 11.2.4.
- 4.2.2. Section 10.1.8: Digital Transformation. The CAP supports the national digital transformation framework and recognises the importance of this transformation to achieve Ireland's climate targets.
- 4.2.3. The transition towards green and digital societies is highlighted throughout the CAP 2025, as an overarching aim to achieve decarbonisation and net zero commitments.
- 4.2.4. Section 15 of the Climate and Low Carbon Development Act 2015 as amended (the Climate Act), obliges the Board to make all decisions in a manner that is consistent with the current CAP.

4.3. Harnessing Digital. The Digital Ireland Framework

- 4.3.1. Section 2.1: Enable the physical telecommunication infrastructure and services delivering digital connectivity in line with the National Broadband plan.

4.4. National Planning Framework 'Project Ireland 2040'

- 4.4.1. 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.
- 4.4.2. National Policy Objective **48**: Supports the development of a stable, innovative and secure digital communications and services infrastructure on an all-island basis.

4.5. National Development Plan 2021-2030

4.5.1. The government recognises that access to quality high speed broadband is essential for today's economy and society.

4.6. **National Broadband Plan 2020**

4.6.1. The National Broadband Plan (NBP) is the Government's initiative to improve digital connectivity by delivering high speed broadband services to all premises in Ireland, through investment by commercial enterprises coupled with intervention by the State in those parts of the country where private companies have no plans to invest.

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

4.7.1. These guidelines provide general guidance on planning issues so that the environmental impact is minimised, and a consistent approach is adopted by the various planning authorities. The Guidelines note that national policy requires that all development should conform to the concept of environmental sustainability, meeting socio-economic while conserving the natural resources upon which development ultimately depends, stating the following:

Areas legally designated for environmental conservation must be given the required protection when considering planning applications for mobile telephony infrastructure. Accordingly, fragile landscapes have to be treated sensitively, scenic views preserved, archaeological/geological sites and monuments and buildings of historical and architectural interest protected and sacred areas respected.

4.8. **Circular Letter: PL 07/12 (October 2012)**

4.8.1. Circular Letter PL 07/12, dated 19th October 2012, sets out to revise Sections 2.2. to 2.7 of the Guidelines. The Circular was issued in the context of the rollout of the next generation of broadband (4G). It sets out elements of the 1996 Guidelines that required being revised. Broadly these are:

- Cease attaching time limiting conditions to telecommunications masts, except in exceptional circumstances;
- Avoid inclusion in development plans of minimum separation distances between masts and schools and houses;

- Omit conditions on planning permission requiring security in the form of a bond/cash deposit;
- Register or database of approved structures;
- Reiterates advice not to include monitoring arrangements on health and safety or to determine planning applications on health grounds; and

The circular also states that future development contribution schemes to include waivers for broadband infrastructure provision.

4.9. **Eastern & Midland Regional Spatial & Economic Strategy 2019-2031**

- 4.9.1. The RSES includes Regional Strategic Outcomes (RSOs) aligned with planning policy, setting framework for development plans. Notably,

RSO 9: Support the Transition to Low Carbon and Clean Energy - Pursue climate mitigation in line with global and national targets and harness the potential for a more distributed renewables-focussed energy system to support the transition to a low carbon economy by 2050.

4.1. **Local Planning Policy**

4.2. **Westmeath County Development Plan 2021-2027**

4.3. **Telecommunications**

- 4.3.1. The Development Plan includes the following relevant Policy Objectives:

CPO 10.177 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.

CPO 10.183 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.

CPO 10.184 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.

CPO 10.185 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

numbers of masts located in any single area is considered to have an excessive concentration.

CPO 10.186 Facilitate the provision of telecommunications infrastructure throughout the County in accordance with the requirements of the “Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities”.

CPO 13.20 Protect High Amenity areas from inappropriate development and reinforce their character, distinctiveness and sense of place.

CPO 13.21 Protect and preserve designated High Amenity Areas from inappropriate urban generated housing development or any other development which would be injurious to or detract from the natural amenity of Areas of High Amenity.

CPO 13.37 Maintain and preserve the aesthetic value of the main lake (Lough Ree) and its shoreline from the impacts of inappropriate dispersed, highly visible development.

CPO 13.55 Sustain the established appearance and character of views over the surrounding countryside while facilitating the continued development of uses that sustain the activities that give rise to the appearance and character of the landscape.

