



An
Bord
Pleanála

Inspector's Report ABP314806-22

Development

Permission for the replacement of 2 No 12 metre timber structures with 15 metre monopole telecommunications structure together with antennas, dishes and associated telecommunications equipment.

Location

Eir Exchange, Inishkeen, Inishkeen Glebe, Co. Monaghan.

Planning Authority

Monaghan County Council.

Planning Authority Reg. Ref.

22/334.

Applicant(s)

Eircom Ltd (Trading as Eir).

Type of Application

Permission.

Planning Authority Decision

Refuse.

Type of Appeal

First Party

Appellant(s)

Eircom Ltd (Trading as Eir).

Observer(s)

Siobhán Finnegan.

David O'Rourke

Date of Site Inspection 16th May 23

Inspector Aisling Dineen.

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	4
3.0 Planning Authority Decision	4
3.1. Decision	4
3.2. Planning Authority Reports	6
4.0 Planning History.....	7
5.0 Policy and Context.....	8
5.1. Monaghan County Development Plan 2019 - 2025.....	8
5.3. Natural Heritage Designations	9
5.4. EIA Screening	9
6.0 The Appeal	9
6.1. Grounds of Appeal	9
6.2. Planning Authority Response	11
6.3. Observations	11
6.4. Further Responses.....	13
7.0 Assessment.....	13
8.0 Recommendation.....	20
9.0 Reasons and Considerations.....	20

1.0 Site Location and Description

- 1.1. The site of the proposed development is situated in Inniskeen, Co. Monaghan. Inniskeen is a Tier 4 village under Table 2.2 of the Settlement Strategy of the Monaghan County Development Plan 2019 -2025.
- 1.2. The site is positioned on the north side of the main road, which runs east/west through the village. It is situated between Inis Og Creche and the Inniskeen Community Centre. The Patrick Kavanagh Centre is positioned c. 120 metres east of the site.
- 1.3. The site contains an existing Eir exchange building and has two 12 metre timber posts at the rear. There is a circa 4-foot wall along the front boundary of the site, which has an established pedestrian access. There is also a large mature coniferous tree at the front of the site directly in front of the exchange building on site.

2.0 Proposed Development

- 2.1. It is proposed to replace two 12 metres timber poles with a 15-metre telecommunications monopole with lighting finials. Ancillary dishes, antennas, and associated telecommunications equipment are also proposed to be installed on the site.

3.0 Planning Authority Decision

3.1. Decision

The planning authority made a decision to refuse planning permission on the 12th September 2022, for three reasons:

1. Policy TCOP 1 of the Monaghan County Development Plan 2019 – 2025 seeks to facilitate the orderly development of telecommunications in accordance with the requirements of the ‘Telecommunications Antennae and Support Guidelines for Planning Authorities’ (1996). Policy TCP 3 seeks 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.

It is considered that the location, scale and design of the proposed telecommunications structure which has an overall height of 16.5 metres, would have a significant adverse impact on the visual amenities of Inishkeen village and in particular the local tourist attraction known as the Patrick Kavanagh Centre and associated walking route. The visual impact of the proposal would significantly outweigh any potential economic and social benefits and, if permitted, would therefore create an unacceptable precedent. Accordingly, it is the opinion of the planning authority that the development would, if permitted as proposed, materially conflict with Policy TCOP 1 and TCOP 3 of the County Development Plan and be contrary to the proper planning and sustainable development of the area.

2. Policy TCOP 2 of the Monaghan County Development Plan 2019 -2025 seeks 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. It is considered that the proposed development would be visually incongruous and at odds with the unique and intrinsic character of Inniskeen village. The site does not benefit from adequate screening to sufficiently mitigate against potential adverse impacts and as such, the proposal would seriously injure, and be detrimental to, the visual amenities of the area.

Accordingly, it is the opinion of the planning authority that the development would, if permitted as proposed, materially conflict with Policy TCOP 2 of the County Development Plan 2019-2025 and be contrary to the proper planning and sustainable development of the area.

