



An
Coimisiún
Pleanála

Inspector's Report ABP-322360-25

Development	Permission for the erection of a 24.1m telecommunications tower etc
Location	Boyne RFC, Ballymakenny Road, Yellowbatter, Drogheda, Co.Louth
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	2513
Applicant(s)	Shared Access Ltd.
Type of Application	Permission.
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Mark Owens.
Observer(s)	None.
Date of Site Inspection	3 rd August 2025.
Inspector	Lucy Roche

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1.0 Site Location and Description

- 1.1. The proposed development site is situated in the townland of Yellowbatter in the northern environs of Drogheda. The northern environs of Drogheda have been identified, at National, Regional and Local Levels, for significant population and economic growth. This is evidenced by the extent of permitted, under construction and newly constructed residential development in the area. The proposed development site lies within the grounds of Boyne Rugby Club, c1.5km north of the town centre, on the western side of the Ballymakenny Road (L2275). Boyne Rugby Club comprises, at its eastern end, the main club house building, gym and a range of single storey, flat roof buildings that provide temporary accommodation for St. Ita's Special School. The western end is occupied by playing pitches and associated infrastructure including goalposts and floodlighting (stated height of 21.5m). One of the floodlights stanchions, on the northern side of the main playing pitch, has existing telecommunications antennas fixed below the floodlights at heights of approximately 20.5m and 18.5m, along with associated ground equipment at its base. This existing telecommunication infrastructure provides mobile network coverage for Vodafone and EIR Ireland. The RFC grounds are bounded by palisade fencing c2.1m in height.
- 1.2. The site itself comprises approximately 66.5sqm of grassland situated between the main playing pitch and the northern boundary of the rugby grounds. An existing steel storage container is positioned c.3.5m to the east of the site. The site is accessed from the Ballymakenny road, via an existing access track that extends along the northern boundary of the playing pitches.
- 1.3. Surrounding land use is primarily residential. The nearest residential properties to the proposed development site are situated on Castle Manor, approximately 30m to the north. Other notable land uses in the area include Presentation Primary School, Solid Rock Church and a small industrial estate (Wogans Build Centre), all of which are located to the east of the site, on the opposite side of the Ballymakenny Road.

2.0 Proposed Development

Permission is sought for the erection of a 24.1m telecommunications tower on a concrete base measuring 9.5 m x 7m (66.5 sq. m). The proposed tower will support:

- 18 no. antennae mounted on headframe / fixings to the main mast at various heights. 6 no. at maximum height of 24m; 6 no. at 21m and 6 no. at 18m.
- 4 no. 600mm transmission dishes mounted on headframe
- 1 no. GPS module antenna installed on proposed gantry at ground levels

- 2.1. 6 no. equipment cabinets and 3no. metering pillars are proposed at ground level. These will house equipment for each operator and the electricity supply. All cabinets are designed to be vandal proof and are to be painted grey. A secure compound area will be provided for the installation measuring 9.5m x 7m and will be secured by 2.4m high galvanised palisade fence with pedestrian gate.
- 2.2. The existing access track within the RFC grounds is to be extended to provide access to the installation. This new track area would extend c19 m in length and 3 m in width.
- 2.3. The application is accompanied by (inter alia)
- Planning Statement
 - Technical Justification Report (prepared by Three Ireland)
 - ICNRIP Certificates

3.0 Planning Authority Decision

3.1. Decision

Louth County Council decided on the 4th of April 2025 to grant permission for the proposed development subject to 7no. conditions. The conditions are generally standard for the nature of the development proposed. Condition 3 is noted:

- C. 3 Details of the proposed colour scheme for the telecommunications structure and ancillary structures shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of development.

Reason: In the interests of the visual amenities of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The report of the Local Authority Case Planner (April 2025) has regard to the locational context and planning history of the site, to national and local planning policy and to the third-party submissions and interdepartmental reports received.
- Part 2 of the report considers Environmental Impact Assessment and Appropriate Assessment. It concludes that the project is not a relevant Class for the purposes of EIA and that no appropriate assessment issues arise.
- Part 3 comprises the main planning assessment. The case planner is satisfied that the applicant has demonstrated a technical justification of the need for the structure and has adequately demonstrated that co-location is not feasible given that the proposed structure is intended to address concerns of coverage blackspots in this area. Regarding visual amenity, the Case Planner considers the structure similar in appearance to existing flood lighting and as such would not appear out of character in this area. The structure would not impact on any critical or long-distance views. Regarding residential amenity, the Case Planner notes the location of the site within the rugby grounds and the separation distances available and does not envisage any undue harm. No issues are raised in respect of traffic, flood risk or drainage.
- The report concludes with a recommendation to grant permission subject to condition as per final decision.