4.4. Transport and Infrastructure

4.4.1. The Development Plan includes the following relevant Policy Objectives:

CPO 10.52 Safeguard the carrying capacity and safety of the County’s regional and local road network.

4.5. Landscape and Lake Amenities

4.5.1. The Development Plan includes the following relevant Policy Objectives:

CPO 13.6 Require that development is sensitively designed, so as to minimise its visual impact on the landscape, nature conservation, archaeology and groundwater quality.

4.5.2. Architectural Heritage

4.5.3. The Development Plan includes the following relevant Policy Objectives:

CPO 14.6 Seek to ensure the protection of archaeological sites and monuments and their settings and archaeological objects that are listed in the Record of Monuments

and Places, in the ownership/guardianship of the State, or that are the subject of Preservation Orders or have been registered in the Register of Historic Monuments. Seek to ensure the protection and preservation of archaeological sites, which have been identified subsequent to the publication of the Record of Monuments and Places.

CPO 14.7 Ensure that any development adjacent to an archaeological monument or site shall not be detrimental to the character of the archaeological site, or its setting and shall be sited in a manner which minimises the impact on the monument and its setting. Development which is likely to detract from the setting of such a monument or site will not be permitted.

4.6. Development Management Standards - Telecommunications

CPO 16.58 It is a policy objective of Westmeath County Council to assess planning applications for telecommunications, having regard to the following:

- Department of the Environment and Local Government's "Planning Guidelines for Telecommunications Antennae and Supports Structures" (1996) and Departmental Circular PSSP 07/12.
- Co-location agreements to be provided where possible. Where new facilities are proposed applicants will be required to satisfy the Council that they have made a reasonable effort to share facilities or to locate facilities in clusters.
- Visual impacts arising from proposal

4.7. Natural Heritage Designations

4.7.1. The subject site is not located within or adjacent to any designated European Site. The nearest European site is the Lough Ree SAC (Site Code: 000440) located c.1.6km to the north-west of the site.

4.7.2. The Waterstown Lake pNHA (Site Code: 001732) located c.780m to the south-west of the site.

4.8. EIA Screening

4.8.1. The proposed development constitutes a 'project' for the purposes of EIA Directive, but does not fall within a class of development set out in Part 1 or Part 2, Schedule 5 of the Planning and Development Regulations, and therefore no preliminary examination or EIA screening is required.

5.0 The Appeal

5.1. Grounds of Appeal

5.1.1. The grounds of appeal may be summarised as follows:

- The applicant is seeking to provide local high speed data and broadband services across a portfolio of telecommunications sites, formerly in the ownership of and for Three Ireland.
- The proposal has been redesigned taking account of the previous decision of the Council to refuse permission on the subject site (P.A. Reg. Ref.: **24/60175**); with the aim of reducing negative impact on the landscape character of the site and environs, without compromising on potential coverage. This includes a reduction in height on from 27m to 24m.
- The proposal is intended to form part of an integrated telecommunications network to provide required network performance
- The proposal will bring improved voice and data high speed performance services to surrounding residential area, where there is a coverage hole.
- Broadband is an essential public service and vital that local businesses and communities are appropriately served. There are no suitable existing structures in this area to locate Three Ireland's equipment, and this area lacks high speed wireless broadband and data services.
- all the mobile operators namely have an obligation to provide 100% broadband coverage throughout the country. The closest existing sites are too far away for the newer technologies to work due to the required data speeds, that is across a distance of several hundred metres.
- The response includes the Technical Justification as prepared by Three Ireland.
- Due to relatively small scale of the project, substantial screening due to adjacent mature trees and favourable topography, there would be no significant visual impacts on nearby sensitive receptors.