3. Policy TCOP 4 of the Monaghan County Development Plan 2019-2025 requires the 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. It is considered that insufficient justification has been provided with the proposal to demonstrate that co-location is not feasible.

Accordingly, it is the opinion of the Planning Authority that the development would, if permitted as proposed, materially conflict with Policy TCOP 4 of the County Development Plan 2019-2025 and be contrary to the proper planning and sustainable development of the area.

The Chief Executive's decision reflects the planner's report.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The observations under the planning application are comprehensively summarised. Regarding the alleged misspelling of 'Innishkeen' under public notices, it is stated that the spelling is in accordance with the official list of Monaghan Placenames, where the townland is called 'Innishkeen Glebe', which is stated to be in compliance with Article 19 of the Planning and Development Regulations 2001 (as amended).

Regarding the site notice, it is stated that the notice refers to a 15-metre monopole while the actual structure is 16.5 metres. This is considered to be misleading.

Regarding the use of the term 'replacement' it is stated that this is not considered to be misleading.

The report discusses visual impact and states that the most visually obtrusive element of the application, is between heights of 9 and 14.5 metres, where it is proposed locate the operator's equipment, which is stated to be above local vegetation and buildings. The proposed height, which it is acknowledged to be 3 metres lower than the proposal under the previous refusal, still raises concern about visual impacts.

Regarding the Patrick Kavanagh Trail, which begins at the Patrick Kavanagh Centre, it is considered that the views would be visually detrimental.

Regarding justification, the exploration of alternatives is limited.

No anticipated residential amenity impacts; *'will not cause visual overbearance and dominance from a residential amenity perspective'*.

Regarding built heritage/protected structures, the proposal *'will not materially injure the aforementioned recorded monument or protected structure or be detrimental to their settings given the separation distances from same'*.

Development Plan policies are discussed.

3.2.2. Other Technical Reports

3.2.3. Engineers Report

No objection subject to conditions.

3.2.4. Environmental Health Officers Report

No objection subject to compliance with the IRPA Guidelines on limits of exposure to radio frequency electromagnetic fields in the frequency range from 100 kHz to 300GHz.

3.2.5. Heritage Officer

No response received.

3.2.6. Irish Aviation Authority

No objection. No requirement for obstacle lighting.

4.0 **Planning History**

Planning Register Reference Number 21/110 relates to a refusal of planning permission on the appeal site for an 18-metre monopole telecommunications structure.

The three reasons cited for refusal reflect the three reasons cited under the current application.

5.0 Policy and Context

5.1. Monaghan County Development Plan 2019 - 2025

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.

5.2. 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'.

5.3. Natural Heritage Designations

There are no Natura 2000 sites within proximity to the site.

5.4. 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 grounds of appeal are:

- Regard should be had to the Regional Spatial Economic Strategy for the area and various other relevant policies.

- The planning authority's assessment is disagreed with relating to scale/design, the Patrick Kavanagh Centre, screening and colocation.
- Inniskeen is a known 4G coverage weak spot area for Eir and Vodafone.
- The sole other telecommunications structure in the area is 1.05 km North/Northeast of the site in the Seeola townland. All three operators; Eir, Vodafone and Three are co-located on the site, which shows a willingness to collocate.
- The limitation of the Seeola structure is distance as coverage begins to taper off with distance, particularly for 4G and 5G technology.
- The published ComReg site viewer demonstrates that Eir and Vodafones coverage requires significant improvement. Three's coverage is at its best north of the town in the vicinity of the existing 24 metre monopole.
- There is one single alternative structure in the area.
- Monaghan County Development Plan policies/objectives are cited under Section 7.20 of said plan; incl., TCOP 1, TCOP2, TCOP3, TCOP4.
- A literary landscape character assessment plan was prepared in 2012, wherein it is an aim of the plan to guide the development and protection of access to Kavanagh County.
- The two nearest protected structures are; The deconsecrated St Mary's Catholic Church (RPS 414302905) known as The Patrick Kavanagh Centre, and Daniel McNello & Co's public house. These structures are at a distance of 100 metres from the appeal site.
- Telecommunications Guidelines are cited in relation to masts and locations, limited flexibility, location within towns and villages should be within '*sites already developed for utilities*' – inter alia.
- Regarding justification, the coverage disparity will be exacerbated as 3G layer are switched off in 2023 and 2024 and where higher frequency technologies have lesser geographical reach than 2G,3G and 4G technologies.
- The proposed structure is to be located at the rear of the site 17 metres back from public road and behind the exchange building.