3.2.2. Other Technical Reports

- *Placemaking and Physical Development*: - No objection subject to conditions relating to surface water drainage, the need to obtain and Road Opening Licence and maintenance / repair of the local road network during construction.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

3.5. The Planning Authority received c16 no. third-party submissions. The issues raised are similar to those set out in the grounds of appeal and can be summarised as follows:

- Location of the second site notice not as shown on the submitted drawings.
- Residents not adequately informed about the proposal
- The proposal is for the benefit (financial) of Boyne RFC and not for the community
- Inappropriate location due to its proximity to roads, schools and residential properties. The need for the mast at this location has not been adequate justified. Other sites are available.
- The mast would detract from the visual amenities of the area. No proper visual impact assessment carried out. The use of palisade fencing is inappropriate.
- Impact on residential amenity by way of visual intrusion and reduction in property values
- Flood Risk – No SSFRA submitted. Potential impacts on water course not considered.
- Risks to human health, animals and the natural environment

4.0 Planning History:

4.1. Planning decisions within the grounds of Boyne RFC:

LCC Ref: 24147 Permission granted for the retention of the existing school along with permission to construct a new part ground floor/ part first floor extension. For a temporary period of three years.

LCC Ref: 18301 Permission granted for the demolition of a single storey building and extension to existing temporary classroom

LCC Ref: 15298 Permission granted for a temporary school development (prefabricated classrooms)

LCC Ref:10510048 Permission granted for 3no. prefabricated classroom units etc

5.0 Policy Context

5.1. The Louth County Development Plan 2021-2027

5.1.1. The Louth County Development Plan 2021-2027 (LCDP) is the operative plan for the area. Since its adoption on the 30th of September 2021, the LCDP has been updated to include for Variation No. 1 (adopted on 18th July 2022) and Variation No. 2 (adopted on 20th May 2024). Section 1.1 of the LCDP states that *‘when adopted, the County Development Plan will replace the Drogheda and Dundalk Development Plans, and Urban Area Plans / Local Area Plans will be prepared for these towns during the lifetime of this Plan’*.

5.1.2. The appeal site is zoned A2 – New Residential Phase 1 under the LCDP with the objective to provide for new residential neighbourhoods and supporting community facilities. Telecommunication structures are listed as ‘Open for Consideration’ under the A2 zoning.

5.1.3. Chapter 10, Section 10.4.2.4 deals with Telecommunications Support Structures and Antennae:

The Council recognises the importance of high-quality telecommunication infrastructure as a prerequisite for a successful economy and accepts the critical importance of a high-quality telecommunications service at national, regional and local level. Deregulation of the telecommunications industry has resulted in both choice and competition in conjunction with duplication and over provision of facilities. While the advantages of a high-quality ICT infrastructure are acknowledged, these must be balanced against the need to safeguard both the urban and rural landscape, which can be significantly impacted due to the physical nature of these structures.

Visual impact should be kept to a minimum with detailed consideration of design, siting and scope for utilising landscaping measures effectively.

Noted Policy Objectives:

- IU 41 To ensure the orderly development of telecommunications throughout the County in accordance with the requirements of the Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities, DECLG, 1996, except where they conflict with Circular Letter PI07/12 which shall take precedence, and any subsequent revisions or expanded guidelines in this area.
- IU 42 To require co-location of antennae support structures and sites where feasible. Operators shall be required to submit documentary evidence as to the non-feasibility of this option in proposals for new structures.
- IU 43 To facilitate the public and private sector in making available where feasible and suitable, strategically located structures or sites, including those in the ownership of Louth County Council, to facilitate improved telecommunications coverage.
- IU 44 To require best practice in both siting and design in relation to the erection of communication antennae and support infrastructure, in the interests of visual amenity and the protection of sensitive landscapes
- IU 45 To operate a presumption against the location of antennae support structures where they would have a serious negative impact on the visual amenity of sensitive sites and locations.
- IU 46 To require the de-commissioning of a telecommunications structure and its removal off-site at the operator's expense where it is no longer required.
- IU 47 To encourage service providers to engage in pre-planning discussions with the Planning Authority prior to the submission of planning applications.

5.1.4. Chapter 13, Development Management Guidelines notes the following in respect of Telecommunications Structures:

The importance of high-quality telecommunications infrastructure in maintaining economic competitiveness and providing connectivity for businesses and communities is recognised.

The assessment of any application for telecommunications structures will have regard to the Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities, DECLG, 1996 and Circular Letter PI07/12 published by the DECLG in 2012. The co-location of existing structures is encouraged.