- The proposal will not have any visual impact on Lough Ree High Amenity Area and the Lough Ree /Shannon Corridor Character Area in terms of character, distinctiveness and sense of place.
- The appeal includes a CMP which includes a scope of works required for the development.
- The CMP includes data on anticipated vehicle/traffic volume during the construction phase.
- Sweep Road is in the ownership of the relevant landowner.
- Sightlines of 90m cannot be achieved on the Lisnascreen Road without significant tree removal, and as such, a series of traffic management measures will allow for safe free flowing traffic during the construction phase.
- Access to the mast for maintenance and servicing will only be required once every 6 months during the operational phase, which will be undertaken from Glasson from the western end of Sweep Road.
- The proposal is compliant with **CPO 10.52** of the Westmeath Development Plan 2021-2027 (the Development Plan); and will not result in an intensification of use.
- The appeal is accompanied by an updated Archaeological Impact Assessment, addressing Reason of Refusal No.3.
- The proposal will not have an impact on RMP No/ WM022-034001, as a result of the distance from this monument; nor will it have any visual implications due to screening of the site. The proposal will accord with policy objective **CPO14.6**, due to the preservation of views north, north-east and east.
- The proposal will also accord with **CPO14.7** will not diminish the character or setting of the site due to the nature, separation distances to this monument.
- The proposal accords in full with the 1996 Government Guidelines pertaining to telecommunications.

5.2. Planning Authority Response

5.2.1. None received.

5.3. Observations

5.3.1. A single observation has been received, as detailed below.

Sean & Geralyn Mimmash

5.3.2. The grounds of this submission is summarised as follows:

- The site is within an Area of Outstanding Natural Beauty and the proposal would have significant impacts to the amenities of this area.
- The proposed development would be within 260m of the observers' home.
- The scale of foundations would potentially damage archaeological subsurface levels.
- The proposal will result in water run off to neighbouring properties.
- The access road is little more than an agricultural track, and forms part of a monastic trail which has remained unchanged for a significant period of time. Bringing services to the route will change the character of the site inherently.
- The site includes a bronze age rath, and development could affect the rath and any foundations.
- Access to the site via the crossroads on the L1437 is dangerous, with insufficient sightlines for traffic travelling to Kilkenny West.
- The area is of vital importance for tourism (walkers/hiking).
- There appears to be a population of Leisler Bats in the area that may be damaged by this development.
- There are Irish Buzzards and the development of the tower would inhibit their full return to the area.

5.4. Further Responses

5.4.1. None received.

6.0 Assessment

6.1.1. Having examined the application details and all other documentation on file, including the report of the local authority, third party submissions, having inspected the site and having regard to the relevant local and national policies and guidance, I consider the main issues in this appeal relates are as follows:

- Principle of Development
- Justification
- Design
- Landscape and Visual Impact
- Archaeology and Built Heritage
- Roads and Traffic
- Ecology
- Health and Safety

6.2. Principle of Development

6.2.1. The proposed development relates to the installation of a 24m high monopole telecommunications support structure carrying antennas, dishes, RRUs, associated equipment, GPS, fencing, gantry poles, cable ladder, cable tray, concrete plinths and all associated works.

6.2.2. At the outset, I note that the Development Plan seeks to facilitate the provision of telecommunications infrastructure in accordance with the requirements of the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, 1996 (the Guidelines) as per policy objective **CPO 10.186**.

6.2.3. The Plan includes also includes the following relevant provisions;

CPO 10.177 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.

CPO 10.183 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.

6.2.4. The 1996 Guidelines acknowledge that areas subject to environmental designation must be treated sensitively, including preserving scenic views and protecting archaeological sites.

6.2.5. The site is located within a High Amenity Area under the Development Plan, associated with Lough Ree SAC and SPA located approximately 1.6km to the west of the subject site.

6.2.6. In this context, having regard to the location of the site within a rural area and on lands which are not subject to a zoning objective, I consider that the principle of the proposed development has not been demonstrated in this instance; and assess the proposed development having regard to the following relevant planning matters.

6.3. Justification

6.3.1. The site is located within a rural area, the closest settlement centre being Glasson Serviced Village, located 1.2km to the east of the subject site. The Development Plan defines such settlements as centres which serve their local area. This priority in the Development Plan relates to enhancing the village's appeal given its proximity to Lough Ree. Associated policy objectives support the creation of pedestrian/heritage walks from the village to countryside and cyclist infrastructure within the town its hinterlands and at and Lough Ree.

6.3.2. The Planning Statement (dated October 2024) as submitted with the application includes a detailed justification for the proposed development, which is also detailed within the First Party Appeal.

6.3.3. The documentation sets out that the new monopole would form a vital part of the Three Ireland's national radio and transmission network. The technical note states there is a requirement to provide space for up to 3 no. separate operators, deploying different technologies at this location. The report states the subject location would provide "vital" high-speed data and broadband services for the local and wider communities, currently as well as radio upgrades.

