



An  
Bord  
Pleanála

## Inspector's Report ABP313462-22

### Development

The erection of a 36-metre-high lattice telecommunications support structure together with antennae, dishes and associated telecommunications equipment, all enclosed in security fencing with an extension to an existing access track.

### Location

Bundelstown, Garlow Cross, Navan, Co. Meath.

### Planning Authority

Meath County Council.

### Planning Authority Reg. Ref.

22/184.

### Applicant(s)

Emerald Tower Limited.

### Type of Application

Permission.

### Planning Authority Decision

Refuse.

### Type of Appeal

First Party

### Appellant(s)

Emerald Tower Limited.

### Observer(s)

None

### Date of Site Inspection

16<sup>th</sup> May 2023.

### Inspector

Aisling Dineen.

## Contents

1.0 Site Location and Description .....	3
2.0 Proposed Development .....	3
3.0 Planning Authority Decision .....	3
3.1. Decision .....	3
3.2. Planning Authority Reports .....	6
4.0 Planning History.....	7
5.0 Policy and Context.....	7
5.1. Development Plan.....	7
5.2. Natural Heritage Designations .....	10
5.3. EIA Screening .....	10
6.0 The Appeal .....	11
6.1. Grounds of Appeal .....	11
6.2. Planning Authority Response .....	14
6.3. Observations .....	14
6.4. Further Responses.....	14
7.0 Assessment .....	14
8.0 Recommendation.....	19
9.0 Reasons and Considerations.....	20

## 1.0 Site Location and Description

- 1.1. The site is located in the townland of Blundelstown, which is positioned due south of Lismullan rural node. The M3 motorway runs in an east west direction just south of the site. The junction of the R 147 and the M3 is c 350 metres west of the site.
- 1.2. The area of the site is predominantly agricultural land with a number of established rural homesteads.
- 1.3. Access to the site is off the R147 just north of the M3, Junction 7 interchange. A private access lane extends along inside the hedgerow, which forms boundary with the M3, towards a residential dwelling. From the dwelling onwards moving east it is proposed to extend the lane way to provide access to the site.

## 2.0 Proposed Development

- 2.1. It is proposed to construct a 36-metre-high lattice telecommunications support structure with antennae along with ancillary ground equipment and this compound is to be enclosed with security fencing. It is also proposed to construct an extension to the existing access track.

## 3.0 Planning Authority Decision

### 3.1. Decision

The planning authority made a decision to refuse planning permission for three reasons on the 5<sup>th</sup> May 2022.

The reasons for refusal state the following:

1. It is an objective (HER OBJ 56) of the Meath County Development Plan 2021 – 2027, *“To preserve the views and prospects listed in Appendix 10, in Volume 2 and on Map 8.6 and to protect these views from inappropriate development which would interfere unduly with the character and visual amenity of the landscape”* and policy HER POL 52 *“To protect and enhance*

*the quality, character and distinctiveness of the landscapes of the County in accordance with national policy and guidelines and the recommendations of the Meath Landscape Character Assessment (2007) in Appendix 5, to ensure that new development meets high standards of siting and design” and HER OBJ 49; “To ensure that the management of development will have regard to the value of the landscape, its character, importance, sensitivity and capacity to absorb change as outlined in Appendix 5 Meath Landscape Character Assessment and its recommendations”.*

*The site is located within the ‘Tara Skyrne Hills’ Landscape Character Area (no.12) which is of Exceptional Value and of High Sensitivity and of National and International importance and where “This area has low potential capacity to accommodate overhead cables, substations and communication masts due to their visual prominence and high sensitivity of this LCA”.*