The construction of a new antennae or structure will only be considered when co-location is not a feasible option. Any proposal for a new structure or antennae will require a supplementary report setting out the requirements for the infrastructure and why co-location is not feasible.

In identifying a suitable location for telecommunications structures consideration shall be given to the potential visual impact of the development and any sensitivities in the local landscape or settlement in which the structure is proposed to be located.

A Visual Impact Assessment of the development including photomontages, may be required, depending on the nature of the development proposed. Telecommunication structures on visually sensitive elevated lands will only be considered where technical or coverage requirements mean the infrastructure is essential. Structures shall be designed to facilitate the attachment of additional antennae and minimise any visual impact. Any boundaries around structures shall be carefully considered and take account of the location of the structure. Palisade fencing will not normally be considered acceptable, particularly in built up areas.

5.2. **National and Regional Policy**

Climate Action Plan (CAP) 2025

- CAP 2025 to be read in conjunction with CAP 2024, the relevant part being Section 11.2.4.

- Section 10.1.8: Digital Transformation. The CAP supports the national digital transformation framework and recognises the importance of this transformation to achieve Ireland's climate targets.
- The transition towards green and digital societies is highlighted throughout the CAP 2025, as an overarching aim to achieve decarbonisation and net zero commitments.
- Section 15 of the Climate and Low Carbon Development Act 2015 as amended (the Climate Act), obliges the Board to make all decisions in a manner that is consistent with the current CAP.

Harnessing Digital. The Digital Ireland Framework.

- Section 2.1: Enable the physical telecommunication infrastructure and services delivering digital connectivity in line with the National Broadband plan.

National Planning Framework – First Revision 2025

- National Policy Objective 31: 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.
- National Policy Objective 62: Supports the development of a stable, innovative and secure digital communications and services infrastructure on an all-island basis.

National Development Plan 2021-2030

- The government recognises that access to quality high speed broadband is essential for today's economy and society.

National Broadband Plan 2020

- The National Broadband Plan (NBP) is the Government's initiative to improve digital connectivity by delivering high speed broadband services to all premises in Ireland, through investment by commercial enterprises coupled with intervention by the State in those parts of the country where private companies have no plans to invest.

5.3. Guidelines and Circulars:

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

- 5.3.1. These guidelines, published in 1996, set out government policy for the assessment of proposed new 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. This is an essential feature of all modern telecommunications networks. In many suburban situations, because of the low-rise nature of buildings and structures, a supporting mast or tower is needed.
- 5.3.2. Section 4.3 of the Guidelines refers to visual impact and states that only as a last resort should free-standing masts be located within, or in the immediate surrounds, of smaller towns or villages. If such locations should become necessary, sites already developed for utilities should be considered, and masts and antennae should be designed and adapted for the specific location.
- 5.3.3. The support structure should be kept to the minimum height consistent with effective operation. The Guidelines also state that visual impact is among the more important considerations that should be considered assessing a particular application. In most cases, the Applicant will only have limited flexibility as regards location, given the constraints arising from radio planning parameters, etc. Visual impact will, by definition, vary with the general context of the proposed development.
- 5.3.4. The Guidelines state that the approach will vary depending on whether a proposed development is in:
 - a rural/agricultural area.
 - an upland/hilly, mountainous area.
 - a smaller settlement/village.
 - an industrial area/industrially zoned land; or

- a suburban area of a larger town or city.

The Guidelines state that some masts will remain quite noticeable despite best precautions. For example, there will be local factors which have to be taken into account in determining the extent to which an object is noticeable or intrusive. This may include 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, lighting conditions, etc. Softening of the visual impact can be achieved through a judicious choice of colour scheme and through the planting of shrubs, trees etc as a screen or backdrop.

DoECLG Circular Letter PL07/12

5.3.5. Circular Letter PL 07/12, dated 19th October 2012, sets out to revise Sections 2.2. to 2.7 of the Guidelines. The Circular was issued in the context of the rollout of the next generation of broadband (4G). It sets out elements of the 1996 Guidelines that required being revised. Broadly these are:

- Cease attaching time limiting conditions to telecommunications masts, except in exceptional circumstances.
- Avoid inclusion in development plans of minimum separation distances between masts and schools and houses.
- Omit conditions on planning permission requiring security in the form of a bond/cash deposit.
- Register or database of approved structures.
- Reiterates advice not to include monitoring arrangements on health and safety or to determine planning applications on health grounds; and

The circular also states that future development contribution schemes to include waivers for broadband infrastructure provision.

Circular Letter PL 03/2018

5.3.6. This circular provides a revision to Chapter 2 of the Development Contribution, Guidelines for Planning Authorities, 2013 and specifically states that the waiver provided in the Development Contribution, Guidelines for Planning Authorities, 2013

should apply not only to the provision of broadband services but also to mobile services.