- 6.3.4. The appeal clarifies that wireless signals cannot penetrate solid objects; and that the further apart networked devices are, the more the signal drops. The report notes that current uptake of devices has put additional pressures on the network meaning existing base stations are undergoing significant upgrades in technology to meet this demand and so are critical in maintaining current and future service provision.
- 6.3.5. The appeal sets out that the installation is required to provide 2G/3G/4G/5G data service provision to the surrounding residential premises and roads, including the L1437 and N55, “where a coverage hole exists in high speed wireless broadband network”.
- 6.3.6. The report notes that a total of 3 no. sites were identified, as capable of providing the required transmission within the local area, and reasons why the sites were discounted (Table 1 of the Planning Statement refers). This relates principally to distance from target areas, the height of the structures and terrain at each location.
- 6.3.7. The site selection process was undertaken by a surveyor, radio engineer and site providers, identifying sites within a short radius of the cell search area; at a relatively high point to ensure transmission of services; be commercially available, are suitable for development, have safe satisfactory vehicular access; afford security and are supplied with power or capable of having supply connected. The report notes that no suitable structures/existing masts were identified as suitable to accommodate the subject proposal.
- 6.3.8. The appeal sets out that the current coverage is limited, and that no other surrounding existing telecommunications sites can provide the required level of coverage in the target area. The report states that the addition of this base station will have “an immediate and positive impact” on the network provision and bring next-generation services to Pearsonbrook and the wider area.
- 6.3.9. The report includes coverage plots demonstrating an improvement of both 3 and 4G indoor coverage further to the installation of the subject monopole. The applicant notes that the applicant “actively promotes co-location and sharing of its infrastructure for other licensed users”.
- 6.3.10. In this context, based on the information as provided by the applicant, I am satisfied that the applicant has provided sufficient information to demonstrate the need for the proposed monopole at this location, subject to visual assessment.

6.4. Design

- 6.4.1. As noted above, the proposed development relates to the installation of a 24m metre monopole support structure, to hold 6 no. 2.7m long antennae, 9 no. RRUs and 2 no. 600mm dishes, along with ground based equipment cabinets and all ancillary works.
- 6.4.2. The Planning Statement and First Party appeal note that the proposed development has been reduced in design and height, in response to the previous decision of the Council to refuse permission for a similar development at the subject site. (Reg. Ref, **24/60175**). Notably the proposal has been reduced in height from 27m to 24m, and is considered to comprise an unfussy and slimline design to minimise visual impacts.
- 6.4.3. The proposal will also be coloured in galvanised steel to integrate with the Irish sky.
- 6.4.4. In this context, from a comparison between both proposals, in my view, the reduction in height from 27m to 24m, does not provide a meaningful reduction with respect to the height and visual impacts arising. Otherwise, the design of the mast is, in my opinion, typical of this form of development, and as a result, I do not consider the design of the structure, as grounds to refuse permission in this case.

6.1. Landscape and Visual Impact

- 6.1.1. The application is accompanied by an Assessment of Landscape and Visual Impacts (ALVI –a bespoke assessment appropriate for telecom projects), and separate Photomontage Report, both dated October 2024, prepared by entrust Ltd.
- 6.1.2. The assessment is based on the Westmeath County Development Plan 2021-2027 within which the subject site Lough Ree/Shannon Corridor Landscape Character Area. The ALVI notes that the site is located is classed as Significant Conservation status and High Amenity Area.
- 6.1.3. The report notes that the Lough Ree / Shannon Corridor Character Area is deemed to be highly sensitive to development, with the capacity to absorb most types of development subject to the implementation of appropriate mitigation measures.
- 6.1.4. With respect to magnitude of change, the report notes a low impact relates to “Minor loss or alteration to one or more key landscape elements / features / characteristics such that post development the change/loss would be discernible, but the landscape character would be similar to the baseline.” Effects identified as moderate or less are not considered to be significant.