- The proposed 25% height increase is negligible from 12 metres to 15 metres and this is offset by the removal of two 12 metres poles. The assertion under the planners report that the proposal would be 16.5 metres is refuted.
- There is already space, electricity connection and fibre within the existing utilities site to develop the structure and this will benefit residents, businesses, places of amenity and tourists.
- All objects may be seen but it is the degree to which an object is incongruent with its setting, which determines its impact – the proposed structure is overwhelmingly hidden from streetscape. The visual impact will be minimal and will not detract from the attractiveness of the streetscape.
- Regarding historical structures the proposal would be 100 metres from the nearest protected structure and the local authority's assessment is disagreed with.
- Only a very short section of the Patrick Kavanagh Trail passes the appeal site.

6.2. Planning Authority Response

- The three reasons for refusal are iterated.
- The planning authority's justification for the refusal is fully detailed in the planner's report.

6.3. Observations

Siobhán Finnegan

The following is a summary of points raised under the observation:

- It is dangerous to erect such a structure between a creche and a school where there is a high volume of children and staff working during the day.
- Health concerns.
- The structure is easily accessible to children. If fenced it would be to the detriment of the picturesqueness of the village.

- Traffic safety and noise and visual distraction to children and ongoing maintenance would represent a further risk to children.
- Research has found that electromagnetic field impacts brain development.
- Several attempts to contact Eir were made but there was no reply, which suggests that there are no answers to the questions and that the structure is not safe.
- The site notice is incorrect and also the spelling of Inniskeen on the site notice is incorrect.
- Eirgrid article refers to regarding scientific uncertainty about harmful effects of exposure to EMP and that exposure should be reduced to at least 50 metres from residential dwellings.
- The proposal contradicts the Monaghan County Development Plan 2019-2025.

David O'Rourke

The following is a summary of points raised under the observation:

- It is requested that the Board uphold Monaghan Co Co decision to refuse planning permission.
- Policies of Monaghan County Development Plan referred to.
- Exclusions Zones – Objection on grounds of proximity of neighbouring elevated property.
- Child Care Facilities – Guidelines for Planning Authorities (2001).
- Safety, Health and Welfare at Work (Electromagnetic Fields) 2016 referred to.
- Various Journals referenced relating to electromagnetic fields.
- Oireachtas discussions referenced.
- Visual Amenity and historic fabric of area regarding Patrick Kavanaghs grave referred to.

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:

- Principle of Development
- Heritage
- Alternative Locations
- Visual Impact
- Residential Amenity
- Public Notice
- Public Health
- Other Issues
- Appropriate Assessment

7.2. Principle of Development

7.3. There is already an established utilities use on the appeal site with regard to the Eir exchange building and timber posts. The proposal to replace two existing 12 metre timber structures with a 15 - metre monopole and ancillary equipment on a site in a rural village, which already has utilities use thereon, is generally acceptable subject to satisfying normal planning criteria.

