



An
Bord
Pleanála

Inspector's Report ABP315569-23

Development	Erection of a 24m high telecommunication structure set within a fenced and gated compound.
Location	Clonard House, Corballis, Garlow Cross, Navan, Co. Meath
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	22517
Applicant(s)	Shared Access Limited
Type of Application	Permission.
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party vs. Refusal
Appellant(s)	Shared Access Limited.
Observer(s)	None
Date of Site Inspection	8 th July 2023
Inspector	Leah Kenny

1.0 Site Location and Description

The site is located at Clonard House, Corballis, Co. Meath, approximately 220 metres down an access road off the L-50491-0 (Yellow Wall Lane / Kilcarn Heights) and behind scattered detached dwellings.

The access road serves ancillary development to the rear of Clonard House, an agricultural shed (stated as being used for equestrian purposes) and agricultural activities generally. Sightlines exiting the access road are restricted to the north by the boundary / south-eastern corner of the adjoining field.

The telecommunication structure and compound are located along the edge of a large agricultural field adjacent to the southern field boundary which is made up of mature hedgerow and the occasional large tree. The wider field currently comprises arable farmland and is generally undulating.

The steel agricultural shed / stable is located immediately to the east of the proposed development.

A high voltage power line passes to the west of the subject site and there are two pylons to the east and south-east of the site; both also carry communications antenna and dishes.

Further afield, the M3 motorway runs approximately 1.5km to the south of the site and the Hill of Tara is approximately 3.5km to the south.

2.0 Proposed Development

The proposed development by Shared Access Ltd. consists of a 24m lattice telecommunications structure. Three dishes will be fitted to the mast at varying heights to achieve line of sight with other telecommunications installations in the area.

The structure will be set within a fenced and gated compound area (50sqm) together with the installation of equipment cabinets, metering cabinets and all associated site works.

The applicant notes that the proposed development is to be used by Three Ireland however space will be made for future mast sharing to provide an uplift in the

coverage of other networks in the vicinity of the site. The structure will be able to support up to 9no. antenna and 3no. dishes for up to 3no. network operators.

3.0 Planning Authority Decision

3.1. Decision

By order dated 20th December 2022, Meath County Council issued a notification of the decision to refuse planning permission. The reasons for refusal are as follows:

1. The Planning Authority considered that the proposed development would endanger public safety by reason of a traffic hazard having regard to the increased traffic movements into and out of the site that would be generated from the proposal on a site where sightlines are restricted.
2. It was considered that the applicant has not sufficiently demonstrated that the proposed development by virtue of its design, scale and siting would not be visually obtrusive and detrimental to the visual amenities of the area, most notably protected views from The Hill of Tara. The development as proposed would materially contravene objective 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.”* It is considered that the proposed development would seriously injure the visual amenities of the area and would set an undesirable precedent for similar future developments and would be contrary to the proper planning and development of the area.

4.0 Planning Authority Reports

4.1.1. Planning Reports

The planning report is the basis of the planning authority’s decision to refuse permission. There are two planning reports associated with the application. The first planning report dated 10th June 2022 follows the initial submission and concluded that significant further information in three areas was required, namely:

1. A Landscape and Visual Impact Assessment to assess the potential impacts of the proposed development on the visual amenities of the area.
2. A Habitats Screening Statement to allow the Planning Authority to screen the application and to fully assess the potential impacts of the proposal on the River Boyne and River Blackwater SAC Natura 2000 sites.
3. A revised site layout plan to show sightlines and drainage in accordance with TII guidelines.

The second planning report dated 15th December 2022 deals with the additional information submitted as requested. The key considerations of the Case Planner focused on the impacts on protected views from the Hill of Tara (View 44) and the failure of the applicant to submit proposals to adequately address the sightline requirements.

The application was screened for Appropriate Assessment and the screening showed no potential for significant effects. The application was also screened for Environmental Impact Assessment, and it was concluded at preliminary examination that there is no likelihood of significant effects on the environment.

