



An  
Bord  
Pleanála

## Inspector's Report ABP-311743-21

---

<b>Development</b>	To construct a 39m lattice mobile and broadband tower with headframe carrying telecommunications equipment together with associated equipment and cabinets enclosed within a 2.4m palisade fence compound.
<b>Location</b>	Gortakeeghan, Monaghan, Co. Monaghan
<b>Planning Authority</b>	Monaghan County Council
<b>Planning Authority Reg. Ref.</b>	21/152
<b>Applicant(s)</b>	Cignal Infrastructure Ltd
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refusal
<b>Type of Appeal</b>	First Party -v- Decision
<b>Appellant(s)</b>	Cignal Infrastructure Ltd

**Observer(s)**

Hughie Crumish  
O'Rourke Family  
Cllr. Seamus Treanor

**Date of Site Inspection**

27<sup>th</sup> January 2022

**Inspector**

Hugh D. Morrison

# Contents

1.0 Site Location and Description .....	4
2.0 Proposed Development .....	4
3.0 Planning Authority Decision .....	5
3.1. Decision .....	5
3.2. Planning Authority Reports .....	6
4.0 Planning History.....	6
5.0 Policy and Context.....	7
5.1. Development Plan.....	7
5.2. National Planning Guidelines .....	8
5.3. Natural Heritage Designations .....	8
5.4. EIA Screening .....	8
6.0 The Appeal .....	8
6.1. Grounds of Appeal .....	8
6.2. Planning Authority Response .....	10
6.3. Observations .....	10
6.4. Further Responses.....	12
7.0 Assessment.....	12
8.0 Recommendation.....	20
9.0 Reasons and Considerations.....	20

## **1.0 Site Location and Description**

- 1.1. The site is located in the townland of Gortakeeghan, which lies in the south-western outskirts of Monaghan Town. This site is situated within Rossmore Forest Park in a position near to the northern boundary of the Forest Park and beside an Irish Water compound within which there are three water towers. It lies within a mature mixed deciduous and coniferous woodland plantation.
- 1.2. The topography of Rossmore Forest Park undulates. Public footpaths/cycleways in the vicinity of the site dip upwards and downwards in their approach to the site from the east and the south. These public footpaths/cycleways form part of the Lake Walk and the Ulster Canal Cycle Trail (Cycleway 91). Vehicular access is available from the east/north-east off the end of a cul-de-sac in the townland of Killyconigan via a stretch of public footpath/cycleway. Vehicular access to Irish Water's compound is available from the west off the R189 via a road through a halting site.
- 1.3. The site itself is amorphous and it extends over an area of 0.82 hectares. This site is relatively level, and it presently comprises several mature trees.

## **2.0 Proposed Development**

- 2.1. The proposal would entail the erection of a 39m high multi-user lattice tower with a delta headframe, which would carry telecommunications equipment. Three operators would be accommodated, including, from the outset, Eir. Each operator would have 1 of 3 antennae mounted on each of the three faces of the headframe. Each operator would have 2 dishes mounted on the tower beneath the headframe and a further 4 antennae and 2 dishes would be mounted on the tower beneath these dishes for future broadband operators.
- 2.2. The proposal would also entail the construction of a fenced and gated compound within which operators' cabinets would be sited. An c. 23m long track would be formed to link this compound to the adjacent existing means of access to the site.

## 3.0 Planning Authority Decision

### 3.1. Decision

Following the receipt of further information, the application was refused for the following reasons:

1. *The site is located within Rossmore Forrest Park, which is a designated secondary amenity area as per Section 6.11.2 of the County Development Plan 2019 – 2025.*

*Policy SAP 1 of the County Development Plan 2019 – 2025 seeks to limit development in such areas and to only permit compatible amenity developments where they do not unduly impact visual amenity.*

*The Telecommunications Antennae and Support Structures Guidelines note that whatever the general visual context, great care should be taken when dealing with an amenity area such as Rossmore Forest Park.*

*It is the consideration of the Planning Authority that the proposed tower would unduly impact on the forest park's visual amenity. Rossmore Forest Park is a sensitive receptor owing to its landscape designation and unique historic character; the development would permanently alter views-out from the terraced lawns, at the heart of the park, surrounding the removed historic house. The development would also impact on the walking trail directly passing to the south.*