This principle also accords with the policy stated under 'Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996)',

wherein it is stated in referring to the location of masts in towns and villages, that '*If such location should become necessary, sites already developed for utilities should be considered...*'

- 7.4. Policies cited above under Section 5 generally support the proposed development, subject to satisfaction of relevant planning and sustainable development criteria.
- 7.5. I am of the viewpoint that the principle of the proposed development is acceptable.
- 7.6. **Heritage**
- 7.7. There are two protected structures east and west of the appeal site. The Patrick Kavanagh Centre (RPS 41402906) is situated c 120 metres east/southeast of the site on the same road. The Daniel McNello Public House (RPS 41402904), which is a protected structure is located c 115 metres west of the site, also on the same road.
- 7.8. While the top part of the proposed monopole would be visible, above the tree line from the Patrick Kavanagh Centre from near views, I do not consider that visibility alone of such a structure, would negatively impact on the character and setting of the said protected structure. It is noted that the planners report adopted the same viewpoint.
- 7.9. With regard to the McNello Public House, the trees on the north side of the road in the intervening space have the impact of screening the proposal, from the line of sight from the McNello Public House. In any event, given the separation distance involved and the presence of other development in the area, it is not considered that the proposed development would negatively impact on the character and setting of the structure. It is noted that the planners report adopted the same viewpoint.
- 7.10. Regarding archaeology, the Patrick Kavanagh Centre - Reg. No. 41309012, recorded as Chapel/Church has a rating of being regionally important. The zone of notification around this monument overlaps with three other monuments Pound Reg No. MO029-032, and Castle Mott and Bailey Reg. No. MO029-033001 and Souterrain Reg. No. MO029-033002. These monuments are situated on the south side of the road and their overlapping zones of notification do not reach the appeal site.
- 7.11. Drumass Round Tower Reg No. MO029-031002 and Church Reg. No. 41309009 are positioned c. 130 metres northwest of the site. This area is highly screened with

established deciduous and coniferous vegetation. I do not consider that the proposed development would impact on the character and setting of same. Additionally, it is noted that the zones of notification of these monuments do not reach the appeal site.

7.12. Alternative Locations

- 7.13. The planning authority under refusal reason No 3 has stated that insufficient justification has been provided to demonstrate that colocation is not possible, in accordance with TCOP 4. Under its assessment the planners report refers that the exploration of alternatives is limited given its scope and detail and therefore falls short of providing a satisfactory justification.
- 7.14. The agent for the applicant, under the appeal submission states that at the Seeola site, three providers including Eir are collocated thereon and accordingly this demonstrates a willingness to co-locate. This submission also states that the Seeola site is the only other site within the area and this is too far from the area, where improved services are required and where there is a known coverage weak spot.
- 7.15. Having reviewed the ComReg Map for the area, I can concur with the agent for the applicant's submission. It is apparent that the nearest telecommunications facility other than Seeola site is just under 5 km to the NE of the site, which is located behind the Garda Station at Hackballs Cross. The Seeola site is discounted as it does not reach the technical requirements of the coverage deficiencies in the area. I consider that the area could not be described as having a prevalence or over-concentration of telecommunications structures.
- 7.16. While I understand the position of the planning authority whereby it states that the exploration of alternatives is 'rather limited', I also note that there is but one alternative option upon which to co-locate and this has been discounted as per para 7.14. Furthermore, considering the fact that there is already a utility installation extant on the appeal site, I understand the rationale in selecting this site, which is in accordance with stated government policy.
- 7.17. Having reviewed the information on file, including the detailed coverage maps submitted under the appeal submission, I am satisfied that there is sufficient evidence to justify the proposed development in accordance with TCOP 4 of the Monaghan County Development Plan 2019-2025.

