ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Vantage Towers Limited, Mountainview, Leopardstown, Dublin 18.

Reference Number:

DED 893

Application Received:

15th May, 2025

Name of Applicant:

Vantage Towers Limited

Agent:

Michael Foody C/O Charterhouse

WHEREAS a question has arisen as to whether the replacement of an existing 18m lattice tower with an 18m lattice tower at Crannagh Beg (Td), Athlone, Co. Roscommon., is or is not development and is or is not exempted development:

AND WHEREAS Roscommon County Council, in considering this application, had regard particularly to:

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended.
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended.
- (c) Class 31(j) of Part 1, Schedule 2 of the Planning and Development Regulations, 2001, as amended.
- (d) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 2011.
- (e) The planning history of the site.

AND WHEREAS Roscommon County Council has concluded that:

- (a) The works are development.
- (b) The replacement of an existing permitted tower structure is exempted development.
- (c) The proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the requirement for AA or EIAR does not apply with respect to the current case.

NOW THEREFORE:

By virtue of the powers vested in me by the Local Government Acts 1925 – 2024 and Section 5(2)(a) of the Planning and Development Act 2000 (as amended) and having considered the various submissions and reports in connection with the application described above, it is hereby declared that the said development to replace an existing 18m lattice tower with an 18m lattice tower at Crannagh Beg (Td), Athlone, Co. Roscommon., is development that is <u>exempted development</u> as defined within the Planning and Development Act 2000 (as amended) and associated Regulations.

Signed on behalf of the Council:

Brian Farragher,

Senior Executive Planner,

Planning. Date: 11th July, 2025

cc agent via email: Michael Foody C/O Charterhouse

michael.foody@chtc.ie

ADVICE NOTE

Any person issued with a Declaration under Section 5 of the Planning and Development Act, 2000 (as amended) may, on payment to An Bord Pleanála of the prescribed fee, refer a Declaration for review within 4 weeks of the date of the issuing of the Declaration.

Carmel Curley

From: Carmel Curley

Sent: Friday 11 July 2025 12:43

To: Michael Foody

Subject:DED 893 - Vantage Towers LimitedAttachments:DED893 - Notification of Decision.pdf

Hi Michael,

Please find attached Notification of Decision for the Section 5 Declaration of Exempted Development Application submitted for Vantage Towers Limited – DED 893.

Regards,

Carmel

Carmel Curley, Staff Officer,
Planning Department, Roscommon County Council,
Aras an Chontae, Roscommon, Co. Roscommon, F42 VR98

★: (090) 6637100

MAP LOCATION





<u>Planner's Report on application under Section 5 of the</u> <u>Planning and Development Acts 2000 (as amended)</u>

Reference Number: DED 893

Name and Address of Applicant: Application for a Declaration under Section 5 of the

Planning & Development Act, 2000, as amended, regarding Exempted Development to replace an existing 18m lattice tower with an 18m lattice tower at Crannagh

Beg (Td), Athlone, Co. Roscommon

Applicant: Vantage Tower Limited

Date: 9th July 2025

WHEREAS a question has arisen as to whether the following works; to replace an existing 18m lattice tower with an 18m lattice tower at Crannagh Beg (Td), Athlone, Co. Roscommon is or is not development and is or is not exempted development.

I have considered this question, and I have had regard particularly to -

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended
- (c) Class 31(j) of Part 1, Schedule 2 of the Planning and Development Regulations, 2001, as amended
- (d) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 2011
- (e) The planning history of the site

Site Location & Development Description

The subject property is located in Crannagh Beg (Td), Athlone, Co. Roscommon and is accessed off an existing track leading off the L-2027. The proposed development consists of the replacement of an existing permitted 18m tower structure with a similarly designed structure of equivalent height and base width within the in situ compound is proposed.

Archaeological and Cultural Heritage

No RMP recorded in the likely zone of influence of the proposed development. No Protected structures or structures listed in the National Inventory of Architectural Heritage the likely zone of influence of the proposed development.