*Accordingly, the development would, if permitted as proposed, materially conflict with Policy SAP 1 of the County Development Plan 2019 – 2025 and be contrary to the proper planning and sustainable development of the area.*

2. *Policy RDP 24 of the Monaghan County Development Plan 2019 – 2025 states that development which has the potential to detrimentally impact on the residential amenity of properties on the vicinity shall be resisted.*

*As per the information submitted, or lack thereof, it is unconfirmed whether or not the development will unduly overshadow and/or overbear upon the halting site 200m to the west.*

*Accordingly, to permit the development as proposed would be contrary to the Monaghan County Development Plan 2019 – 2025 and the proper planning and sustainable development of the area.*

## 3.2. Planning Authority Reports

### 3.2.1. Planning Reports

Further information was requested concerning the following items:

- The submitted visual impact assessment does not refer to the status of Rossmore Forest Park, as a secondary amenity area, although it does state that the proposal would be “relatively prominent in its immediate vicinity”. Compliance with Policy SAP 1 of the CDP, which requires that compatible amenity development will not unduly impact upon the Park’s visual amenity, is necessary.
- Policy RDP 24 of the CDP requires that development, which would be detrimental to residential amenity, be resisted. The applicant should therefore demonstrate that its proposal would not unduly overshadow or be overbearing with respect to residential areas in the vicinity of the site.
- The applicant was invited to respond to objections raised by local residents.

### 3.2.2. Other Technical Reports

- IAA: Advises that there is no need to attach obstacle lighting to the mast.
- Monaghan County Council:
  - Area Engineer: Further information requested with respect to visibility splays, including any attendant legal agreements that may need to be entered into, and surface water drainage arrangements.
  - Environment: No objection, subject to conditions.

## 4.0 Planning History

None

## 5.0 Policy and Context

### 5.1. Development Plan

Under the Monaghan County Development Plan 2019 – 2025 (CDP), the site is shown as lying outside the settlement envelope of Monaghan Town and in Rossmore Park and Environs, which under Table 6.6, is listed as being an area of secondary amenity. Policy SAP 1 undertakes to limit development in this area and to “only permit compatible amenity developments where they do not unduly impact upon visual amenity.”

In the CDP’s Development Management Chapter, the following policies for telecommunications are set out:

***TCOP 1:*** *To facilitate the orderly development of telecommunications in accordance with the requirements of the ‘Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities’ (1996) and Circular PL 07/12 or any subsequent national guidelines in this regard.*

***TCOP 2:*** *To promote best practice in siting and design for all telecommunications structures to ensure the visual amenity and the landscape character of the area is protected as far as is possible. Where possible they should be located so as to benefit from the screening afforded by existing tree belts, topography or buildings. On more obtrusive sites the Council may require alternative designs of mast to be employed, unless where its use is prohibited by reasonable technical reasons.*

***TCOP 3:*** *To resist the location of antennae or other support structure in sensitive landscapes, areas of primary or secondary amenity, special protection areas, special areas of conservation, architectural conservation areas or on or near protected structures.*

***TCOP 4:*** *To require co-location of antennae support structures and sites where feasible unless it demonstrated to the satisfaction of the Planning Authority that the co-location is not feasible.*

The CDP’s Development Management Chapter also addresses residential amenity under the following policy:

*Development which has the potential to detrimentally impact on the residential amenity of properties in the vicinity of the development, by reason of overshadowing, overbearing, dominance, emissions or general disturbance shall be resisted.*

## 5.2. **National Planning Guidelines**

Telecommunications Antennae and Support Structures & Departmental Circular Letter PL07/12

## 5.3. **Natural Heritage Designations**

Slieve Beagh SPA (004167)

## 5.4. **EIA Screening**

The proposal is for a telecommunications structure comprising a lattice tower with antennae and dishes. As such, it does not come within the scope of any of the classes of development that are potentially the subject of EIA.

## 6.0 **The Appeal**

### 6.1. **Grounds of Appeal**

The applicant begins by describing the site and its location, the proposal, access, prospective users, the technical justification for the site selected, and the specifications of the proposal.

