

An
Coimisiún
Pleanála

Commission Order
ABP-322723-25

Planning and Development Act 2000, as amended

Planning Authority: Meath County Council

Planning Register Reference Number: 2560355

APPEAL by Vantage Towers Limited care of Charterhouse Infrastructure Consultants of 27 Market Street, County Kerry against the decision made on the 29th day of May 2025, by Meath County Council, to refuse permission for the proposed development.

Proposed Development: Erection of a 24-metre lattice telecommunications support structure on a 1.2-metre high raised foundation (providing an overall height of 25.2 metres) together with associated antennas and dishes and to remove the existing 15 metres lattice telecommunications structure with antennas (providing an overall height of 17.05 metres). The proposed development is all enclosed within the existing Rath water reservoir fenced compound at Rath Water Reservoir, Rath, Ashbourne, County Meath.

Decision

GRANT permission for the above proposed development with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the totality of the file, the Commission agreed with the Inspectors assessment regarding the principle of the development, including compliance with the Meath County Development Plan 2021-2027 policies, with respect to the location and siting of Telecommunication structures. The planning authority refused the development on the basis of prematurity pending the determination of the road layout that is provided for in the Meath County Development Plan 2021- 2027, MOV OBJ 38, delivery of upgrades to the N2, the Inspector recommended a similar reason for refusal. The Inspector considered Circular Letter PL07/12 applies and, therefore, does not consider it appropriate to grant a temporary permission.

The first party appeal submission acknowledges the proposed upgrade to the N2, though makes the case that this work is unlikely to impact the site of the proposed mast; notwithstanding this the appellant requests consideration be given to a temporary permission for five or seven years so as not to prejudice any potential realignment of the road. The Commission considered the Development Management Guidelines for Planning Authority provides specific guidance with regards to the use of temporary permissions, and the appropriateness of time limited permissions in circumstances such as those in this case, this rather than circular letter PL07/12 is therefore the relevant guidance.

The Commission concurred with the Inspector that the site is suitable for the proposed development and that, on the basis of policy objective MOV OBJ38, it would be premature to grant permission for a permanent structure but considered a temporary permission would not prejudice the future design of the road and, therefore, did not agree with the Inspectors recommendation to refuse permission.

The Commission considered that the proposed development is a project for the purposes of the Environmental Impact Assessment Directive. However, the Commission concluded that the proposed development does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 to the Planning and Development Regulations 2001, as amended, and, therefore, no preliminary examination, screening for Environmental Impact Assessment, or Environmental Impact Assessment is required.

Conditions

1. The development shall be carried out in accordance with the plans and particulars submitted with the planning application except as may be otherwise required by the following conditions.

Reason: To clarify the plans and particulars for which permission is granted.

2. This permission is for a period of five years from the date of this Order. At the end of that period the structures permitted shall be removed unless permission has been granted for the retention of the structures.

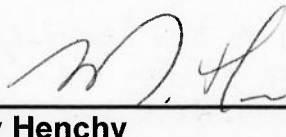
Reason: A temporary permission is so as not to prejudice the future road improvement design and delivery as provided for by MOV OBJ 38 of the Meath County Development Plan.

3. A low intensity fixed red obstacle light shall be fitted as close to the top of the mast as practicable and shall be visible from all angles in azimuth. Details of this light, its location and period of operation shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of public safety

4. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Mary Henchy

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this *13th* day of *October* 2025.