5.4. Natural Heritage Designations

The proposed development site is not within nor is it adjacent to any European site. The closest European site to the proposed development is the River Boyne and River Blackwater SAC situated approximately 1.5 kilometres to the South.

Other European designated sites in the area include the Boyne Estuary SPA and the Boyne Coast and Estuary SAC (also designated as an NHA) which are approximately 2km and 2.5 kilometres to the southeast respectively, and the River Boyne and Blackwater SPA which is situated approximately 3.3 kilometres to the southwest. All other European sites are greater than 8km distant from the proposed development site. The Boyne River Islands and King William's Glen and NHA's are located c3.2km and 4.6km to the southwest and west of the site, respectively.

6.0 The Appeal

6.1. This is a third-party appeal against the decision of Louth County Council (LCC) to grant permission for the erection of a 24.1m high telecommunications tower within the grounds of Boyne RFC. The appeal was lodged by Mark Owens, a resident of Castle Manor, the neighbouring residential development to the north. The appeal is accompanied by:

- Details of an email (including supporting photographs), sent to the HSA regarding safety concerns associated with construction activity on Boyne RFC grounds.
- Aerial photographs detailing the proposed development site in context with neighbouring residential properties on Castle Manor to the north and the industrial site to the east.

6.2. Grounds of Appeal

The issues raised on the appeal can be summarised under the following headings:

- *Location:* - Concerns are raised regarding the proximity of the proposed telecommunication structure to neighbouring houses with reference to the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996) *which state that “only as a last resort should free standing masts be located within or in the immediate surrounds of smaller towns and villages”.* It is contended that the mast would have a negative impact on the community and that it would be better located in the nearby industrial estate. It is further contended that the location of the mast and the applicant’s justification for site selection were not adequately considered in the assessment of the application.
- *Visual Impact:* - It is contended that the visual impact of the structure was not properly considered in the assessment. Concerns are raised regarding condition 3 of the PA decision which requires future agreement on the colour of the mast and associated infrastructure, as this arrangement excludes third parties from raising an objection. Concerns are also raised regarding the lack of superimposed images to demonstrate the full impact of the 24.1m high mast.
- *Flood Zone:* - The mast (and associated electrical equipment) is being constructed beside a flood zone, this was not adequately considered in the application, no site-specific flood risk assessment was requested. This should be considered in the context of climate change.
- *Health and Safety:* - Concerns are raised regarding the location of the proposed structure within the rugby club grounds where children frequent. The proposed use of palisade fencing is not considered sufficient to prevent access to the mast. The GoP reference section 13.18.3 of the LCDP, which states in respect of Telecommunications Structures, that *‘Palisade fencing will not normally be considered acceptable, particularly in built up areas’.*

6.3. Applicant Response:

The applicant's response to the issues raised in the grounds of appeal can be summarised as follows:

- *Location:* - The 1996 guidelines, as they relate to the location of telecommunication structures in urban areas, is acknowledged however these guidelines do not prevent or bar a telecommunication structures on lands such as the application site. The technical justification for the development is provided in the Planning Statement submitted with the application. The location of the site was carefully considered with alternative sites dismissed for technical, planning or other reasons. The proposed use will not impact the primary use of the lands as a sports club / community facility. The proposal will benefit the community by providing greater 2G, 3G, 4G and 5G coverage.
- *Justification / alternative site:* - regard is had to the Planning Statement and Technical Justification Report submitted with the application. 7no. existing telecommunication installations in the area were identified. These were discounted due to the distance from the cell search area. nearby greenfield sites and existing buildings and structures in the area were also discounted for this reason. The existing mast structure on site cannot be upgraded accommodate the proposed additional operator. Removing the existing structure from the site also supports the clubs plans for updating / moving pitches.
- *Visual Impact:* - the attachment of a condition requiring an agreement on the colour of the mast and associated structures is common practice. As standard, the structure is galvanised, but the applicant is open to working with LCC to finalise the colour. The applicant submitted a visual assessment which was considered by the Case Planner and deemed acceptable.
- *Flood Zone:* the site is not within a flood zone and does not require flood risk assessment. The proposal requires only a minor footprint, and the amount of permeable area will not lead to a significant surface water flow or create a higher flood risk elsewhere.

- *Health and Safety:* - St. Itas School has submitted a letter of support for the proposal. There is no national or local policy requirement for the submission of IP68 ratings etc. The proposed palisade fencing will provide security and is in keeping with the existing boundary fence. The Mast will have anti-climbing measures. Matters relating to public health are regulated under separate codes. The applicant is committed to providing a safe and secure telecommunications development and has provided a ICNIRP certificate as part of the application.