The applicant re-presents its visual impact assessment of the proposal, which is based on a zone of visual influence within a 2m radius of the site and which involves an analysis of 16 viewpoints. The significance of the resulting impact would range between imperceptible, slight, and moderate with the highest impact arising within the immediate vicinity of the site. In conclusion, the applicant states that “given the nature of telecommunications coverage in the area, which is currently well below expected and required modern day standards, the proposed deployment is considered to be in a location whereby equipment can be deployed without seriously injuring the visual amenity or character of the area.”

The applicant responds to each of the reasons for refusal as follows:



## **First reason**

- The applicant draws attention to a landscape character and visual impact assessment, which was submitted under further information and which examines the impact of the proposal upon the landscape and visual amenities of, amongst other places, Rossmore Forest Park, a secondary amenity area. An extract from this assessment is quoted, which refers to the moderate impact upon the intermittent visibility of the proposal from walking trails at close range (View 15(b)) and the moderate-to-significant impact upon View 20(a) from formally laid out terraces forward of the historic site of Rossmore Castle.
- The applicant also draws attention to Viewpoints 2 & 4 of the original visual impact assessment, which illustrate the absence of visibility from these vantage points on walking trails to the east and a public car park to the south of the site.
- Taken together the applicant considers that the submitted visual impact assessments illustrate that the proposal would be consistent with Policy SAP 1 of the CDP, as it would be screened and, where visible, viewed in conjunction with existing water towers. It would also be consistent with the siting advice of the Telecommunications Antennae and Support Structure Guidelines.

## **Second reason**

- The applicant draws attention to a landscape character and visual impact assessment, which was submitted under further information and which examines the impact of the proposal upon nearby residential areas. An extract from this assessment pertaining to Killyconigan to the north-east of the site is quoted: Landscape and visual impacts would be slight to moderate.
- The applicant also draws attention to Viewpoints 10, 11 & 13 of the original visual impact assessment, which illustrate how a combination of topography, vegetation, and buildings would serve to either conceal or limit the visibility of the proposal from Killyconigan. Furthermore, Viewpoints 3 & 17 from the entrance to the Halting Site and from within this Site are discussed. Within the first of these views, the upper portion of the proposal would be evident above

the treeline, but within the context of visual clutter e.g. ESB poles. Within the second of these views, the upper portion of the proposal would be evident above the treeline, but within the context of the existing water towers and visual clutter e.g. streetlights.

- Taken together the applicant considers that the submitted visual impact assessments illustrate that the proposal would be consistent with Policy RDP 24 of the CDP, as it would be largely screened from residential areas and, where visible, viewed in conjunction with woodlands and existing water towers. From the Halting Site it would be visible, but, given its context of visual clutter, it would not be overly incongruous.

## 6.2. Planning Authority Response

None

## 6.3. Observations

### (a) Hughie Crumish of 10 Gortakeeghan Halting Site

The residents of the Gortakeeghan Halting Site support the Planning Authority's refusal of the proposal. They have resided here for a number of years and these residents appreciate the site's setting and security.

- The height, bulkhead, and proximity to the Halting Site of the proposal would combine to cause it to be overbearing and a source of stress and anxiety to residents, as the fear exists that emissions would add to existing underlying health issues that Irish travellers have with stress and anxiety.
- Monaghan County Council, as landlord, would be accountable for the well-being of local residents should the proposal proceed.
- Attention is drawn to a new archaeological find in the vicinity of the site, which may be of importance.

The observation is accompanied by the following documents:

- An article from the Farmers Weekly entitled "How to manage radiation exclusion zones from phone masts",

- An article from the ALA Bulletin entitled “Mast liabilities – don’t be ignorant”,
- Plans from S4GI and other plans and documents concerning masts and exclusion zones,
- An article from the Journal of Cellular and Molecular Medicine entitled “Electromagnetic fields act via activation of voltage-gated calcium channels to produce beneficial or adverse effects”,
- An article from the Journal of Chemical Neuroanatomy entitled “Microwave frequency electromagnetic fields (EMFs) produce widespread neuropsychiatric effects including depression”,
- An article from Nature entitled “Genomic insights into the population structure and history of the Irish Travellers”,
- A submission by the Citizens Information Board to the National Traveller and Roma Inclusion Strategy,
- Copies of correspondence relating to electro-sensitivity,
- A photograph of the Halting Site and the application site,
- A copy of the National Traveller and Roma Inclusion Strategy 2017 – 2021, and
- An email from the Council’s Heritage Officer concerning archaeology in the vicinity of the site.