- 6.1.5. With respect to impact on landscape, the report considers that the new structure would result in a minor loss or alteration to a key landscape characteristic, and that post development loss would be discernible; but the landscape character would remain similar to baseline and the magnitude of change is therefore low.
- 6.1.6. The report states that the siting and screening of the subject proposal, assists in softening views from nearby sensitive visual receptors such as motorists along the nearby road. At this level, I note that the assessment does not explicitly consider the impact on heritage within the landscape impacts, notably the recorded monuments located c.62m to the north of the site and to the south-east of the site and Sweep Road.
- 6.1.7. The report considers that due to the “gently undulating nature of the landscape and natural screening from tree cover”, the impacts on the wider landscape character is low. At a 1km distance, the impacts are also considered to be low. The report concludes that the magnitude of change on the local landscape to be low, resulting in an overall moderate effect on the local landscape character.
- 6.1.8. The magnitude of change on the wider landscape is also considered low, reducing to negligible from further afield, taking account of the intervening vegetation near Waterstown Lough and Lough Ree. The report notes that the proposal would bring “significant and vital improvements” in radio coverage to the Three’s local network, delivering 3G & 4G wireless data and broadband coverage to as many users as possible in this rural area. The overall predicted effect on landscape character is considered minor, not significant.
- 6.1.9. The ALVI includes ten viewpoints (VPs), as set out within this report, in order to assess the visual impact of the proposed development on sensitive planning designations and other sensitive receptors such as residential dwellings and heritage assets. The assessment is aided by photomontages for each viewpoint. Each viewpoint is described and considered. Table 3 of the report defines the magnitude of impact as follows;
- Medium: Partial loss or alteration to one or more key landscape elements/features/characteristics such that post development the landscape character area would be partially changed;

- Low: Minor loss or alteration to one or more key landscape elements/features/characteristics such that post development the change/loss would be discernible, but the landscape character would be similar to the baseline;
- Negligible: Very minor loss of alteration to one or more key landscape elements/features/characteristics of the baseline conditions. Change would be barely distinguishable approximating to no change.

6.1.10. The significance of visual impact varies from Negligible (VP1, VP4, VP5, VP6, VP9, VP10), Moderate (VP2, VP3, VP7) and Low (VP8). I consider these conclusions to be reasonable, and consistent with the views as selected as part of this analysis.

6.1.11. Notwithstanding, in my opinion, the assessment could have more explicitly addressed the potential landscape impacts of heritage assets closer to the subject site, including the character and setting of Recorded Monuments to the north (WM022-034 and WM022-034001) and south of the site (RMP WM022-035); and the use of Sweep Road as part of a walking trail as supported in the Guidelines.

6.1.12. In conclusion, having regard to the level of impact as identified within this ALVI, proposed screening to the base of the structure, taking account of the location of this site within an Area of High Amenity as designated under the Development Plan and the provisions of the Guidelines; I do not consider that permission should be refused on the basis of landscape and visual impact.

6.2. Archaeology and Built Heritage

6.2.1. An Archaeological Impact Assessment, was submitted as part of the First Party appeal dated January 2025, prepared by Courtney Deery Archaeology & Cultural Heritage, updating an Archaeological Assessment dated October 2024 submitted with the application in the first instance.

6.2.2. The AIA includes a detailed assessment of the site and region, including historical context and cartographic sources, aerial imagery, site survey.

6.2.3. The AIA confirms that there are no recorded monuments within the redline boundary of the proposed development and three within a 500m radius.

- 6.2.4. The closest of these is a Ringfort-rath (RMP WM022-034) and souterrain (RMP WM022-034001), located in field, c.62m north of the proposed development site. The souterrain is described as located within the interior of the ringfort rath.
- 6.2.5. The third site is a Barrow bowl barrow (RMP WM022-035) located c. 233m south-east of the proposed development. There are a further four recorded monuments within 1km of the site, three Ringfort-raths within Pearsonbrook, Brittas and Waterstown with a Watermill-vertical wheeled within Glasson/Pearsonbrook (Table 4 of the Report refers).
- 6.2.6. With respect to visual impact, the report notes the site is located on a high point in the landscape, with land sloping downwards to the north-east. Traces of an old field boundary are still visible within the field (as a shallow ditch); with a wind turbine in the distance to the east. The report notes that that the Ringfort to the north of the site commands extensive views to the north, with limited views to the south and south-west due to the topography of the site.
- 6.2.7. The AHA confirms that there are six protected structures within 1km of the proposed development (Table 4; Figure 11 of the report refer). These are predominantly associated with the former Waterstown estate, noting that Sweep Road forms the former boundary to the former Waterstown estate.
- 6.2.8. The report concludes that the “height of the monopole at 24m will make it a dominant new feature in the landscape. Given this and its relative proximity to the ringfort, it is acknowledged that the proposed development will change the setting of the monument on its south side.” The report reiterates that,
“extensive views north, north-east and east of the ringfort, which are critical to its setting, will remain unobstructed. Similarly, no views to other, contemporary monuments in the surrounding landscape would be negatively affected.”
- 6.2.9. I concur with this assessment, that the proposal would constitute a new dominant feature in the landscape, with significant adverse impacts on the setting of this structure; and that views to the north, north-east and east will not be affected. With regard to the negative impact to the setting of the recorded ringfort on its southern side, the report recommends the inclusion of landscape design measures, stating that,