6.4. **Planning Authority Response**

- None received

6.5. **Observations**

- None

7.0 **Assessment**

7.1. Having undertaken a site visit and having examined the application details and all other documentation on file, including the submissions received in relation to the appeal and the reports of the local authority, and having regard to relevant local/regional/national policies and guidance, I consider that the substantive issues pertaining to this appeal can be assessed under the following headings:

- Principle of Development
- Technical Justification
- Site Selection
- Amenity Impact
- Other

7.2. **Principle of Development:**

7.2.1. The proposal is for the erection of a monopole type telecommunications mast with a height of 24.1m above ground level within the grounds of Boyne RFC. In accordance

with the information on file, the structure will support 18no. antenna for use by three of Ireland's largest mobile network providers (Three Ireland, Eir and Vodafone) in a site sharing arrangement. Vodafone and Eir have an existing installation inside the grounds of Boyne RFC attached to a floodlight, approx. 45m to the southwest of the proposed mast location. It is stated in the application that should planning permission be granted, Vodafone and Eir's existing installation will be decommissioned and removed from the site.

- 7.2.2. The provision of telecommunications infrastructure is supported at national, regional and county level in the interest of enhancing economic and social development. At local level, the LCDP recognises the importance of high-quality telecommunications infrastructure in maintaining economic competitiveness and providing connectivity for businesses and communities. The plan seeks to ensure the orderly development of telecommunications throughout the County in accordance with the requirements of the Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities, DECLG, 1996 (Objective IU 41), it requires co-location of antennae support structures and sites, where feasible (Objective IU 42) and best practice in terms of siting and design (Objective IU 44).
- 7.2.3. The subject site is zoned "*A2 – New Residential Development Phase 1*" with a stated objective to "*provide for new residential neighbourhoods and supporting community facilities*" in the Louth County Development Plan 2021-2027 (LCDP). The guidance for this zone outlines that the A2 zoning is the primary location for new residential development in Louth and that in addition to residential development, consideration will also be given to community facilities, retail services and uses that would support the creation of a sustainable neighbourhood; provided such development or uses are appropriate in scale and do not unduly interfere with the predominant residential land use. Telecommunications Structures are listed as '*Open for Consideration*' within the A2 zone. Land uses that are listed as '*Open for Consideration*' may be acceptable where the proposed development would be compatible with the overall policy objectives for the zoning category, would not have undesirable effects on the "*generally permitted uses*" or conflict with other aspects of the Plan, and would otherwise be consistent with the proper planning and sustainable development of the area.

- 7.2.4. On the basis of the foregoing, from a high-level policy framework and land use zoning perspective, I consider the proposal to be acceptable in principle subject to assessment against other planning matters.

7.3. Technical Justification

- 7.3.1. The applicant's technical justification for the proposed telecommunications infrastructure is set out the '*Planning Statement*' and '*Technical Justification Report*' submitted with the application. The Technical Justification Report was prepared by Three Ireland Ltd, as the new additional operator at this location.
- 7.3.2. The proposal is described as a key part of '*Threes*' overall plan to provide coverage to both the existing area of Drogheda and areas of growth to the north of the town. It is contended that the current uptake in devices has put additional pressures on the network requiring significant upgrades in technology to meet this demand and to maintain current and future service provision. It is further contended that a mast at this location would provide '*Three*' with sufficient overlap of the coverage footprint to adequately serve the surrounding environs and to counteract the reduced cell shrinkage affect that occurs during high customer data usage at peak times.
- 7.3.3. The technical justification report includes eight map-based images which detail existing and proposed '*Three*' 3G and 4G indoor coverage in the area. The report states that these maps illustrate optimal coverage with all other sites in the vicinity operating at maximum efficiency. Should one or more of these sites experience a technical fault, require maintenance or upgrading works which would result in equipment power down, the adjacent sites act as a backup system to maintain a consistent level of service in the area. This explains the importance of each base station in the overall network and ensures network resilience in network operations.
- 7.3.4. The images provided indicate that the proposed telecommunication structure would result in an improvement to *Threes* indoor coverage in the area. I have viewed the ComReg's Outdoor Coverage Map for the appeal site and its surrounding vicinity. Three's 4G coverage in the area is shown as 'good' but there are areas to the north and northwest where coverage drops to 'fair'. A 'fair' signal means reliable data speeds may be attained, but disconnections and data dropouts may still occur.