**(b) O’Rourke Family** of Gortakeeghan

The observer supports the Planning Authority’s refusal of the proposal. It has submitted the following documents:

- An article from Nature entitled “Exposure of insects to radio-frequency electromagnetic fields from 2 to 120 GHz”,
- An email from the Council’s Heritage Officer concerning archaeology in the vicinity of the site and related correspondence, photographs, and site plan.
- An article from Bioinformation entitled “Colony collapse disorder in honeybees caused by EMF radiation”,

- An article from Nature entitled “Genomic insights into the population structure and history of the Irish Travellers”,
- A copy of the Safety, Health and Welfare at Work (Electromagnetic Fields) Regulations 2016,
- Photographs of cell tower fires and collapses,
- An article from the Farmers Weekly entitled “How to manage radiation exclusion zones from phone masts”,
- An article from the ALA Bulletin entitled “Mast liabilities – don’t be ignorant”,
- Plans from S4GI and other plans and documents concerning masts and exclusion zones, and
- An article from Electro-sensitivity UK entitled “Adverse health effects of mobile masts and planning policy”.

**(c) Cllr. Seamus Treanor**

As the chairperson of the Traveller Group, he draws attention to the proximity of the Halting Site to the application site and the fact that considerable investment has gone into the provision of this Site. He also draws attention to the extensive area of Coilte lands to the south of the site and away from any residences and he states that a site for the proposal should be found within this area.

**6.4. Further Responses**

None

**7.0 Assessment**

7.1. I have reviewed the proposal in the light of the National Development Plan 2018 – 2027 (NDP), the National Planning Framework 2020 – 2040 (NPF), Telecommunications Antennae and Support Structures Guidelines as revised by Circular Letter PL 07/12, the Monaghan County Development Plan 2014 – 2020 (CDP), the submissions of the parties, and my own site visit. Accordingly, I consider that this application/appeal should be assessed under the following headings:

- (i) Policy, need, and site selection,

- (ii) Landscape and visual impacts,
- (iii) Archaeology,
- (iv) Public health,
- (v) Residential amenity,
- (vi) Traffic, access, and parking,
- (vii) Water, and
- (viii) Appropriate Assessment.

**(i) Policy, need, and site selection**

- 7.2. The NDP states, as a fundamental underlying objective, the need to prioritise the provision of high-speed broadband. Likewise, Objective 48 of the NPF undertakes to “develop a stable, innovative and secure digital communications and services infrastructure on an all-island basis.” Objective TCO 1 of the CDP seeks “To facilitate the development of a high quality and sustainable telecommunications network for County Monaghan to support economic growth, improve quality of life and enhance social inclusion.” Accompanying Policies TCP 1 – 3 echo these themes, while the third one also refers to the need to “achieve a balance between facilitating the provision of telecommunications infrastructure in the interests of economic and social progress and maintaining residential amenity and environmental quality.”
- 7.3. The applicant has submitted a Technical Justification for the proposal. Figure 2 of this Justification shows the limited coverage that is presently available in Rossmore Forest Park and neighbouring areas to the north and to the west along the routes of the N54 and R189, respectively. Figure 3 shows the improved coverage within Rossmore Forest Park and these areas, which would result from the proposal.
- 7.4. The Technical Justification also addresses 7 existing telecommunications sites, which lie between 0.8km and 6km away from the site. These sites are discussed from a co-location perspective, but in each case they would be too far away from the target area to achieve the improve coverage sought. In some cases they would lack a line of sight, too. By contrast, the selected site would be capable of achieving this coverage on the basis of the proposed 39m high mast. This height is needed both to clear the treeline and to provide the 3 operators with the opportunity to space out their equipment to avoid the risk of operational interference.