Having regard to the sensitive location of the proposed development by reason of its design, scale and prominent location and in the absence of a suitable Landscape and Visual Impact Assessment prepared by a suitably qualified professional in accordance with recommendations and methodologies set out in Guidelines for Landscape and Visual Impact Assessment, 2013, would be visually obtrusive and detrimental to the visual amenities of the area, most notably Protected View(s) No 43 (Hill of Tara carpark), No 44 (Hill of Tara – UNESCO World Heritage Site Tentative List), No 47 (Skyrne Church), No 48 (On M3 at Baronstown) of the Meath County Development Plan 2021-2027. It is considered it would be incapable of being satisfactorily assimilated into its surroundings and would injure the amenities of the area. It is therefore considered that the proposed development would interfere with the character and visual amenity of the Landscape Character Type, which it is necessary to preserve and would contravene the aforementioned policy objectives of the Meath Development Plan 2021-2027,

establish an undesirable future precedent and would be contrary to the proper planning and sustainable development of the area.

2. It is the policy (INF POL 59) of the Meath County Development Plan 2021-2027, *“To 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”*. Based on the information received, the planning authority is not satisfied that the proposed development, as presented, adheres to the said policy and therefore it is considered that the proposed development, as presented, is not in accordance with the proper planning and sustainable development of the area.
  
3. It is a policy (HER POL 2) of Meath County Council Development Plan 2021-2027, *“To protect all sites and features of archaeological interest discovered subsequent to the publication of the Record of Monuments and Places, in situ (or at a minimum preservation by record) having regard to the advice and recommendations of the National Monuments Service of the Department of Culture, Heritage and the Gaeltacht and The Framework and Principles for the Protection of Archaeological Heritage (1999)”* and policy HER POL 3, *“To require, as part of the development management process, archaeological impact assessments, geophysical survey, test excavations or monitoring as appropriate, for development in the vicinity of monuments or in areas of archaeological potential. Where there are upstanding remains, a visual impact assessment may be required”*.

It is considered on the basis of the information contained in the planning application, that an Archaeological Impact Assessment has not been carried out. It is considered, therefore, that the proposed development may have a

serious and adverse impact on the amenities of the area and on the archaeological heritage character of the area, the proposed development would be contrary to the aforementioned policy provisions of the Meath County Development Plan 2021 – 2027 and therefore be contrary to the proper planning and sustainable development of the area.

The Chief Executives decision reflects the planners report.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

The planners report cites national and local policy in relation to telecommunications infrastructure. The statement regarding 'Alternative Sites' is not backed up by documentary evidence, as per INF POL 59. The County Development Plan requires high quality design of masts in the interest of visual amenity and protection of sensitive landscapes. The proposed structure would be 36 metres high. The site is located in the 'Tara/Skryne Hills' Landscape Character Area (No 12) which is of Exceptional Value and of High Sensitivity. This report states that the area is of National and International importance. The Landscape Character Assessment states that, regarding telecommunications development, that the area has low potential capacity to accommodate communication masts *inter alia*. The site is located proximate to important views/prospects, namely, Hill of Tara Car Park (No. 43), Hill of Tara (No. 44), Skryne Church (No 47), On M3 at Baronstown (No 48). The applicant has not had regard to Protected Views and in association with the 'low potential capacity' in the Landscape Character Assessment. The proposal would not be satisfactorily assimilated into its surroundings and would injure the visual amenities of the area.

#### **3.2.2. Other Technical Reports**

##### Conservation Officer

Located within the vicinity of the Tentative World Heritage Site at Tara.

Panoramic protected view from Tara Hill.

There is insufficient information to assess the impact that this large structure would have in relation to Protected Views, Landscape of Tara, adjacent recorded protected structures and recorded monuments.

#### An Taisce

No comment

#### The Development Applications Unit, Dept of Housing Local Government and Heritage.

The Dept recommends that a Landscape and Visual Impact Assessment and an Archaeological Impact Assessment be prepared to assess the impacts and potential impacts in the area.

This will enable the planning authority and the Dept of Housing, Local Government and Heritage to formulate an informed recommendation before a planning decision is taken.