4.1.2. **Other Technical Reports/Prescribed Bodies**

For the original application for permission:

- Transportation and Conservation – both recommended further information.
- Water Services Section Meath County Council – no objection.
- Environment Report – no report received at time of writing.
- Development Application Unit for the Department of Housing, Local Government and Heritage – requested a landscape and Visual Assessment be completed in relation to the visual amenity of the Hill of Tara and screening for Appropriate Assessment be carried out in relation to the River Boyne and River Blackwater SAC/SPA.
- Irish Water – no objection.
- Department of Communications, Marine & Natural Resources – no comment.

Following receipt of additional information requested:

- Development Application Unit for the Department of Housing, Local Government and Heritage – recommendation the Planning Authority consider the cultural significance and high sensitivity of the Hill of Tara, the inclusion of the Hill of Tara on the UNESCO Tentative list and the likelihood that further cumulative impacts could take place in the future.
- Transportation Department – recommend refusal.
- Environment Section – recommend refusal following the receipt of further information on the basis that the lattice tower would have a permanent, slight, negative effect on the protected panoramic views at the Hill of Tara.
- Chief Fire Officer – report noted as received, and comment noted.

4.1.3. Submissions / Observations

ESB Telecoms (ESBT) objected to the proposed development on the basis the proposed development did not have due regard to its visual impact on the local area, including on views from the Hill of Tara. They also drew the Planning Authority's attention to a refusal of permission by both the Planning Authority and An Bord Pleanála in 2019 for a similar telecommunication structure, proposed by ESBT, located in an adjacent field. They asked the Planning Authority to request further information from the applicant in relation to an assessment of the proposal in relation to the visual aspect insofar as it related to the Hill of Tara.

5.0 Planning History

There is no planning history relating to the subject site; however, there is relevant planning history for the adjoining site to the south-west:

- **AA180587 / ABP-303530-19:** An application by ESB Telecoms for a 36-metre high, free standing lattice type communications structure and associated site work at Garlow Cross, Corballis. The application was refused by the local authority and the refusal upheld on appeal to An Bord Pleanála. The grounds for refusal related to the location of the proposed development, within the Landscape Character Area 12 -Tara Skryne Hills, which would interfere with the panorama of this view and with the character of the heritage

landscape, would be contrary to Objective LC OBJ 5 and would impact on the National Protected View No.44 as noted on Map 9.5.1 and in Appendix 12 of the Meath County Development Plan 2013-2019.

- **22/682:** An application by ESB Telecoms for a 22m free standing monopole type telecommunications structure, to be painted green, carrying antennae and dishes and ancillary equipment, including lighting finial, including associated ground equipment within a proposed 2.4m high palisade fenced compound, and all associated groundworks including access track from existing farmyard. The application was granted planning permission on the 20th of January 2023 (Final Grant) following the submission of further information. It was noted on my site visit, that this has yet to be constructed.

Other applications in the area include:

- **22184 / ABP-313462-22:** An application by Emerald Tower Limited for the installation of a 36m high lattice structure together with antennae, dishes and telecommunications equipment, at Bundelstown Garlow Cross, Navan, County Meath (on the northern side of the M3). Permission was refused by Meath County Council for three reasons including location of the proposed development within the Landscape Character Area 12 -Tara Skryne Hills, failure to comply with the policy objective for co-location on antenna and impact on archaeological heritage. The decision was appealed to An Bord Pleanála. The case has yet to be decided.

6.0 Policy and Context

6.1. National Guidelines

The *Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, 1996* set the criteria for the assessment of telecommunications structures. The Guidelines state that the rapid expansion of mobile telephone services in Ireland has required the construction of base station towers in urban and rural areas across the country and that these are an essential feature of all modern telecommunications networks. The Guidelines also note that in many suburban

situations, because of the low-rise nature of buildings and structures, a supporting mast or tower is needed.