“Given the height of the monopole at 24m, no screening can be completely effective, however, vegetation could be used to screen the lower levels of the monopole tower and the associated infrastructure at its base, thus reducing the visual impact.”

- 6.2.10. In this context, I am satisfied that additional landscape screening measures would assist in reducing the visual impact of the proposed development, as suggested by the Applicant. In the event that the Board decide to grant permission, I recommend the inclusion of a condition of permission to this effect.
- 6.2.11. The assessment notes that very few archaeological investigations have been undertaken within the study area. There is also significant below-ground archaeological potential in the field in which the proposed development is located, with the potential presence of subsurface features associated with the ringfort. The identification of a possible souterrain in the interior of the ringfort, is noted, as this could extend out from the ringfort into this area.
- 6.2.12. The report recommends that a geophysical survey is carried out across the field in which the proposed development site is located, to confirm the exact extent of the recorded ringfort (including any outer ditches too degraded to be visible above ground) and of the souterrain, and to identify any other subsurface features that might be present, followed by a programme of archaeological testing to confirm the findings of the survey and to assess the significance, nature and extent of any archaeological features identified during the survey.
- 6.2.13. Further recommendations will be made based on the results of the archaeological investigations, in consultation with the National Monuments Service (NMS) of the Department of Housing Local Government and Heritage (DHLGH). These may include preservation by design or in situ.
- 6.2.14. I consider that the above measures would address the potential damage to subsurface archaeological remains, as raised in the third party submissions and by the Observers to this appeal.
- 6.2.15. In this regard, I consider the report as submitted by the applicant to provides a robust baseline assessment and in this context, recommend that in the event that the Board decide to grant permission for the proposed development, the inclusion of above noted conditions requiring the completion of a full geophysical survey and associated archaeological testing, prior to proceeding with development at this site.

6.3. Roads and Traffic

- 6.3.1. It is proposed that the subject site will be accessed from Sweep Road to the east of the site, via an existing farm gate. Sweep Road forms Lisnascreen Road which connects in an (acute) T-junction with the L1437 local road at a stated distance of 550m from the entrance to the site.
- 6.3.2. Further to a site visit, I note that this access road from the L1437 is narrow and winding with unfinished broken surface. I note that the application does not seek to upgrade this access route as part of the development proposal.
- 6.3.3. The application was accompanied by a Traffic Management Plan (TMP, dated 1st November 2024), prepared by Local Transport Projects.
- 6.3.4. The Planning Statement sets out that that sufficient sightlines cannot be achieved at 90m to both sides of the L1037 without significant tree felling and cutting back of hedgerows. I refer the Board to an updated Site Layout Plan (Sightline) drawing submitted as part of the first party appeal illustrating the achievement of 85m sightline to the north-east and 95m to the south-west.
- 6.3.5. As a result, the applicant proposes a series of mitigation measures to facilitate the proposed development, particularly during the construction phase. The steps as set out within the TMP include the use of temporary traffic signals to control and manage associated traffic; temporary signage/barriers to safeguard pedestrians where necessary; timing of deliveries to the site; ensuring a banksman on site to co-ordinate deliveries and car-sharing by construction staff.
- 6.3.6. The application is accompanied by a Construction Management Plan (CMP) prepared by Gary Carthy, updated at appeal stage with greater detail with respect to anticipated vehicles to site during the construction phase; scale and nature of these vehicles. The report confirms that the anticipated construction phase is 4-5 weeks.
- 6.3.7. The TMP confirms that anticipated traffic to the site during the operational phase will arise as required for regular maintenance purposes, on a 6 monthly basis (as confirmed within the first party appeal).
- 6.3.8. Having regard to the above, in my opinion, notwithstanding the brief duration of the construction phase and limited operational traffic arising, the provision of this access

without adequate sightlines to a public road would result in the creation of a significant traffic hazard.