7.5. I conclude that the proposal would accord with national and local policies that acknowledge the importance of telecommunications services. I conclude, too, that the applicant has demonstrated the need for the proposal and the absence of any opportunity to co-locate. A new tower is therefore required.

**(ii) Landscape and visual impacts**

7.6. Section 4.3 of the Telecommunications Antennae and Support Structures Guidelines advises on visual impact. It states that “Whatever the general visual context, great care will have to be taken when dealing with fragile or sensitive landscapes, with other areas designated or scheduled under planning and other legislation, for example, Special Amenity Areas...”

7.7. Under Figure 6.1 of the CDP, the site lies within the Landscape Character Type 3 known as Drumlin Foothills. Under Table 6.6 of the CDP, Rossmore Park and Environs is identified as an Area of Secondary Amenity within which Policy SAP 1 is applicable: “To limit development in Areas of Secondary Amenity Value and to only permit compatible amenity developments where they do not unduly impact upon amenity.”

7.8. Under further information, the applicant supplemented the originally submitted Visual Impact Appraisal with a Landscape Character and Visual Impact Assessment of the site and the proposal. This Assessment identifies the Zone of Visibility as being between 1.5 and 2km around the site and it identifies within this Zone 8 visual receptor areas and 30 public views (cf. Figure 3.40). Table 7.1 summarises the predicted landscape character and visual effects, *after* the following mitigation measures have occurred:

- The management of tree felling around the site to ensure the maintenance of screening,
- The minimisation of tree felling to facilitate the proposal,
- The colour of fencing, and
- The planting of hedging around the fencing.

7.9. Table 7.1 addresses landscape and visual significance. With respect to the former, receptor area 5, Rossmore Forest Park, registers “slight to significant”, and, with respect to the latter, receptor areas 3, residential areas west and north-east, and 5,

variously register “slight to moderate”. Details of these significances are summarised below:

- Firstly, receptor area 3 and view 12: Moderate levels of visual impact are anticipated for residents of the halting site, as sensitive receptors, to the west of the site. Some variation in these levels would occur depending on proximity to the application site.
- Secondly, reception area 5 and view 15(b): Moderate levels of landscape and visual impact are anticipated for recreational users, as sensitive receptors, on approach to the site from the east along the public footpath/cycleway (and I would add, based on my site visit, from the south along the public footpath/cycleway, too). The presence of the water towers, as existing industrial elements, would enable the proposal to be absorbed somewhat, thereby holding the impact levels at moderate.
- Thirdly, reception area 5 and view 20(a): Moderate to significant levels of landscape impact and moderate levels of visual impact are anticipated for recreational users, as sensitive receptors, of the formally laid out terraced lawns to the north of the site of the former Rossmore Castle. The following commentary is provided:

*The historic designed landscape on approach to the former county house (Rossmore Castle) would be affected by the proposed development as it would come into view at stages along the terraces. The most affected being around View 20a which would enable direct views of the upper section of the proposed tower beside the water tanks and above the plantation tree line and intervening woodlands. This would be considered moderate-to-significant owing to the sensitive nature of the landscape and visual receptor and the amount of tower visible against the sky backdrop. Of these, the landscape character is most affected being a unique historic designed landscape relatively well preserved which will experience permanent change. The impact on visual receptors is less as change occurs for part of the trail for these users.*

7.10. My site visit took place on a Thursday lunchtime during fine weather. I observed that the Park was well-used with considerable numbers of people in attendance. I observed, too, that the main car park (cf. Figure 3.5) is just to the north of the terraced lawns and that these lawns and the site of the former Rossmore Castle form

an elevated centrepiece to the Forest Park. Views from these lawns extend northwards to encompass the woodlands in the northern portion of the Forest Park and, through a gap in these woodlands, hills further to the north. This gap aligns with the centrally placed steps, which serve the terraced lawns. On its eastern side lie the existing water towers, the tops of which are visible through the highest trees in their vicinity, c. 1.1km away.