Of relevance to the subject appeal are:

- An Authority should indicate where telecommunications installations would not be favoured or where special conditions would apply. Such locations might include high amenity lands or sites beside schools (Section 3.2).
- Great care needs to be taken when dealing with fragile or sensitive landscapes for example, Special Amenity Areas, Special Protection Areas, the proposed Natural Heritage Areas and Special Areas of Conservation and National Parks. Proximity to listed buildings, archaeological sites and other monuments should be avoided.
- Along major roads or tourist routes, or viewed from traditional walking routes, masts may be visible yet are not terminating views. In such cases it might be decided that the impact is not seriously detrimental.
- Similarly, along such routes, views of the mast may be intermittent and incidental, in that for most of the time viewers may not be facing the mast. In these circumstances, while the mast may be visible or noticeable, it may not intrude overly on the general view of prospect.
- There will be local factors which have to be considered in determining the extent to which an object is noticeable or intrusive – intermediate objects (buildings or trees), topography, the scale of the object in the wider landscape, the multiplicity of other objects in the wider panorama, the position of the object with respect to the skyline, weather and lighting conditions, etc.
- The sharing of installations and clustering of antennae is encouraged as co-location will reduce the visual impact on the landscape (Section 4.5).

Circular Letter PL 07/12 updated and revised certain sections of the 1996 Guidelines under Section 2.2 to 2.7.

6.2. Meath County Council Development Plan 2021 - 2027

The zoning policies of the development plan primarily relate to urban areas; however, it includes RA- Rural Areas and RU-Rural Nodes aim to protect and

promote rural areas. The subject site is in a RA – Rural Area with the objective: “To protect and promote in a balanced way, the development of agriculture, forestry and sustainable rural-related enterprise, community facilities, biodiversity, the rural landscape, and the built and cultural heritage”. Utility Structures are Permitted Uses – with utilities being identified as ‘water, wastewater, electricity, telecommunications, transport infrastructure’. Telecommunication Structures are specified separately, and as Open for Consideration in this zoning.

Section 6.16.4, Telecommunications Antennae, is applicable to the assessment of this application and in particular the following policies:

- 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 58: To encourage and facilitate pre-planning discussions with service providers and operators prior to the submission of planning applications.

- 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 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.
- 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.

The following cultural and natural heritage policies are relevant in relation to the application:

- HER POL 1: To protect sites, monuments, places, areas or objects of the following categories:
 - Sites and monuments included in the Sites and Monuments Record as maintained by the National Monuments Service of the Department of Culture, Heritage and the Gaeltacht;
 - Monuments and places included in the Record of Monuments and Places as established under the National Monuments Acts;
 - Historic monuments and archaeological areas included in the Register of Historic Monuments as established under the National Monuments Acts;
 - National monuments subject to Preservation Orders under the National Monuments Acts and national monuments which are in the ownership or guardianship of the Minister for Culture, Heritage and the Gaeltacht or a local authority;
 - Archaeological objects within the meaning of the National Monuments Acts; and Wrecks protected under the National Monuments Acts or otherwise included in the Shipwreck Inventory maintained by the National Monuments Service of the Department of Culture, Heritage and the Gaeltacht.
- HER POL 12: To recognise and respect potential World Heritage Sites in Meath on the UNESCO Tentative List – Ireland.

- HER POL 16: To protect the setting of Protected Structures and to refuse permission for development within the curtilage or adjacent to a protected structure which would adversely impact on the character and special interest of the structure, where appropriate.

In addition, the Council has the following objectives:

- HER OBJ 3: To protect important archaeological landscapes from inappropriate development.
- HER OBJ 13: To support the State in the nomination process of Tara and Kells to World Heritage status as part of an assemblage of Royal and Monastic Sites in co-operation with the relevant Local Authorities.

Section 8.17 of the Development Plan considers the Landscape Character Assessment (LCA) for County Meath. The LCA divides the county into 4 landscape character types: Hills and Uplands Areas; Lowland Areas; River Corridors and Estuaries; and Coastal Areas. These LCTs are then sub-divided into 20 geographically specific landscape character areas. The subject site is located on the boundary between the Central Lowlands Landscape Character area characterised as being High Value, with Moderate Sensitivity and the Tara Skryne Hills Landscape Character area characterised as being Exceptional Value and High Sensitivity.

Relevant policies and objectives include:

- 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 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.
- 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.

Map 8.6 identifies the following Protected Views in the vicinity of the subject appeal site. Appendix A10 Protected Views and Prospects describes the direction and nature of the protected views. See table below.