Three's 5G coverage in the area is shown as 'very good'; however, there are areas to the north and northwest where coverage is 'good' or 'fair'. Therefore, and having regard to the extent of new residential development under construction / planned for the north Drogheda area, which is likely to increase demand, I am satisfied that need for additional telecommunications infrastructure in this area is adequately justified.

7.4. Co-Location and Site Selection:

7.4.1. It is an objective (IU 42) of the LCDP to require the co-location of antennae support structures and sites, where feasible. The applicants site selection process is set out in Section 6 of the '*Planning Statement*' submitted with the application. The option of co-location was considered. A total of 7no. existing telecommunications installations were identified in the Drogheda area. The possibility of upgrading these existing installations, either in terms of adding equipment to the existing structure or upgrading the mast in another way to improve coverage, was assessed. In each case it was concluded that the upgrade of the installation would not provide the required level of coverage over the target area. Regarding the existing Eir / Vodafone installation within the grounds of Boyne RFC, co-location was ruled out on the grounds of structural stability. It is contended that the provision of larger or additional equipment would cause structural and wind loading issues for the existing flood light meaning that it would not be safe to accommodate additional equipment atop the mast. Therefore, the option of co-location was discounted. I am satisfied based on the information provided, that the option to co-locate with existing support structures in the area is not feasible in this instance.

7.4.2. The *Telecommunications Antennae and Support Structures Guidelines for Planning Authorities (1996)*, (thereafter referred to as the Guidelines) includes guidance on site selection. The guidelines identify two categories of settlement, namely '*small towns and villages*' and '*larger towns and city suburbs*'. I consider, that for the purpose of this assessment, Drogheda, would fall within the category of a 'Larger Town'. The Guidelines require that in the vicinity of larger towns, operators should endeavour to locate telecommunications masts in industrial estates, on industrially zoned land or in commercial areas and only as a last resort should free-standing masts be located in a residential area or beside schools. If such a location should

become necessary, sites already developed for utilities should be considered and masts and antennae should be designed and adapted for the specific location. The support structure should be kept to the minimum height consistent with effective operation and should be monopole (or poles) rather than a latticed tripod or square structure.

- 7.4.3. As outlined in the applicants '*Planning Statement*', the site selection process included consideration of greenfield sites and the use of existing tall structures in the area. A total of 6no potential alternative sites were identified. Sites more than 500m from the centre of the search area were discounted as being too far away from the cell search area to provide the required uplift in coverage. Sites within areas of public open space were also discounted on grounds that they would prejudice the use of the land for recreational purposes. Consideration was given to an employment site approx.350 m to the north of the proposed mast location. This site, comprising two industrial units and an area of hard standing, was discounted as the buildings, due to their low height and roof pitch were deemed unsuitable for roof mounted telecommunications development and because the yard area was deemed too restrictive. I note that the small industrial site to the east of Boyne RFC, on the opposite side of the Ballymakenny Road, is suggested in the grounds of appeal as a suitable location of the proposed telecommunications mast. While this site was not considered in the applicant's assessment, I consider that it could be excluded on similar grounds to the employment site to the north.
- 7.4.4. The Boyne RFC grounds were identified in the report as the only appropriate location to site an installation capable of providing the required coverage to the cell area. The area described in the Planning Statement as the 'last resort' available to mobile network operators to provide the required uplift to the cell search area. In my opinion the applicant's assessment of alternative sites is reasonable and sufficiently comprehensive to justify the proposed location of the mast.
- 7.4.5. In terms of final site selection, I note that the 'Cell Search Area', illustrated on Map 4 of the applicants '*Planning Statement*', is characterised, predominantly, by low rise, residential and includes several schools. The proposed development site, within the grounds of Boyne RFC, comprises an area of underutilised land. The proposed

structure is removed from the temporary school (c, 200 metres to the east) and from neighbouring residential properties (+30 metres). The RFC grounds currently accommodate a telecommunications installation (mounted on a flood light) that, as per the details submitted with the application, is to be replaced by the proposed structure. Overall, I am satisfied that the provision of a new telecommunications mast within the Boyne RFC Grounds is justified and acceptable subject to appropriate siting and design.