- 7.11. The proposed tower would be sited to the east of the water towers. While the submitted elevation plans do not depict these towers, they do state that existing trees in their vicinity range in height between 23m and 27m (cf. drawing no. CIG-01760-107 PA). The higher of these trees exceed the height of the towers and so the proposed tower, at 39m, would be significantly higher than these towers. For operational reasons, trees would not be allowed to screen the telecommunications equipment mounted on the proposed tower and so its uppermost portion would rise above the existing skyline to be conspicuous. I consider that it would thus be a permanent, intrusive, man-made, focal point in an otherwise almost entirely natural series of views from the terraced lawns. As such, it would inevitably draw the eye. Ensuing landscape and visual impacts would be significant.
- 7.12. The Planning Authority's first reason for refusal cites Policy SAP 1 of the CDP to the effect that it would be materially contravened by the proposal. The applicant's response does not deny its own assessment of view 20(b) but seeks to set it within the context of the limited overall level of landscape and visual impact registered therein.
- 7.13. I consider that the landscape and visual impacts of the proposal on arguably the most important medium-to-long range views within Rossmore Forest Park would be such that the amenity value of the Forest Park, which is formally recognised as being a secondary amenity area, would be harmed.
- 7.14. The Planning Authority's first reason for refusal cites the advice of Section 4.3 of the Telecommunications Antennae and Support Structures Guidelines concerning the need for great care in assessing the visual amenity of proposals in Special Amenity Areas. It also refers to Policy SAP 1, which seeks to limit development in secondary amenity areas. This Policy envisages only permitting compatible amenity developments "where they do not unduly impact on visual amenity." The proposal is



not for an “amenity development” and so arguably greater weight again should be given to the impact upon visual amenity of a non-amenity development, indeed, Policy TCOP 3 of the CDP undertakes to resist telecommunications developments in areas of secondary amenity.

7.15. I conclude that the proposal would have significant landscape and visual impacts upon Rossmore Forest Park, a secondary amenity area, and, so under Policies SAP 1 and TCOP 3 of the CDP, it would be unacceptable.

### **(iii) Archaeology**

7.16. The observers draw attention to archaeology within the vicinity of the site, which the County Heritage Officer has commented upon (cf. email dated 28<sup>th</sup> May 2021 to Observer (b)). The feature identified is a drystone wall, which is overgrown with vegetation. The Heritage Officer states that this wall is a field boundary, which is marked on old ordnance survey maps, and it appears to adjoin/align with a bank and ditch. These features lie between two archaeological monuments, i.e. to the east, the remains of a Megalithic Tomb (MO 009-063) and, to the west, a ringfort (MO 009-064). The Heritage Officer expresses the view that “Due to the height and width of the ditch and bank feature, it would be my inclination that the Archaeological Survey of Ireland could be notified of the possibility of re-describing the extent of the ringfort.”

7.17. During my site visit, I observed the bank and ditch feature. The applicant’s site location plan (drawing no. CIG-01760-104 PA) shows this feature and the drystone wall feature as lying, variously, to the north-west and the west south-west of the site. *Prima facie* the proposal would not affect these features. Nevertheless, I consider that it would be prudent for them to be the subject of an archaeological impact assessment, which should also comment upon any measures that may be appropriate to ensure their protection.

7.18. I conclude that features within the vicinity of the site, which have been identified as being of potential archaeological interest, should be the subject of an archaeological impact assessment.

#### **(iv) Public health**

- 7.19. I note that the observers have expressed their concerns over possible public health risks posed by the proposal. I note, too, that they have submitted a collection of documents that outlines such concerns from elsewhere.
- 7.20. Under Circular Letter PL 07/12, questions of public health posed by masts are deemed not to be material planning considerations. Instead, they are addressed by the Communications Regulator in Ireland, who is charged with upholding emission limits as defined by the International Commission on Non-Ionising Radiation Protection (ICNIRP).
- 7.21. Under further information, the applicant interacted with the observers' public health concerns and it submitted a statement of its compliance with ICNIRP emission limits.
- 7.22. I conclude that any implications that the proposal may have for public health are for the Communications Regulator in Ireland to address.