View	Direction of View	Location	Description	Significance
41	South	On country road between Dowdstown Bridge and Garlagh Cross Roads	View looking south towards Hill of Tara across open landscape with significant concentration of development to east and woodland to west. Contains infrastructure including road, 220kV powerline and anglemasts.	Regional
43	East	Hill of Tara Car Park	View east to Skryne. Settled landscape. Historic features.	Local
44	Panorama	Hill of Tara	<p>Views across settled landscape with visible development including foreground powerlines, agricultural buildings, houses, quarries and roads.</p> <p>View to the west: other prominent hilltops visible at great distance. Foreground contains extensive areas of hedgerows and woodland.</p> <p>View to the south: Wicklow and Dublin Mountains visible on horizon. Relatively little development visible. Substantial woodland in the foreground.</p> <p>View to the east: across settled working landscape with a variety of structures and development visible including historic structures such as Skryne. Distant industrial plants.</p> <p>View to the north: panoramic views into very distant horizons. Encompassing a settled landscape with many buildings and structures visible in near and middle distance.</p> <p>Note areas immediately below hill to the north and south are obstructed by topography at variance with protection plan.</p>	National

Having regard to the location of the proposed development, and the proximity of the Hill of Tara, the following documents were also reviewed:

- Tara Conservation Management Plan (2022)

6.3. Natural Heritage Designations

The subject site is located approx. 2km to the east of the River Boyne/Blackwater SAC.

6.4. EIA Screening

Having regard to nature of the development comprising a telecommunications structure and ancillary development 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.

7.0 The Appeal

7.1. Grounds of Appeal

Shared Access Ltd. submitted a First Party appeal arguing that high quality communications infrastructure is essential for sustainable economic growth and social well-being; that the proposed development will provide coverage in a location that is currently deficient in coverage, and the proposed development is entirely acceptable in planning policy. Key points in the appeal include:

1. No new access arrangements are proposed – the proposed development will utilise the existing agricultural, equestrian, and residential access point. There are no records of traffic incidents associated with the ongoing and historic use of this access point.
2. The additional use of the access point would only be concentrated during the construction stage, and the Construction Management Plan submitted with the application sets out how this can be managed safely. Once operational,

the infrastructure becomes passive, requiring very limited maintenance visits (stated as once or twice per year). The proposed development would therefore not endanger public safety by reason of traffic hazard and would not result in any appreciable increase in traffic generation over the medium to long term.

3. The application was accompanied by a Landscape and Visual Impact Assessment, including photomontages which shows that the proposed development would not materially contravene any part of the Development Plan and the impact upon the viewpoints assessed, would be vanishingly small. Furthermore:

- The site has been selected in part due to the existing character of the immediate surrounds being made up of tall vertical steel structures which characterize the site.
- The impact upon the surrounding area is, at worst, highly localised and would very often be experienced against the backdrop of vertical structures which characterise the area.
- The magnitude of change from identified panoramic views from the Hill of Tara is assessed as negligible and verified photomontages are provided to prove this point.
- The equipment cabinets will be entirely screened from public view by virtue of their limited height with the installation designed to ensure that the visual prominence of the structure has been substantially minimised.

7.2. Planning Authority Response

The Council's response to the grounds of appeal, dated 9th February 2023, considers that the Board should confirm the refusal of planning permission. They stated that the first party appeal was examined by the Planning Authority who were satisfied that all matters outlined in the appellants submissions were considered during its assessment of the planning application as was detailed in the planning officer's reports.

7.3. Observations

None received.

7.4. Further Responses

None received.

8.0 Assessment

Having examined the application details and all other documentation on file, including the submissions received in relation to the planning application, the applicant's First Party Appeal, inspection of the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues on this appeal are as follows:

- Principle
- Need and Location
- Access
- Impact on Protected Views, Landscape and Visual Amenity

Each of these issues is addressed in turn below.

8.1. Principle

8.1.1. Both National policy and the Meath County Development Plan support the sustainable development of a high-quality Information and Communications Technology (ICT) network to achieve social and economic development; however, careful attention is required to siting telecommunication installations to protect existing amenities.

8.1.2. I also note that 'Utility Structures', are listed as Permissible Uses under the RA Rural Area zoning for the site, while 'Telecommunications Structures' are separately listed as Open for Consideration under the RA Rural Area zoning.