- 6.3.9. In addition, the narrow, steeply inclined unfinished access is not suitable for vehicular traffic to the subject site and would exacerbate vehicular traffic movements from the public road. In this context, I note commentary from the observer with respect to the use of this access route for traffic purposes. In conclusion, I therefore recommend that permission is refused on this basis.
- 6.3.10. Notwithstanding, in the event that the Board decide to grant permission for the subject development proposal, I recommend the inclusion of relevant conditions to ensure the proposed development is undertaken in accordance with an agreed CMP, to protect the residential amenities of properties within the environs of the site.

6.4. Ecology

- 6.4.1. The application and/or appeal is not accompanied by an Ecological Impact Assessment. The third-party observers consider that there appears to be local populations of Leisler's bats as well as Irish buzzards in the area.
- 6.4.2. From site visit, I note that, as referenced above, site boundaries to the site and along Lisnascreen and Sweep Road include trees and hedgerows.
- 6.4.3. Further to a review of the NPWS database, I note that neither of these are Conservation Species relating to Lough Ree SPA (Site Code: 004064) and the Middle Shannon Callows SPA (Site Code: 004096) SPAs located within a 15km radius catchment of the subject site). In this context, I am therefore satisfied that the proposed development would not give rise to adverse impacts with respect to these species.
- 6.4.4. In this context, having regard to the limited site size, and nature of development, in my opinion, the proposed development would not give rise to adverse impacts with respect to ecology.

6.5. Health and Safety

- 6.5.1. Section 4.6 of the Guidelines requires that as part of the planning application operators 'should be' required to furnish a statement of compliance with the International Commission on Non-ionising Radiation Protection (ICNIRP) Guidelines

(1998), or the equivalent European Pre-standard 50166-2. The ICNIRP are the competent experts for assessing the health and safety of masts.

- 6.5.2. The application is accompanied by a statement from Three.ie, dated 8th June 2023, confirming that the site is compliant with the ICNIRP guidelines.
- 6.5.3. In this context, the observers to the application, noted to reside within a stated 260m of the subject site, consider that the proximity of towers to residences, to be unregulated. This matter was also raised within the wider third party submissions to the application.
- 6.5.4. In this context, I refer the Board to Circular Letter 07/12, issued by the then DoECLG, which reiterates the advice contained in the Telecommunication Guidelines, specifically that planning authorities should not determine planning applications on health grounds, 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 matters are regulated by other codes and such matters should not be additionally regulated by the planning process.
- 6.5.5. Having regard to the above, I am satisfied that the planning permission should not be refused on the grounds of health and safety.

7.0 AA Screening

- 7.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 (as amended).
- 7.2. The proposed development comprises the construction of a 24m monopole telecommunications structure, and all associated site works at a site at Pearsonbrook, Glasson, Athlone, Co. Westmeath.
- 7.3. The closest European site is the Lough Ree SAC (Site Code: 000440) located c.1.6km to the northwest of the site.
- 7.4. No nature conservation concerns were raised in the planning appeal.
- 7.5. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion relates to:
- The limited scope of works associated with the project.
 - The relative distance between the Project and closest European Site.
- 7.6. I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 7.7. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

8.0 Recommendation

- 8.1. I recommend that permission is refused for the development in accordance with the following reasons and considerations.

9.0 Reasons and Considerations

The applicant has failed to demonstrate that adequate sightlines are available from the access laneway at the junction onto the L-1437 from Sweep Road. The proposed development would therefore interfere with the safety and free flow of traffic at a point where the maximum speed limit applies. Accordingly, the proposed development is contrary to Policy Objective CPO 10.52 of the Westmeath County Development Plan 2021-2027, which seeks to safeguard the carrying capacity and safety of the County's local road network. The proposed development would, therefore, be contrary to the proper planning and sustainable development 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.

Aoife McCarthy
Planning Inspector
16th May 2025

Form 1 - EIA Pre-Screening

Case Reference	321787-25
Proposed Development Summary	Installation of a 24 metre monopole telecommunications structure and all associated site works
Development Address	Pearsonbrook, Glasson, Athlone, Co. Westmeath.
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	

<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)