Appropriate Assessment

The closest European sites to the site of the proposed development are Carrickynaghtan Bog NHA (Site Code 001623) which is located circa 2km to the southwest and the River Shannon Callows/Middle Shannon Callows PNHA/SPA/SAC (Site Code 000216/004096) which is located circa 2.5km to the west of the proposed site.

Having regard to the separation distance between the site and the closest Natura 2000 site and the nature of the proposal, there is no real likelihood of significant effects on the conservation objectives of these or other European sites arising from the proposed development. The need for further Appropriate Assessment, therefore, be excluded.

Planning History

As per the Roscommon County Council's Planning Registry, recent planning history has been traced relating to the subject site.

- 01/818 Erect 20 meter (18 meters & 2 meter antennae attachment support) telecommunications support struct. inc. 3 no. panel antennae and 2 no. 0.6 meter diameter microwave dish antennae, assoc.containerised equip.shelter, access road & assoc. dev. Works – Conditional
- 08/603 Of an existing development (previously ref. 01/818), consisting of an existing 18 metre high telecommunications support structure, antennas, equipment container and associated equipment within a fenced compound and access track – Conditional
- 15/409 For existing 18m telecommunications structure, carrying associated antennae and link dishes, associated equipment Cabins, all within existing secure compound. The development will continue to form part of existing GSM and 3G Broadband Network - Conditional

Relevant statutory provisions

Planning and Development Acts 2000 (as amended)

Section 2. -(1)

"works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Section 3. -(1)

In this Act, "development" means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

Section 4 (2) of the Planning and Development Act provides that the Minister, by regulations, provide for any class of development to be exempted development. The principal regulations made under this provision are the Planning and Development Regulations.

Planning and Development Regulations, 2001 as amended

Article 6 (1)

Subject to article 9, development of a class specified in column 1 of Part 3 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 3 opposite the mention of that class in the said column 1.

Article 9 (1) applies;

Development to which article 6 relates shall not be exempted development for the purposes of the Act viiB) comprise development in relation to which a planning authority or an Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site.

Class 31 of Part 1 of Schedule 2: Exempted development - General

Description of Development	Conditions and Limitations
CLASS 31	
The carrying out by a statutory undertaker authorised to provide a telecommunications service of	The replaced structure shall be removed no later than 4 weeks following its decommissioning.
development consisting of the provision of—	2. Where, for reasons of the integrity of the network or other operational reasons, the structure to be replaced remains in use during the construction of the replacement structure, the replacement
(j) an antenna support structure in place of an existing antenna support structure,	structure shall be located as near as possible to the existing structure having regard to construction activity and safety requirements and, in any case, no replacement structure shall be located more than 20 metres from the replaced structure (measured from the base).
	3. (a) The height of the replacement structure shall not exceed the height of the replaced structure. (b) (i) Subject to sub-paragraph (ii), the width of the replacement structure shall not exceed the width of the replaced structure.
	(ii) Where the replaced structure was 2 metres or less in width, the width of the replacement structure may not be more than twice the width of the replaced structure, all measurements to be taken at the widest point.
	(c) Where the replaced structure did not incorporate an antenna platform, the replacement shall not incorporate such a platform.
	4. (a) Subject to sub-paragraphs (b) and (c), the antennae to be attached to the replacement structure shall not exceed the number of antennae on the replaced structure.
	(b) For structure under 15 metres in height, an additional 12 antennae for mobile telephony may be attached to the replacement structure, of which not more than 8 of the additional 12 antennae shall be of the
	dish type (whether shielded or not). (c) For structures of 15 metres or over in height, an additional 18 antennae for mobile telephony may be attached to the replacement structure, of which not more than 12 of the additional 18 antennae
	shall be of the dish type (whether shielded or not).

	5. (a) The dimensions of any additional antenna for mobile telephony
	shall not exceed the greatest length, width or depth of any antenna for
1	mobile telephony of corresponding type on the replaced structure.