8.2. Need and Location

- 8.2.1. The applicant, in its Radio Frequency Technical Justification Report, and in the Planning Report submitted with the application advises the main driver for the proposed development is to significantly uplift Three Ireland's existing coverage and level of service along the M3, the R147, Carlow Cross and the wider area. **This** area is **noted as** an identified 'black spot' in 4G coverage across the Three Ireland network.
- 8.2.2. **The applicant advises** the proposed development will effectively replace the coverage currently being provided by the existing installation fixed to the nearby pylon structure; and will be able to provide enhanced coverage as part of an integrated telecommunications network. It is further **advised** that the proposal is for a multi-user structure intended to allow other network operators to use this structure in the future, should they identify the need to do so.
- 8.2.3. The *Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, 1996* (the Guidelines) set the criteria for the assessment of telecommunications structures. They actively encourage co-location of antennae on existing support structures. In this regard, I also note it is Three Ireland's policy to co-locate on existing telecommunications infrastructure and that the proposed new telecommunications structure is considered necessary only following an evaluation of other options. The options considered by the applicant in this case are:
- Upgrading a nearby existing Three installation (MT0199). This option is stated as not feasible because of structural limitations of the structure it is fixed to (i.e., a pylon primarily designed to carry a high voltage power line located 100m to the east of the subject site).
 - Other existing telecommunications infrastructure within a 2km radius of the subject site. These could not be shared or upgraded to provide the necessary coverage.
 - Industrial sites, land zoned for industrial uses or sites used for utilities. There are no such sites in the search area.

- 8.2.4. I note that the subject proposal is one of a few for telecommunications structures in the general area, including by operators seeking to improve their existing coverage which is limited by being located on the nearby electricity pylons.
- 8.2.5. Of relevance are two proposals by ESB Telecoms on a site very close to the subject site (approximately 300m to the southeast). While permission was originally refused for a 36m lattice type structure in 2019 (AA180587 / ABP-303530-19), permission was subsequently granted for a 22m monopole on 20th January 2023 (22/682). The Planning Report accompanying the application specifically refers to the fact existing operators currently utilise the nearby ESB pylons; acknowledges that the development of technology and increased coverage requirements mean that the existing arrangement is not providing adequate services to the area; and states the proposal will allow for the continued use of this key site that links nearby existing sites in the individual operators' networks. I note the application refers to both Vodaphone and Meteor as specifically seeking individual alternative requirements in the area (with Vodaphone providing a letter of support for the application); Three Ireland (the focus of the subject application) are not specifically referred to.
- 8.2.6. **The** monopole was not originally assessed as an alternative by the applicants because its planning application was lodged on the 23rd June 2022, after the date of lodgement of the subject planning application / appeal site (i.e., 20th April 2022). I note that it was not mentioned as part of their First Party Appeal although a Notification of Decision to Grant had issued on 30th November 2022. Interestingly, Meath County Council in its response of 9th February 2023, also did not refer to the fact that it had granted planning permission for the monopole on an adjoining site.
- 8.2.7. While I consider the applicant did sufficiently document the basis of its cell search area (need) specifically in relation to the Three Ireland network at the time of lodgement, I consider that the temporal circumstance relating to Meath County Council subsequently granting permission for a monopole on an adjacent site, and the stated intention of ESB Telecoms that this structure will be available to improve the service of existing operators' in the area, undermines the potential need argument and consideration of alternatives in respect of the subject site and in particular the policy direction favouring co-location of antenna on existing, or in this particular instance, permitted support structures. These matters would need to be

reconsidered from first principles considering the now permitted monopole on an adjacent site.

8.2.8. Having regard to the foregoing, I consider the proposed development to be contrary to INF POL59 of the Meath County Development Plan.

8.3. **Access**

8.3.1. The Planning Authority considered that the proposed development would endanger public safety by reason of a traffic hazard having regard to the increased traffic movements into and out of the site where sightlines are restricted.

8.3.2. The applicant in response argue that the use of the existing agricultural, equestrian, and residential access point is appropriate citing no records of traffic incidents associated with its ongoing and historic use. They consider that the use of the access point will only be concentrated during the construction stage, and this can be managed safely. Once operational, the applicant argues the infrastructure becomes passive, requiring very limited maintenance visits (stated as once or twice per year).