7.18. Visual Impact

- 7.19. The planning authority has referred to visual impacts in both its first and second reasons for refusal. The first reason states, *inter alia*, that the proposed development would 'have an adverse impact on the visual amenities of Inniskeen Village and in particular on the local tourist attraction known as the Patrick Kavanagh Centre and associated walking route'. The second refusal reason refers, *inter alia*, to the proposal as being 'visually incongruous and at odds with the unique and intrinsic character of Inniskeen Village'.
- 7.20. It is noted that a photomontage has been submitted under the appeal documents, which the planning authority did not have the benefit of, at the time of making its decision. I consider that the photomontage presents the proposal accurately. The proposed monopole would be visible from certain perspectives; however, the impacts are considered to be mitigated, to a degree, with regard to surrounding development and mature trees in the village.
- 7.21. Having inspected the site and reviewed all of the information on the file, I consider that while the upper part of the monopole would be visible at certain locations in the village, the presence of tree line to the west of the site and a copse of coniferous trees nearby to the east of the site, serve to mitigate against visual impacts. I concur with the planning authority whereby the planners report states that the site itself does not have the benefit of such screening. However, I note that the large coniferous tree at the front of the site is an exception. I am of the viewpoint that the general area has established trees and buildings on either side, which would contribute to absorb a significant part of the proposed development. The site is not on open exposed ground, rather it is in a built-up space. While the upper part of the monopole would have visibility from certain viewpoints, I do not consider such views to be obstructive or incongruous such that they would negatively impact on the visual amenities of the area.
- 7.22. The fact that the site is comprised of an established Eir exchange building with two existing 12 metre poles, which it is considered, do not currently compromise or detract from the existing visual amenity of the area, is noteworthy. The degree to which a further 3 metres in height will contribute to negative impacts on the visual amenity of the village needs to be considered. I acknowledge that a 15-metre

monopole with equipment thereon would be more visible but visibility alone of any structure, is not a key planning determinant to refuse permission. I note that the removal of two poles would reduce visual clutter at the Eir exchange facility.

- 7.23. The visual amenities from the Patrick Kavanagh Centre would not be unduly impacted given the separation distance involved and the established built environment. Accordingly, I do not consider that the visual amenities of the Patrick Kavanagh Centre would be negatively impacted by the proposed development.
- 7.24. Views approaching the site from the east and west with reference to the Patrick Kavanagh Trail/Walking route would not be encroached such that the visual amenity of the trail users would be significantly negatively impacted. Such views of the proposed structure would certainly be transient and intermittent, given the established greenery, natural screening and built form in the area. It is not considered that such intermittent sighting of the structure would be overbearing, incongruous or dominant, to users of the walking route or the village generally. Accordingly, it is not considered that the proposal would detract from the intrinsic character of the village.
- 7.25. It is acknowledged that the ground area of the site is limited. Nevertheless, it would benefit from some additional landscaping. If the board is minded to grant planning permission this could be addressed under condition.
- 7.26. Accordingly, I do not consider that the proposed development would have an adverse impact on the visual amenities of the area or on the unique intrinsic character of Inniskeen Village and I do not consider that the proposed development would materially conflict with TCOP 1, TCOP 2 or TCOP 3 of the County Development Plan.
- 7.27. **Residential Amenity**
- 7.28. Given the already developed utilities nature of the subject site, I do not consider that the replacement of two 12 metre timber poles with a 15-metre monopole would significantly negatively impact the residential amenities of property in the vicinity of the site.

7.29. **Public Notice**

- 7.30. Submissions under the planning application and under an appeal submission raise concern regarding the Public Notice on three grounds, namely: townland spelling, use of the word 'replacement', and proposed height of structure.
- 7.31. The planner's report has assessed the three issues and I would concur with two out of the three conclusions, relating to townland spelling and the use of the word 'replacement'.
- 7.32. The planning authority has confirmed that the use of the townland name, *Inishkeen Glebe*, is the correct townland name, as per the official list Monaghan placenames. The use of a townland under the development address accords with Article 19 of the Planning and Development Regulations 2001 (as amended) and this is considered to be satisfactory. I concur with the planning authority in this regard.
- 7.33. The word 'replacement' is disputed under submissions to the planning application. The proposal comprises the material removal of two upright timber poles and the construction of one telecommunications monopole of 15 metres in height. I consider that the wording of the development description, including the word 'replacement' clearly describes the proposal and I am of the viewpoint that this would be clear to any reasonable person, who would review the planning application. Therefore, I concur with the planning authority in this regard.
- 7.34. Regarding the proposed height of the structure, the planning authority consider that the advertised height of 15 metres is misleading as it does not provide for the height of the proposed lightning finials. I note that drawing number TMN7028 – PL – 01 submitted with the planning application clearly denotes the pole structure as being of 15 metres in height. It also clearly denotes the lightning finials as being 1.5 metres in height. Lightning finials are considered to be ancillary to the actual telecommunications pole. There is no ambiguity on the drawings or in the development description regarding the actual pole height and in fact the applicant has clearly demonstrated the pole in addition to the lightning finials on the drawings. It is reasonable to conclude that any person with interest in the application, following public notice would refer to the said plans/documents. I am satisfied that the