- (b) In any other case, the dimensions of any antenna provided shall not exceed:
- (i) in the case of any panel type antenna, 3 metres in length x 0.6 metres in width x 0.2 metres in depth,
- (ii) in the case of any co-linear type antenna, 5 metres in length \times 0.1 metres in diameter, and
- (iii) in the case of any dish type antenna (whether shielded or not), 1.8 metres in diameter.
- 6. The replacement of an antenna support structure together with any replaced or additional antenna shall not result in the field strength of the non-ionising radiation emissions from the radio installations on the site exceeding the limits specified by the Commission for Communications Regulation.

Assessment

In accordance with the Planning and Development Act, 2000 Section 3. (1) development is defined as the following: "In this Act, "development" means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land". The proposed development is considered to be the carrying out of works. Works are defined in the Act as; "works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure....".

The development of the replacement of an existing permitted 18m tower structure with a similarly designed structure, with regard to the compliance with the conditions and limitations of Class 31(j) of Part 1 of Schedule 2 (Exempted development - General) the following assessment sets out how these apply to the current proposal:

- 1. Onus on applicant to comply with this.
- 2. Onus on applicant to comply with this, replacement tower is within 20m of existing tower
- 3. (a) replacement tower is the same height as existing
 - (b) Existing structure is less than 2m wide (800mm), replacement structure is not more than twice the existing (1580mm)
 - (c) Existing structure has an antennae platform.
- 4. (a) Same number of antennae on replacement as existing
 - (b) N/A, structure is greater than 15m
 - (c) N/A, no additional antennae proposed.
- 5. (a)N/A, no additional antennae proposed.
 - (b) No dimensions are exceeded.
- 6. Onus on applicant to comply with this.

Having reviewed the above works in the context of the Conditions and Limitations associated with Class 31(j) of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, the replacement of an existing permitted 18m tower structure with a similarly designed structure as described in this case is considered an exempted development.

With Regard to Article 9 (1)(a) of the Planning and Development Regulations, it is reasonable to conclude that on the basis of the information available, which I consider adequate in order to issue a screening determination, that the proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the need for AA does not apply with respect to the current case.

I am satisfied that an Environmental Impact Statement or Appropriate Assessment are not required. It should be noted that any development for which Environmental Impact Assessment or Appropriate Assessment is required shall not be exempted development unless specifically exempted in regulations where there is provision in other legislation for the carrying out of EIA or AA. In addition, the restrictions on exemption Art 9 (1)(a) (viiB) exclude development which would otherwise be exempted development under these regulations where an AA is required.

Recommendation

WHEREAS a question has arisen as to whether the following works; to replace an existing 18m lattice tower with an 18m lattice tower at Crannagh Beg (Td), Athlone, Co. Roscommon is or is not development and is or is not exempted development.

I have considered this question, and I have had regard particularly to -

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended
- (c) Class 31(j) of Part 1, Schedule 2 of the Planning and Development Regulations, 2001, as amended
- (d) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 2011
- (e) The planning history of the site

AND WHEREAS I have concluded that

- a) The works are development.
- b) The replacement of an existing permitted tower structure is exempted development.
- c) The proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the requirement for AA or EIAR does not apply with respect to the current case.

and I recommend that a declaration to that effect should be issued to the applicant.

Signed:

Civil Technician

Date: 10th July 2025

Senior Executive Planner

Date: 10th July 2025









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Comhairle Contae Ros Comáin Roscommon County Council



Vantage Towers Limited, Mountainview, Leopardstown, Dublin 18.

Date:

20th May, 2025

Planning Reference:

DED 893

Re:

Application for a Declaration under Section 5 of the Planning & Development Act 2000

(as amended), regarding Exempted Development.

Development:

Permission to replace an existing 18m lattice tower with an 18m lattice tower under the

Planning & Development Act (Exempted Development) regulations 2018 at Crannagh Beg

(Td), Athlone, Co. Roscommon.

