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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Meath County Council**

**Planning Register Reference Number: NA/190020**

**Appeal** by ESB Telecoms Limited of 43 Merrion Square East, Dublin against the decision made on the 6<sup>th</sup> day of December, 2019 by Meath County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Permission to replace existing 12.4 metres high telecoms structure with 21 metres high lattice communication structure, carrying communication dishes and antennae within an existing 2.4 metres high fenced compound, all at Academy Street, Limekilnhill, Navan, County Meath.

**Decision**

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to AMEND condition number 5 so that it shall be as follows for the reason set out.

5. A detailed design of the proposed antenna, including the total number, size and type, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In order to clarify the nature of the development.

## **Reasons and Considerations**

Having regard to the provisions of the National Planning Framework, the Meath County Development Plan 2013 - 2019, the “Telecommunications Antennae and Support Structures Guidelines for Planning Authorities” issued by the Department of the Environment and Local Government in 1996 and associated Circular Letter PL 07/12, and Class 31(h) of the Planning and Development Regulations, 2001 (as amended), it is considered that (i) condition number 5 of the planning authority’s grant of permission is unnecessarily restrictive and should be replaced, and (ii) subject to compliance with the revised condition that clarifies the nature of the development, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

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**Paul Hyde**

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2020.**