7.5. Design and Visual Impact

- 7.5.1. Objective IU 44 of the LCDP seeks to require best practice in both siting and design in relation to the erection of communication antennae and support infrastructure, in the interests of visual amenity and the protection of sensitive landscapes.
- 7.5.2. In terms of design, the proposed structure comprises a 24.1m high monopole support structure on a concrete base with associated antenna and ground-based equipment, all cited on a concrete base and secured by 2.4m high galvanised palisade fence with pedestrian gate. The proposed monopole structure is slimline with a minimalist design that, although c2.5m higher, is not dissimilar to the existing pole mounted floodlights within the RFC grounds. As proposed, the mast will have a galvanised finish, and cabinets will be painted grey. I have no objection to the colour scheme proposed; however, regard is had to Condition 3 attached to the planning authority's grant of permission which requires that the applicant to agree the colour scheme prior to the commencement of development. The appellant has raised concerns regarding the inclusion of this condition, querying how the visual impact of the proposal could be fully considered without knowing the final colour. While I note issues raised in the grounds of appeal regarding this condition, such conditions are relatively standard for developments of this nature as they allow for a degree of flexibility, and I note that the reason cited for the inclusion of the condition is in the interest of visual amenity. In my opinion the proposal represents a suitable design solution for a telecommunications mast at this location. The proposal to utilise palisade fencing as a boundary treatment is considered later in this report.

- 7.5.3. In terms of visual impact, I note that the proposed development site within the Boyne & Mattock Valley Landscape Character Area, which is identified in the LCDP as being of national importance. While acknowledging the scenic value of the wider landscape, regard is had to the specific context of the site within the settlement boundary of Drogheda and within an established sports ground where there are a significant number of floodlights and other vertical structures (goal posts etc.) of significant height. The site is not in an architecturally or historically sensitive location, with no applicable conservation or built heritage designations on or close to the site. There are no designated scenic views or prospects identified in the development plan (Maps 8.18) for the general area. In my opinion, the proposed development site and its immediate environs does not constitute a landscape which could be described as high value or high sensitivity. Notwithstanding, I note that the site is located close to an established residential area and as such I consider it reasonable to consider the impact of the proposal on the amenities of nearby properties.
- 7.5.4. Having visited the site and the surrounding area I consider that the greatest impact in terms of visual amenity would be felt by residents of nearby properties, particularly those on Caste Manor, approximately 40m to the north. I am satisfied that the proposed telecommunications structure would not be visible, to any great extent, from outside the immediate vicinity.
- 7.5.5. At present, existing residential properties on Castle Manor face onto an area of green space and the RFC grounds beyond. Existing floodlights are clearly visible in views from this location. While the proposed telecommunications mast would introduce a new vertical feature into the landscape, it would not, in my opinion, comprise a discordant or overly dominant feature in this context and the degree of change resulting from the proposed development would not be significant. Overall, I am satisfied, the erection of the proposed telecommunications structure at this location would not seriously injure the visual amenities of the area or of neighbouring properties.

7.6. Security and Health Impacts

7.6.1. As proposed, the structure is to be secured by a 2.4m high galvanised palisade fence with pedestrian gate. Concerns are raised in the grounds of appeal regarding the suitability of palisade fencing as a boundary fence for reasons of security and in terms of adherence to the Louth's development management guidance on telecommunication structures which states that *any boundaries around structures shall be carefully considered and take account of the location of the structure. Palisade fencing will not normally be considered acceptable, particularly in built up areas*. Given the location of the proposed development within the grounds of Boyne RFC and the established use of palisade fencing as a boundary treatment around the perimeter of the RFC grounds, I am satisfied that use of palisade fencing would be acceptable in this instance and would not constitute a material contravention of the development plan. Furthermore, I am satisfied that the proposed fencing would provide an adequate level of security for the proposed mast structure.

7.6.2. In relation to health considerations, Circular Letter 07/12, issued by the then DoECLG, reiterates the advice contained in the Telecommunication Guidelines, specifically that planning authorities should not determine planning applications on health grounds, 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 matters are regulated by other codes and such matters should not be additionally regulated by the planning process.

7.7. **Flooding**

7.7.1. In relation to flood risk, I note that the proposed telecommunication structure is not within a flood zone. The proposal includes for the construction of a c66.5 sq. m concrete base on which the proposed mast and associated equipment is to be constructed. Surface water runoff from this limited area of hardstand area would be minimal and is unlikely to result in or significantly contribute to, flooding. Therefore, I am satisfied that there is no real risk to the placement of electrical equipment at this location.

8.0 AA Screening

- 8.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located within the established built-up area of Drogheda, approximately 1.5km to the north of the River Boyne and River Blackwater SAC, the closest European site to the proposed development.
- 8.2. The proposed development comprises the erection of a 24.1m telecommunication associate mounted antennas and dishes, and ancillary ground infrastructure (including concrete base) and extension to existing access track (refer to section 2.2 above). No nature conservation concerns were raised in the planning appeal.
- 8.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows
- The small scale and nature of the development
 - The location of the site and its distance from designated European sites and the lack of connections
 - The screening determination of Louth County Council
- 8.4. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Water Framework Directive

- 9.1. The subject site is located within the established built-up area of Drogheda. The closest recorded water course is approximately 50m to the west, namely the TULLYESKAR_010 (IE_EA_07T270880). It has a status moderate / under review c50m to the west.
- 9.2. The proposed development comprises the erection of a 24.1m telecommunication tower, associate mounted antennas and dishes, and ancillary ground infrastructure

(including concrete base of c66.5 sq. m) and extension to existing access track. No water deterioration concerns were raised in the planning appeal.