A Chara,

I wish to acknowledge receipt of the application which was received on the 15th May, 2025, for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development along with the appropriate fee in the sum of €80.00, Receipt No. L/01/0/234717 dated 15th May, 2025, receipt enclosed herewith.

Note: Please note your Planning Reference No. is DED 893

This should be quoted in all correspondence and telephone queries.

Mise le meas,

Alan O'Connell, Senior Executive Planner, Planning Department.

cc agent via email:

Michael Foody C/O Charterhouse

michael.foody@chtc.ie





Roscommon County Council Aras an Chontae Roscommon 09068 37100

15/05/2025 15:01:48

Receipt No.: \$201/0/234717

VANTAGE TOWERS LTD
MOUNTAIN VIEW
LEOPARDSTOWN
DUBLIN 18
CQ FROM CHARTERHOUSE TELECOMMUNICATIONS
EXEMPTED DEVELOPMENT

PLANNING APPLICATION FEES 80.00 GOODS 80.00 VAT Exempt/Non-vatable DED 893

Total: 80.00 EUR

Tendered

Chaque 80 00

1369

Change 0.00

Issued By Louis Carroll From : Central Cash Office



Áras an Chontae, Roscommon,

Co.

Roscommon.

Phone: (090) 6637100

Email: planning@roscommoncoco.ie



Roscommon County Council

Application for a Declaration under Section 5 of the

Planning & Development Act 2000 (as amended), regarding <u>Exempted Development</u>

Name of Applicant(s)	Vantage Towers Limited		
Name of Agent	Michael Foody c/o Charterhouse		
Nature of Proposed Works	The proposal is to replace an existing 18m lattice tower with an 18m lattice tower. Please see letter and plans attached.		
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	Crannagh Beg (Td), Athlone, Co. Roscommon. Location Map attached;		
Floor Area: a) Existing Structure b) Proposed Structure	The existing compound is 15.6m x 14.9m Both existing and proposed masts are 18m in height		
Height above ground level:	18 metres		
Total area of private open space remaining after completion of this development	Approx. 220 sqm (compound less foundation for mast and cabins).		
Roofing Material (Slates, Tiles, other) (Specify)	N/A		

Roscommon County Council

Application for a Declaration under Section 5 of the

Application for a Declaration	
Proposed external walling (plaster, stonework, brick or other finish, giving colour)	N/A Steel lattice mast
Is proposed works located at front/rear/side of existing house.	N/A
Has an application been made previously for this site	Yes
If yes give ref. number (include full details of existing extension, if any)	15/409 - Planning permission granted for 'Retention Permission for existing 18m telecommunications structure, carrying associated antennae and link dishes, associated equipment Cabins, all within existing secure compound.'
Existing use of land or structure	Telecommunications structure
Proposed use of land or structure	Telecommunications structure
Distance of proposed building line from edge of roadway	480m approx.
Does the proposed development involve the provision of a piped water supply	No
Does the proposed development involve the provision of sanitary facilities	No

Planning & Development Act 2000 (as amended), regarding Exempted Development

Si	gnature:	

Date:

13th May 2025____

Note: This application must be accompanied by: -

- (a) €80 fee
- (b) Site Location map to a scale of 1:2500 clearly identifying the location
- (c) Site Layout plan to the scale of 1:500 indicating exact location of proposed development
- (d) Detailed specification of development proposed



Roscommon County Council Áras an Chontae Roscommon F42 VR98



13 May 2025

Re: Vantage Towers Ltd Re: Exemption Clarification Query; to replace an existing telecommunications structure for a new telecommunications structure at Crannagh Beg (Td), Athlone, Co. Roscommon.

A Chara,

On behalf of Vantage Towers Ltd, we request clarification regarding replacement of an existing telecommunication structure at Crannagh Beg (Td), Athlone.

This referral seeks the local authority's declaration on whether the proposed telecommunications works is or is not an exempted development within the meaning of the Act.

In this regard we specifically seek clarification in respect of exempted development in accordance with the conditions outlined in Schedule 2 Part 1 Class 31 (j) of the Exempted Development Planning & Development Regulations (as amended).