## **4.0 Planning History**

None. No appeal files are attached. The appeal submission makes reference to an appeal in the vicinity, ABP 303530.

## **5.0 Policy and Context**

### **5.1. Development Plan**

#### Meath County Development Plan 2021/2027

Section 6.16.4 The Council recognises the essential need for high-quality communications and information technology networks in assuring the competitiveness of the County's economy and its role in supporting regional and national development generally.

Section 6.16.4 (contd.) Mast structures are most visible and exposed within upland/hilly or mountainous areas. In these locations, softening of the visual impact can be achieved through planting of shrubs, trees etc. as a screen or backdrop, if

appropriate. Disguised masts e.g., as trees, will be encouraged in appropriate locations.

INF POL 54: To facilitate the delivery of a high-capacity Information and Communications Technology (ICT) infrastructure and broadband network and digital broadcasting throughout the County.

INF POL 55: To seek to have appropriate modern ICT, including open access fibre connections in all new developments and a multiplicity of carrier neutral ducting installed during significant public infrastructure works such as roads, rail, water and sewerage, where feasible and in consultation with all relevant licensed telecommunications operators.

INF POL 56: To promote orderly development of telecommunications infrastructure throughout the County in accordance with the requirements of the “Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities” July 1996, except where they conflict with Circular Letter PL 07/12 which shall take precedence, and any subsequent revisions or expanded guidelines in this area.

INF POL 57: To promote best practice in siting and design in relation to the erection of communication antennae, having regard to ‘Guidance on the potential location of overground telecommunications infrastructure on public roads’, (Dept of Communications, Energy & Natural Resources, 2015).

INF POL 59: To encourage co-location of antennae on existing support structures and to require documentary evidence as to the non-availability of this option is 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.

INF POL 60: To assess proposals for the location of telecommunication structures in sensitive landscapes in accordance with the policies set down within the Landscape Character Assessment.

INF OBJ 53: To secure high-quality of design of masts, towers and antennae and other such infrastructure in the interests of visual amenity and the protection of sensitive landscapes, subject to radio and engineering parameters.



HER POL 12: To recognise and respect potential World Heritage Sites in Meath on the UNESCO Tentative List – Ireland.

HER POL 54: To protect the archaeological heritage, rural character, setting and amenity of the Tara landscape and Loughcrew and Slieve na Calliagh Hills.

HER OBJ 49: To ensure that the management of development will have regard to the value of the landscape, its character, importance, sensitivity and capacity to absorb change as outlined in Appendix 5 Meath Landscape Character Assessment and its recommendations.

HER OBJ 50: To require landscape and visual impact assessments prepared by suitably qualified professionals be submitted with planning applications for development which may have significant impact on landscape character areas of medium or high sensitivity.

HER OBJ 52: To support the designation, of a Landscape Conservation Area, pursuant to Section 204 of the Planning and Development Act 2000, as amended, for the Tara Skryne Landscape, in conjunction with the relevant Government Departments and other stakeholders.

HER OBJ 56: To preserve the views and prospects listed in Appendix 10, in Volume 2 and on Map 8.6 and to protect these views from inappropriate development which would interfere unduly with the character and visual amenity of the landscape.

HER OBJ 57: To undertake a review of existing protected views and prospects contained in the County Development Plan and to assess and consider additional views and prospects deemed worthy of inclusion/protection.

DM POL 83: To encourage the location of telecommunications structures at appropriate location within the County, subject to environmental considerations.

DM POL 84: To require the co-location of antennae on existing support structures and where this is not feasible require documentary evidence as to the non-availability of this option in proposals for new structures.

DM POL 85: To avoid the location of structures in sensitive landscapes, in nature conservation areas, in highly sensitive landscapes and where views are to be preserved.

## **National Planning Guidance**

### National Planning Framework – Project Ireland 2040

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.

### Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996)

The guidelines aim to provide a modern mobile telephone system as part of national development infrastructure, whilst minimising environmental impact. Amongst other things, the Guidelines advocate sharing of installations to reduce visual impact on the landscape.