#### **(v) Residential amenity**

- 7.23. The site is located in a position close to the northern boundary of Rossmore Forest Park. To the north-east, through woodlands, the nearest dwelling house in the townland of Killyconigan lies 320m away. To the west north-west, beyond the adjacent water towers and farmland, the nearest dwelling house in a row of dwelling houses along the R189 lies 280m away. To the west south-west, along the access road to the Irish Water compound, the nearest dwelling house on Gortakeeghan Halting Site is 177m away. (This road rises at a gentle gradient towards the compound).
- 7.24. The Planning Authority's second reason for refusal refers to Policy RDP 24 of the CDP, which addresses the need for development to have regard to its potential impact upon residential amenity. This reason states that it is "unconfirmed" whether or not the proposal would unduly overshadow and be overbearing upon the Halting Site.
- 7.25. The applicant has responded to this reason for refusal by drawing attention to Viewpoints 3 & 17 of its originally submitted Visual Impact Appraisal. Within the first of these Viewpoints, only the upper portion of the proposed tower would be visible within and besides trees. Within the second of these Viewpoints, a greater portion of

the proposed tower would be visible, but within the context of visual clutter in the foreground.

7.26. I have discussed the visual impact of the proposal under the second heading of my assessment. With respect to residential amenity, the Planning Authority identifies the issues of overshadowing and overbearance. I consider that, insofar as the proposed tower would be visible from dwelling houses in the surrounding area, such visibility, and any attendant overshadowing and overbearance, would be mediated by the intervening separation distances. I, therefore, consider that residential amenity would not be unduly affected by the proposal.

7.27. I conclude that the proposal would be compatible with the residential amenities of the area.

#### **(vi) Traffic, access, and parking**

7.28. The proposal would generate traffic during its construction and operational phases. The construction phase would extend over a period of 2 – 4 weeks. The applicant proposes that a Temporary Traffic Management Plan (TTMP) should run throughout this period. The operational phase would entail a maintenance crew visiting the site between 2 – 8 times per year.

7.29. Under the proposal, the existing means of access used by forestry plant and machinery would be used. This means of access is from the east/north-east along the public footpath/cycleway, which extends to the end of a cul-de-sac in Killyconigan. A new access track from the public footpath/cycleway to the proposed compound would be constructed. This track would incorporate a turning area beside the compound and its length would provide the opportunity for parking during the operational phase of the proposal.

7.30. I conclude that, subject to a satisfactory TTMP, the proposal would raise no traffic, access, or parking issues.

#### **(vii) Water**

7.31. Under the OPW's flood maps, the site is not the subject of any identified flood risk.

#### **(viii) Appropriate Assessment**

7.32. The site lies on the outskirts of Monaghan Town. It does not lie in or beside any European site. I am not aware of any source/pathway/receptor route between this

site and such sites in the wider area. Accordingly, under the proposal, no Appropriate Assessment issues would arise.

- 7.33. Having regard to the nature, scale, and location of the proposal, the nature of the receiving environment, and proximity to the nearest European site, it is concluded that no Appropriate Assessment issues arise as the proposal would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## 8.0 Recommendation

That permission be refused.

## 9.0 Reasons and Considerations

Having regard to:

- The Telecommunications Antennae and Support Structures Guidelines, which advise that the visual impact of telecommunications proposals in Special Amenity Areas needs to be the subject of great care, and
- The Monaghan County Development Plan 2019 – 2025, which identifies Rossmore Park and Environs as an area of secondary amenity value and which under Policies SAP 1 and TCOP 3 seeks to, variously, limit and resist telecommunications developments within such areas,

The proposal, which would be sited in Rossmore Park and Environs, would be a telecommunications development, which, due to its siting, height, and design, would be a permanent, intrusive, man-made structure on the skyline. Moderate-to-significant landscape and visual impacts upon Rossmore Park and Environs would ensue, whereby available views to recreational users would be harmed both from public trails in the vicinity of the site and, especially, from the historic, formally laid out, terraced lawns that form an elevated centrepiece to the Park. Consequently, the proposal would be seriously injurious to the visual amenities of this secondary amenity area, and it would contravene Policies SAP 1 and TCOP 3 of the Development Plan. Accordingly, it would be contrary to the proper planning and sustainable development of the area.

---

Hugh D. Morrison  
Planning Inspector

7<sup>th</sup> February 2022