The Proposed Works

The existing telecommunication support structure is located southwest of Athlone, east of the R446 within farmlands about 480 metres from the nearest road, L2027.

The proposal is to replace an existing 18m lattice tower with an 18m lattice tower. Please see plans attached to Appendix 1.

We consider that the replacement structure and associated equipment comply with Class 31 (j) regulations, i.e;

- The existing compound will not change.
- The replacement tower is within the required 20 metres from the existing,
- The tower heights remain at 18 metres.
- The base width of the replacement tower will be no more than twice the width of the existing structure.
- No cabin / cabinet changes will be made.
- The work will be undertaken within the existing compound and access will not be changed.
- The existing six antennas and three dishes will be replaced with same to the new tower. The largest antennas are 2.4m long and the dishes have a diameter of 0.3m.

HEAD OFFICE: HQ, 27 Market Street, Listowel, Co. Kerry, V31 Y436

T: 068 57463 E: info@chtc.le www.chtc.ie





The existing lower antennas will be moved higher up the mast by about 3.1m in comparison to meir existing location. The mast is therefore being replaced for greater stability.

Planning History

The existing telecommunication mast has the following planning history:

Eircell 2000 PLC; PD/01/818 - Planning permission granted to 'Erect 20 meter (18 meters & 2 meter antennae attachment support) telecommunications support struct. inc. 3 no. panel antennae and 2 no. 0.6 meter diameter microwave dish antennae, associated containerised equipment shelter, access road & assoc. dev. works.'

Vodafone Ireland Ltd. PD/08/116 Incomplete Application.

Vodafone Ireland Ltd. PD/08/603 - Planning permission granted for 'Retention Permission for an existing development (previously ref. PD01/818) consisting of an existing 18metre high telecommunications support structure, antennas, equipment container and associated equipment within a fenced compound and access track.'

Vodafone Ireland Ltd. 15/409 - Planning permission granted for 'Retention Permission for existing 18m telecommunications structure, carrying associated antennae and link dishes, associated equipment Cabins, all within existing secure compound.'

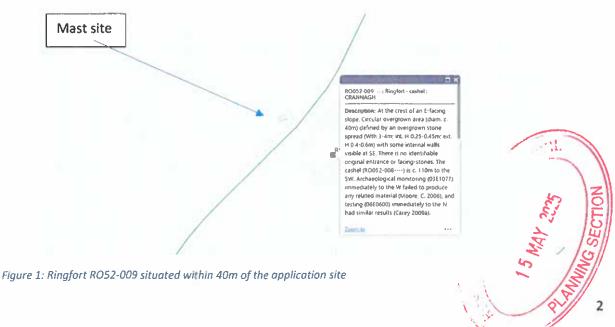
Roscommon County Development Plan 2024 to 2030

We have studied the Development plan and note the location does not impact any of the following;

- Scenic Views
- Architectural Conservation Area (ACA) or NIAH listed Properties

Record of Monuments

The site is situated within 40 metres of RO52-009, a ringfort. It is considered that there will be no impact due to the proposal.



La scape Characterisation

Under the Landscape Characterisation Map the location falls within Roscommon Landscape Character Area known as Lower Lough Ree and Athlone Environs. Referred to as Lower Lough Ree and Athlone Environs and is classified as Very High Value.

The planning report from the last application, reference 15/409 stated;

Under Environmental Impact Assessment And Appropriate Assessment.

Having regard to the nature of the development which is long established it is considered that the development on this site will not give rise to a significant environmental impact. No further assessment is deemed necessary.

And Under Planning Assessment.

The works proposed For retention are in place such the scale of the impact of these works can be determined. From a visual perspective the infrastructure in place has a relatively insignificant visual impact despite its elevated sighting in a rural setting.

Facilitating the continuation of the communication antenna and associated equipment associated with this facility is deemed appropriate.