### DoECLG Circular Letter PL07/12

This Circular was issued to Planning Authorities in 2012 and updated some of the sections of the above Guidelines including ceasing the practice of limiting the life of the permission by attaching a planning condition. It also reiterates the advice in the 1996 Guidelines that planning authorities should not determine planning applications on health grounds and states 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 are regulated by other codes and such matters should not be additionally regulated by the planning process'.

## **5.2. Natural Heritage Designations**

Both the River Boyne and River Blackwater SPA and the River Boyne and River Blackwater SAC are positioned c. 3.5 km from the site.

## **5.3. EIA Screening**

Having regard to the limited nature and scale of the proposed development and the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The

need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## **6.0 The Appeal**

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

- The application addresses Eir's requirement to significantly improve services in the townlands of Blundelstown and Lismullin and surrounding areas, particularly to the north, west and southwest.
- National policy and local policy in relation to infrastructure, Cultural and Natural Heritage and Development Management Standards is cited.
- Tara Skyrne Hills are very important locally, nationally and internationally but a balance must be achieved between landscape, policy and development.
- Balance is not available for telecommunications structures and a rigid refusal policy appears to be standard Council policy.
- The Board is requested to apply more a more balanced approach than the County Development Plan appears to allow.
- Regarding visual amenity, it is stated that there are two car parks at the Hill of Tara. Observers at the spill over car park will won't see anything due to location. The photograph on the photomontage is taken from the main car park, wherefrom the proposed structure can be identified with some effort.
- The view from the main car park is away from the angle of the protected views towards the east and Skyrne. The majority of tourists to the area will not see the proposed structure due to a combination of natural screening by the trees, bushes and man-made structures in the area, plus the usual flow of pedestrians, would be such that the attention would not be in the direction of the proposed structure. Therefore, visual impact is negligible.
- Regarding the photomontage submitted, views of the proposed structure would be invisible from the Stone of Destiny.

- From the Mound of Hostages an element of the structure may be seen, although it falls within a cluster of mature trees. It is unlikely to be noticed by tourists.
- From Skryne Church the proposed structure would be visible from a gap but obscured from view owing to the pylon located behind the proposed mast. Although the pylon is c. 24 metres high it is on higher ground and the pylon is a wider structure. As one moves direction, the gap is not seen and therefore neither the pylon or the proposed structure may be seen.
- On the panoramic view the existing RTE mast (labelled existing telecoms tower) can be seen towards the northeast. It is submitted that the proposed structure fits into the landscape well and is effectively obscured by the pylon behind it. From other views it is hidden by trees, therefore the visual impact is negligible.
- Regarding the view from the L5000, it is submitted that this is a popular tourist route as it is a link road between the Hill of Tara and Skryne. The proposed structure is just apparent and the pylons on the higher hill are more clearly seen. A driver's line of view across the bridge would not be towards the proposed structure and any view of a passenger would be at speed and could be described as intermittent/negligible.
- The proposed structure cannot be seen from the M3 due to tree cover.
- Regarding a previous ESB refusal; planning reference AA180587 and ABP 303530 – 19, it is submitted that the proposal was of similar design and height but the location was different. It was on higher ground than the proposal. It was also on open ground close to pylons. The current proposal has the benefit of screening and is on lower ground and due to the angle of view is hidden by a pylon.
- The reasons for the ESB refusal do not apply to the subject appeal.
- 5G is becoming and is predicted to be an important service for road networks in the future and coverage is as important for roads as it is for the surrounding business and residential area.