- 9.3. I have assessed the proposed scheme and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows

- The small scale and nature of the development
- The location of the site and its distance from water bodies

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

10.0 EIA Screening:

- 10.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 appended to this report). The erection of a telecommunications mast is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. The proposal includes for proposed extension of an existing access track within the grounds of Boyne RFC. Having regard to the nature and limited scale of the works (19m in length, c3m in width), the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

11.0 Recommendation

11.1. I recommend that permission be granted subject to the conditions outlined below

12.0 Reasons and Considerations

Having regard to:

- a) The Telecommunications Antennae and Support Structures -Guidelines for Planning Authorities, issued by the Department of Environment and Local Government in 1996,
- b) The Telecommunications Antennae and Support Structures and Department and Environment, Community and Local Government Circular Letter PL07/12,
- c) The Policy Objectives of the Louth County Development Plan,
- d) The nature, scale and location of the proposed telecommunications structure,

It is considered that the proposed development would be in accordance with National Policy and guidance on telecommunications infrastructure and with the objectives of the Louth County Development Plan 2021-2027. It is also considered that subject to compliance with the conditions set out below, the proposed development would not adversely impact the character of the area or be seriously injurious to the visual or residential amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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. Details of the proposed colour scheme for the telecommunications structure and ancillary structures shall be submitted to, and agreed in writing with, the planning authority prior to commencement of the development.

Reason: In the interests of visual amenity

3. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or its appendages, on the boundary fence or within the curtilage of the site without prior grant of planning permission.

Reason: In the interest of visual amenities of the area

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

Reason: In the interests of public health

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

Reason: In the interest of public safety

6. The developer shall provide and make available at reasonable terms the proposed support structure for the provision of mobile telecommunications antenna of a third-party licenced telecommunications operators.

Reason: to avoid a multiplicity of telecommunications structures in the area, in the interest of visual amenity and proper planning and sustainable development

7. The mast and associated antenna, equipment and structures hereby permitted shall be demolished and removed from site when it is no longer required. The site shall be reinstated to its predevelopment condition at the expense of the developer.

Reason: In the interest of orderly development.

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.

Lucy Roche
Planning Inspector

13th August 2025

Form 1 - EIA Pre-Screening

Case Reference	322360
Proposed Development Summary	The erection of a 24.1m telecommunications tower on concrete base to support 18no. telecommunications antennae and 1 no. GPS antenna together with the installation of dishes, and all other site works including new access track
Development Address	Boyne RFC, Ballymakenny Road, Yellowbatter, Drogheda, Co.Louth
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2. <input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.	telecommunication development does not fall within a class of development set out in Part 2, Schedule 5 of the Planning and Development Regulations 2001, as amended, and, therefore, no EIA screening is required.
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.	State the Class and state the relevant threshold

EIA is Mandatory. Screening Required	No
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	The proposal includes for the construction of a new access track (19m). Class 10 of Part 2 (dd) All private roads which would exceed 2000 metres in length

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ **Date:** _____

Form 2 – EIA Preliminary Examination

Case Reference	322360-25
Proposed Development Summary	The erection of a 24.1m telecommunications tower on concrete base to support 18no. telecommunications antennae and 1 no. GPS antenna together with the installation of dishes, and all other site works including new access track
Development Address	Boyne RFC, Ballymakenny Road, Yellowbatter, Drogheda, Co.Louth
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	Briefly comment on the key characteristics of the development, having regard to the criteria listed. To access the proposed development site, it is proposed to extend the existing access track within the grounds of Boyne RFC by approximately 19m. The track extension will be c3.m It is considered that there are no environmental implications with regard to the size, design, cumulation with existing/proposed development, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	Briefly comment on the location of the development, having regard to the criteria listed The proposed development is within the grounds of Boyne RFC. The lands are not environmentally sensitive nor are they subject to any environmental designation. There are no recorded monuments of protected structure in the vicinity. The scale of the access track is not considered exceptional in the context of surrounding development.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration,	Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects. Having regard to the limited nature of the proposed development to be carried out for the extension of the existing agricultural access track, there is not likely to be significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity

cumulative effects and opportunities for mitigation).	and complexity, duration, cumulative effects and opportunities for mitigation.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ **Date:** _____