proposed pole is to be 15 metres and this is reflected on the documents submitted. In the interest of clarity, the board may be minded to stipulate the height by way of condition of permission, should the board be minded to grant planning permission.

7.35. Therefore, I am satisfied that the public notices comply with the Planning and Development Regulations 2001 (as amended).

7.36. **Public Health**

7.37. The Commission for Communications Regulations (ComReg) is the statutory body responsible for the regulation of radiation emissions. Compliance with emission limits in respect of regulation is regulated nationally by ComReg and health issues are not a matter for An Bord Pleanála in determining and deliberating on the application proposed. Regular measurements of emission levels are required to comply with International Radiation Protection Association and Guidelines. While I acknowledge the concerns expressed under observations to the planning application/appeal, this is a matter for ComReg. I would also note that Circular PL07/12 states that Planning Authorities should primarily be concerned with the appropriate location and design of telecommunication structures and do not have competence for health and safety matters in respect of telecommunications infrastructure, either with respect to human or animal health.

7.38. **Other Issues**

7.39. The submissions to the planning application/appeal have made a number of points which do not fall under the remit of planning. However, concern is expressed regarding access to the site and potential for children to access the structure and potential danger in this regard. If the board is mindful of a favourable decision, it is considered that security fence, which is sympathetic to the environment and village character, should be erected to deter trespass.

7.40. Noise during construction and traffic access issues were raised as points of concern. It is considered that a condition should be applied regarding the issue of noise and nuisance and hours of operation, if the board is mindful of granting planning permission.

7.41. Once the site is operational, I do not consider that noise and access will be problematic.

7.42. **Appropriate Assessment**

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 granted for the development.

9.0 **Reasons and Considerations**

Having regard to the nature and scale of the proposed development for the replacement of two 12 metre timber poles with a 15 metre monopole structure carrying telecommunications equipment with ancillary ground equipment, the proposed development would be in accordance with the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities 1996 and with the policies and objectives of the Monaghan County Development Plan 2019-2025, and would not seriously injure the visual or residential amenities of the area or the amenities of property in the vicinity of the site. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

9.1. **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by details submitted to the board on the 10th October 2022, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the Planning Authority, the developer shall agree such details in writing with the Planning Authority prior

to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The telecommunications structure shall not be higher than 15 metres.

Reason: In the interest of clarity.

3. A security fence shall be erected around the boundary of the site and details of materials and finishes, which are sympathetic to the village character, shall be agreed with the planning authority prior to the commencement of development.

Reason: In the interest of public safety.

4. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

5. The site shall be landscaped in accordance with a scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. All landscaping shall be carried out no later than the first planting season following commencement of development on site. Existing hedgerows, trees and shrubs on site shall be preserved. All planting shall be adequately protected from damage until established. Any plants which die or become seriously damaged or diseased, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

6. Details of the material finish and colour of the telecommunications support structure and associated equipment shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

7. The applicant shall provide and make available at reasonable terms, the proposed communications structure for the provision of mobile telecommunications antenna of third party licensed mobile telecommunications operators.

Reason: In the interests of visual amenity and the proper planning and development of the area.

8. In the event of the proposed structure becoming obsolete and being decommissioned, the developers shall, at their own expense, remove the mast, antenna and ancillary structures and equipment.

Reason: In the interest of orderly development.

9. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

'I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.'

Aisling Dineen
Planning Inspector
8th June 2023