Attached to Appendix 1 is set of drawings detailing the proposed replacement installation works. As a result of the works it is submitted the overall visual impact will be unchanged.

Conclusion

It is the opinion of this office that the proposal does fall within the exempted rules for development, however for the avoidance of any doubt we seek Council's clarification.

If you have any further queries in relation to the matter, please contact us at your earliest convenience.

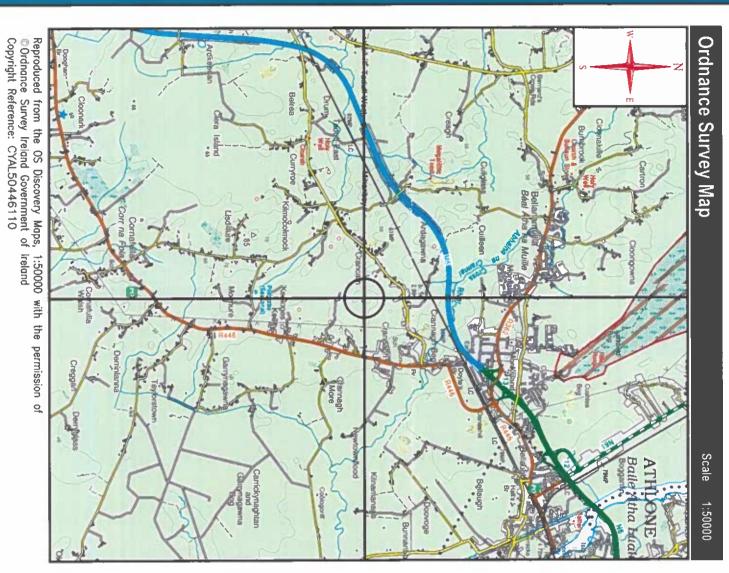
We look forward to receipt of the local authority's determination on this referral.

Yours faithfully,

Michael Foody Charterhouse

Agent for Vantage Towers

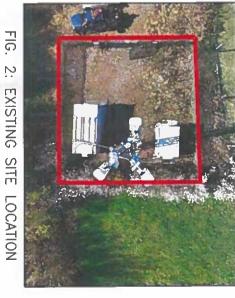
Appendix 1; Set of drawings detailing the proposed replacement installation works



Proposed South-East Elevation	RN054 - 001 - 06
Existing South-East Elevation	RN054 - 001 - 05
Proposed Site Layout Plan	RN054 - 001 - 04
Existing Site Layout Plan	RN054 - 001 - 03
Overall site Layout	RN054 - 001 - 02
O.S. Location Map and Photographs	RN054 - 001 - 01
Drawing No. Drawing Title	Drawing No.

Site Photographs





2 EXISTING SITE LOCATION



l onciduda	Lotitude	GPS Site Coor	Morth	East	Hish Grid Site (
RC0800 7.	53.404806	cordingles	239381	200180	continutes	4
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ingether, we accelerate a sustainably connected Europi

Do not scale.
 All dimensions are in mm otherwise specified.

Assume all site details are existing unless otherwise specified.

Height: 18m Cobin/Cobinet Details
Type: VANTAGE CABIN LATTICE TOWER As Shown

RN054

Survey data 09/04/25

A

PROPOSED VANTAGE TOWERS SITE AT CRANNAGH BEG, DRUM ATHLONE, Co. RASCOMMON.

NOT FOR CONSTRUCTION

O.S. Location Map & Photos

SECTION 5 DRAWING

Date 24/04/25

Date 24/04/25

24/04/25 DG P

Drawing No. RN054 / S5 / 01

SBS

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THE OWNERSHIP AND COPYRIGHT OF THIS DRAWING REMAINS WITH VANTAGE TOWERS AT ALL TIMES. THE DRAWING MAY NOT BE CODIED DUTY IN THE DRASSED TO THIRD PARTIES WITHOUT THE WRITTEN PERMISSION OF VANTAGE TOWERS.

Site Code: RN054

Site Name: CRANNAGH BEG