8.3.3. Having visited the site and exited the laneway on to the Yellow Wall Lane / Kilcarn Heights, I agree that sightlines to the north are obscured by the corner boundary of the adjoining field which extends beyond the gate pillar. There is some refuge to the southern side along the set-back boundary and gates to Clonard House; however, cautious movements are still required to determine whether vehicles are approaching from the right.

8.3.4. I note that this is an existing access point which serves the ancillary development to the rear of Clonard House, the agricultural shed (stated as being used for equestrian purposes) adjacent to the subject site, farming activities in the large agricultural field to the north and presumably maintenance activities relating to the existing pylon and the telecommunications infrastructure it supports. If granted, and post construction I agree with the applicant that the additional operational traffic generated by the subject proposal will be very light comprising infrequent maintenance visits. In this regard, I do not consider there would be a material intensification of the use of the existing access or significant additional turning movements generated by the proposed development.

7.3.1 I also agree with the applicant that vehicular traffic will be concentrated during the stated 4-5 week construction phase and that vehicles entering or leaving the site onto the public road can be scheduled and supervised during this period.

7.3.2 Having regard to the above, I do not consider that the proposed development represents a traffic hazard should other matters relating to the principle of development be deemed acceptable.

8.4. Impact on Protected Views, Landscape and Visual Amenity

8.4.1 The planning authority considers the applicant did not sufficiently demonstrate that the proposed development by virtue of its design, scale and siting would not be visually obtrusive and detrimental to the visual amenities of the area, most notably on the protected views from The Hill of Tara.

8.4.2 A key consideration for the Case Planner was designated / protected Viewpoint No. 44 which is a panoramic view from the Hill of Tara which would include the location of the proposed development.

8.4.3 I note that the Hill of Tara is within a different LCA to the subject site i.e., the Tara Skryne Hills LCA. This is a landscape of exceptional value and high sensitivity with low potential capacity for development including communication masts. However, the proposed site is located on the boundary between the Tara Skryne Hills LCA and the Central Lowlands Landscape Character area (characterised as being high value, with moderate sensitivity).

8.4.4 In the Landscape and Visual Impact Assessment (LVIA) prepared by JBA Consulting submitted as Further Information, the potential landscape and visual impacts on the features at the Hill of Tara Complex, were specifically assessed. General points included therein included:

- The proposal will be visible from certain points at the Hill of Tara, but within an expansive wide-ranging view which already contains other vertical infrastructure such as electricity pylons, and at a long distance.
- The panoramic protected view from the Hill of Tara, includes views towards the proposed development site. Due to the distance of these views from the proposal and the expansive nature of the view, the magnitude of change

would be low, and the effect would therefore be permanent, slight and negative.

- There will be some benefits of on-site screening of lower elements of the structure, and from vegetation along field boundaries in the wider area.

8.4.5 The LVIA identifies and assesses 11 visually sensitive receptors (identified as areas accessible to visitors) within the Hill of Tara Complex. These range from 3.23km to 4.02km south of the subject site. The LVIA also includes photomontages from representative viewpoint locations within the Hill of Tara Complex.

8.4.6 The First Party Appeal also provided additional commentary relating to the photomontages from the Hill of Tara and included magnified frames to show that the proposed development would not extend beyond the skyline.

8.4.7 I visited the Hill of Tara on the same day as I visited the site and I experienced, what is described in Section 3.1.9 of the Tara Management Plan as the Hill being *“a key vantage point from which one can view an extensive panorama and experience an understanding of place in the wider physical landscape”*. Within the expansive views of the surrounding agricultural landscape, development is evident, with buildings (and building complexes in particular– agricultural or otherwise) noticeable. Structures which break the horizon are also evident including the Platin Works in Drogheda. Utilitarian structures such as the pylons of high voltage transmission lines are also evident on more careful examination against the agricultural backdrop. The lack of visibility of the M3 was noteworthy.