- Regarding the second reason for refusal a description of Eir's business and market overview is presented and it is stated that demand within mobile and broadband networks is growing at exponential pace. New applications with 5G compatibility and existing infrastructure does not have capacity to meet demand.
- The most appropriate coverage maps are provided by ComReg as these are independent and show each network and service. There are three sites identified using the compreg site viewer. Eir is already located at each site. Each of these were considered and discounted before submitting the application.
- There are large 4G coverage gaps in the general area. Vodafone is able to provide 4G services but this is unable to meet the proposed site. A map is presented representing potential 4G coverage to the area with the proposed site.
- The maps presented show that the existing structures may meet 2G services for Blundelstown catchment but that technology is changing and these structures cannot provide the operators with the propagation requirements to meet demand for 4 and 5G services, its business, social and tourism needs.
- A new application is referred to planning register reference number 22/517 – for the installation of a 24-metre lattice telecommunication structure at Clonard House, Corballis, Garlow Cross, Navan, Co. Meath. The proposed structure is at a height of 85 metres ASL while the proposed structure is at 72 metres ASL. It is understood that the application would replace the need for the pylon and allow operators to install additional 4G equipment. It is stated that even if Eir were to locate 4G and 5G equipment onto the new site, it would not be able to provide the 4G or 5G services now required by Eir.
- The newly proposed site and the current application site would compliment each other ensuring continuation of coverage areas.
- Regarding the third reason for refusal, it is stated that the proposed site is far away from any of the listed archaeological heritage sites and its development will not impact them. The only form of impact will be visible impact

- The development of the access road and farming activity has already disturbed the land however an archaeologist can be arranged to carry out testing prior to the commencement of development.
- The importance of telecommunications infrastructure has been emphasised over the last number of years particularly during the Covid pandemic. High-speed high-quality services have been highlighted as essential of economy and social purposes.
- With Tara/Skryne in mind, the proposed site is effectively a site of last resort. The design and height are needed to support the technology and to secure line of sight. It is believed that a detailed justification has been submitted and that the photomontage shows that the proposed development will not visually impact the landscape.

## **6.2. Planning Authority Response**

- The correspondence and content are noted. The matters raised therein have previously been addressed in the executive planner's report dated 4<sup>th</sup> April 2022.
- The planning authority requests that An Bord Pleanála uphold the decision of the planning authority to refuse planning permission in this case.

## **6.3. Observations**

None.

## **6.4. Further Responses**

None.

## **7.0 Assessment**

- 7.1. Having examined all the application and appeal documentation on file and having regard to the relevant local and national policy and guidance, I consider that the main issues in this appeal are those raised in the grounds of appeal and the planning authority's decision to refuse planning permission. I am satisfied that no other

substantive issues arise. AA also needs to be considered. The main issues, therefore, are as follows:

- Visual Impact
- Alternative Locations
- Archaeology
- Planning Precedent
- Appropriate Assessment

## 7.2. Visual Impact

- 7.3. The appeal site is situated c. 2 km NE of the Hill of Tara. This hill and its surrounding landscape comprises of a number of Protected Views and Vistas, therefore it is reasonable to say that the landscape has very unique qualities. This fact is reflected in both the designed '*Protected Views and Prospects*' under HER OBJ 56 and the Landscape Character Area designation of 'Tara Skryne Hills' Landscape Character Area (No 12), under HER OBJ 49 in the Meath County Development Plan 2021 – 2027 (To be referred to as 'the CDP' hereafter).
- 7.4. The Landscape Character Assessment (LCA) for this area has indicated the landscape value to be 'Exceptional', the landscape sensitivity to be 'High' and the landscape importance to have 'National/International' status.
- 7.5. The LCA, regarding telecommunications structures, states that "*This area has low potential capacity to accommodate overhead cables, substations and communications masts due to their visual prominence and the high sensitivity of this LCA*". The Meath CDP has defined '*low potential capacity*' as follows: '*The landscape has high sensitivity to the type of development proposed which could have a detrimental effect on landscape character or value*'.
- 7.6. It is also noted that the area of Tara Hill (No 44) is a proposed Tentative UNESCO World Heritage Site and policy HER POL 12 and 54, respectively, aim to recognise and respect the Tentative UNESCO World Heritage sites in Meath and protect the archaeological heritage, rural character, setting and amenity of the Tara landscape.
- 7.7. It is considered that the CDP has clearly set out its provisions relating to the landscape in the area.

- 7.8. The appeal submission takes issue with planning authority for its stated 'rigid refusal policy' for such telecommunications structures. It makes the case that balance is required between landscape, policy and development. I consider that given the well-known natural, built, cultural, heritage and amenity quality of the landscape in the area and the clearly articulated development policies and objectives cited in the County Development Plan, that it was remiss that a Landscape and Visual Impact Assessment was not submitted as part of the application. Both the Conservation Officer and the DAU stated that a Landscape and Visual Impact Assessment would enable both to make an informed decision on the planning application. Therefore, I do not consider that the planning authority has demonstrated an overly rigid approach to the subject development as it merely applied the stated policy of the CDP.
- 7.9. It is noted that HER OBJ 50 requires that '*landscape and visual impact assessments prepared by suitably qualified professionals be submitted with planning applications for development which may have significant impact on landscape character areas of medium or high sensitivity*'. I note that the first reason for refusal considered that insufficient information was on file in order to assess the impacts of the proposed development on the visual amenity and regarding impacts on the landscape character of the area and with regard to Views and Prospects and with regard to the Landscape Character Area.
- 7.10. I have considered the photomontage, which is submitted under the appeal documents, which studies 5 viewing points. While the photomontage is helpful, I would not consider it to be detailed enough. It does not comprise a Landscape and Visual Impact Assessment report.
- 7.11. The viewing points assessed are as follows: Hill of Tara Carpark, Stone of Destiny at Hill of Tara, Mount of Hostages at Hill of Tara, Skryne Church and the L5000/M3 Overpass. These points are described under the appellants submission as Key Locations. They reflect the listed Protected Views and Prospects in the CDP.
- 7.12. I acknowledge that the Hill of Tara (No. 44) has protected views in a north south east and west direction. The remaining protected views are not directly towards the appeal site, rather peripheral to the appeal site. I note that from some of the viewpoints assessed, which have protected view status, the structure would be



discernible, albeit at a distance. Some of the views represented, say for example from the Mound of Hostages and Stone of Destiny towards the site appear to be screened from view by intervening vegetation/undulations. However, this impression is from the exact location of the observer. As one moves to the edge of the said features/viewing points, expansive views unfold across the landscape.

- 7.13. It acknowledged that the distances between the viewpoints listed under the photomontage and the appeal site vary from approximately 2 to 3 km and therefore the scale of the structure of 36 metres in height, whilst visible from some viewpoints also appears somewhat diminished with distance. Also, the landscape backdrop in the vicinity and to the rear of the appeal site (from the listed viewing perspectives on photomontage) has the impact of absorbing the proposed development, to some extent, from a distant perspective and when viewed from a higher elevation.
- 7.14. However, I have concerns that the photomontage is not detailed enough and in particular with regard to the Landscape Character Area '*Tara Skryne Hills*' and various locations therein. The CDP states that this Landscape Character Area has '*low capacity*' for absorbing development such as communication masts. Additionally, viewpoints within the middle and near distance to the site, have not been adequately assessed under the photomontage. I do acknowledge that views of the proposed structure are not possible from the M3 due to dense screening along the M3.
- 7.15. However, given the highly sensitive nature of the area and having regard to the information on the file, it is considered that in the absence of sufficient information to demonstrate otherwise, the proposed development of a 36-metre lattice structure and ancillary equipment, would degrade the character of the surrounding landscape and the rural character of the area and seriously injure the visual amenities of the area
- 7.16. Based on the lack of information submitted with the photomontage and the lack of a comprehensive Landscape and Visual Impact assessment, which considers the Landscape Character Area Tara Skryne Hills, (Landscape Character Area No 12) in addition to Protected Views, I recommend that permission be refused.
- 7.17. It is noted that policy cited under Section 6.16.4 of the CDP refers that '*If appropriate, disguised masts e.g., as trees, will be encouraged in appropriate*

*locations.* As an observation and without prejudice, given that the subject site is situated beside and to the west of an area of densely populated mature trees, this policy option could be considered in addition to the option of colour coding such a structure. However, without prejudice, I am of the viewpoint that should this potential solution be proposed that it would have to be considered in conjunction with an assessment of a detailed Landscape and Visual Impact Assessment Report.