8.4.8 Within the expansive views it took some time to identify the location of the subject site, taking reference from Tara na Rí public house and nearby high voltage power line and pylons. While I agree that the proposed development would introduce a new utilitarian vertical structure into the landscape, discernible if you know what you are looking for, I do not consider that it would detract from the panoramic experience as protected by designated View No. 44 nor the character and visual amenity of the landscape.

8.4.9 I consider the distance of the proposed development from the Hill of Tara, the scale of the proposal in the context of the panoramic views, the fact that the proposed telecommunications structure will be the same / similar size as the existing nearby pylon, the fact that the structure will not break the skyline, and will be seen against

the mosaic backdrop of agricultural fields and intervening hedgerows and trees, mitigates against it being visually obtrusive and detrimental to the protected panoramic view from The Hill of Tara.

- 8.4.10 In reaching this position I am also cognisant that the *Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, 1996* which differentiates between telecommunications masts which may be visible (intermittently or incidentally), but which do not overly intrude on a general view or prospect, and those which terminate views. I consider the proposed development to comprise the former in the context of the panoramic views from the Hill of Tara.
- 8.4.11 Having regard to the foregoing, I consider the applicants did demonstrate that the proposed development (of itself) by virtue of its design, scale and siting would not be visually obtrusive and detrimental to the visual amenities of the area, most notably protected views from The Hill of Tara.
- 8.4.12 However, and notwithstanding the above, I note the submission of the National Monuments Service (NMS) of the Department of Housing, Local Government and Heritage, who reviewed the LVIA. It specifically recommended that the Local Authority consider the cultural significance of the Hill of Tara on the UNESCO Tentative List, and the likelihood that further cumulative impacts could take place in the future.
- 8.4.13 I consider the issue of cumulative impact to be especially relevant in the context of Meath County Council granting planning permission for a monopole on the adjoining site, after refusing permission for the subject site. I consider this fundamentally changes the acceptability of the subject proposal having regard to inter alia the following tenets of the *Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, 1996*:
- Care is needed to be taken when dealing with fragile or sensitive landscapes (Section 4 of the Telecommunication Guidelines). This is relevant given the location of the subject proposal on the boundary between the Central Lowlands Landscape Character area and Tara Skryne Hills LCA; and the adjacent permitted monopole which is located within the Tara Skryne Hills LCA.

- The sharing of installations and clustering of antennae is encouraged as co-location will reduce the visual impact on the landscape.

8.4.14 While I appreciate the timing of applications and decisions may have militated against a cumulative impact of the proposed development and the permitted development being undertaken, I believe permitting another telecommunications structure would result in an excessive concentration of such structures within this area having regard to the sensitivity of the location (in particular the high sensitivity of the Tara Skryne Hills Landscape Character Area) and in terms of general visual impact on the landscape.

8.4.15 Having regard to the above, I consider the proposed development would be contrary to Section 4 of the *Telecommunications Guidelines (1996)*, and policies and objective so the Meath County Development Plan, specifically INF POL 59, HER OBJ 49 and HER POL 52.

8.5. **Appropriate Assessment Screening**

8.5.1 Having regard to the nature and scale of the proposed development, the nature of the foreseeable emissions therefrom/to the absence of emissions therefrom, the nature of receiving environment as a built up urban area and the distance from any European site/the absence of a pathway between the application site and any European site it is possible to screen out the requirement for the submission of an NIS and carrying out of an EIA at an initial stage.

9 **Recommendation**

I recommend that permission be refused for the following reason and considerations below.

10 **Reasons and Considerations**

Having regard to (a) the sensitive location of the proposed development on the boundary between the Central Lowlands Landscape Character Area and the Tara Skryne Hills Landscape Character Area (b) the guidelines relating to telecommunications antennae and support structures which were issued by the

Department of the Environment and Local Government to planning authorities in July, 1996, (c) the provisions of the Meath County Development Plan 2021-2027, (d) the height, scale and location of the proposed development, (e) the potential for cumulative impacts with existing and permitted infrastructure in the immediate area, and lack of cumulative impact assessment addressing same, it is considered that the proposed development would be visually obtrusive and would seriously injure the visual amenities of the area and character of the landscape. The proposed development would, therefore, not be in accordance with the proper planning and sustainable development of the area.

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.



Leah Kenny
Planning Inspector

5th August 2023