7.18. Alternative Locations

7.19. The appeal submission states that the most obvious and independent coverage maps available are the ComReg coverage maps. With regards to co-location and INF POL 59 of the CDP, it is submitted that out of 3 locations, Eir is presently transmitting from each structure.

7.20. From the nearest structure locations at distances of 1.5 km Corballis, 1.74 km Corballis ESB pylon (2), 3.28 km Skreen RTE Compound and 2.15 km Jordanstown - Old Book Shop, I have confirmed by ComReg data that Eir is presently transmitting from each of the locations. The appellant makes the reasonable case that where Eir equipment is already in situ, technically adding more equipment would not meet the coverage gaps identified.

7.21. Coverage gaps are clearly identified to the south and east of the proposed site and it is anticipated that 3G and 4G technology would benefit most from the proposed mast. The areas identified to benefit from improved coverage levels are Lismullen, Blundelstown and surrounding areas and the near section of the M3 motorway.

7.22. I note that the planning authority's second reason for refusal related to co-location/justification and a lack of documentary evidence to demonstrate that co-location could not be achieved with reference to policy objective INF POL 59. I also acknowledge that a more detailed technical justification for the proposal is submitted under the appeal documents. Having reviewed same, I am satisfied that reasonable evidence is submitted to justify the requirement for the proposed development at the appeal site.

7.23. Archaeology

7.24. Regarding the third reason for refusal the appellant submits that the appeal site is not within any of the listed archaeological heritage sites. I concur with the appellant in that there is no recorded monument in close proximity to the site and it is therefore

not within a zone of notification either. There is no other information on file that would suggest that archaeological material is present at the site of the proposed development.

7.25. However, I note policy HEP POL3, of the CDP, which requires Archaeological Impact Assessments in the vicinity of monuments. I also note that the DAU requested an AIA in relation to the subject site. Accordingly, a archaeological impact assessment could be conditioned in the event that the Board is minded to grant planning permission.

7.26. Planning Precedent

7.27. Under the appeal submission, a previous application/appeal which was refused is referred to; ABP 303530 – 19 referred to as ‘the ESB site’. The case is made that both cases are similar in height and design but the locations differ. The ESB site is stated to be on higher ground and on open ground, whereas the subject appeal site is on lower ground with the benefit of screening. I note that the case in question was refused planning permission. I am of the viewpoint that the subject application/appeal should be considered on its own merits and on a site-specific basis having regard to national and local policy and other relevant planning considerations.

7.28. Appropriate Assessment

7.29. Having regard to the limited nature of the proposed development and the nature of the receiving environment and the proximity to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect either individually or in combination with other plans or projects on a European site.

## 8.0 Recommendation

8.1. I recommend that planning permission be refused for the proposed development.

## 9.0 Reasons and Considerations

The proposed development being located in a sensitive location in a designated Landscape Character Area; Tara Skryne Hills, (Landscape Character Area No 12), where it is stated policy that the area has low capacity for absorption of masts, and in the absence of a detailed landscape and visual impact assessment report, would be contrary to Policy Objective HER OBJ 49, HER OBJ 50, DM POL 85 and INF OBJ 53 of the Meath County Development Plan 2021 – 2027, The proposed development would therefore degrade the character of the surrounding landscape and seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

---

Aisling Dineen  
Planning Inspector  
30<sup>th</sup> May 2023