



An
Coimisiún
Pleanála

Inspector's Report

ACP-322905-25

Development	Erection of a 24-metre high, free standing lattice type telecommunications structure
Location	ESB Ashbourne 38kV Substation, Donaghmore, Ashbourne Co Meath
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	2560380
Applicant(s)	ESB Telecoms Limited
Type of Application	Permission
Planning Authority Decision	Grant permission subject to conditions
Type of Appeal	Third Party
Appellant(s)	1. Brian and Orla Geraghty 2. Claire O'Connell 3. Paul and Sorcha O'Connor
Observer(s)	None on file
Date of Site Inspection	26/9/27

Inspector

Ronan Murphy

1.0 Site Location and Description

- 1.1. The site is located on the eastern side of the L-5022-O in the rural town land of Donaghmore which is located c.2.6km to the south of Ashbourne in County Meath.
- 1.2. The appeal site has a stated area of c.0.37ha and is located within an existing 38 KV ESB sub-station which contains a number of pylons and electricity poles and associated equipment.
- 1.3. The appeal site has a predominantly rectangular shape and is bounded by existing mature trees and hedgerows along the western boundary of the land and the ESB sub-station to the east. The site is bound by the access way to the sub-station to the south and open agricultural land to the north. In addition to this, there is a dwelling on the opposite side of the road from the appeal site. This dwelling is set back from the road and has a north-eastern orientation.
- 1.4. While there are no recorded monuments or protected structures on the land, there is an existing protected structure (Brindley Testimonial RPS Ref 91457) and a recorded monument (Ref. ME0045-007-Castle-motte) at the same location c.370m to the north-west of the site. In addition to this, St. Patricks Church is located c.320m to the north of the site. While this is not a protected structure, it is prominent in the landscape.

2.0 Proposed Development

- 2.1. The proposed development comprises of a 24m high, free standing lattice type telecommunications structure including antennae, dishes and ancillary equipment including lighting.
- 2.2. The proposal includes associated ground equipment including a compound area which would be enclosed by a 2.4m high palisade fence.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1 By order dated 9/6/25 the planning authority decided to grant planning permission for the proposed development, subject to 7 conditions. The conditions are standard.

3.2. Planning Authority Reports

3.2.1 There is one planning report on file dated 6/6/25. The area planner notes that telecommunications are open for consideration in the RA zone and that the principle of development may be acceptable, subject to normal planning and environmental considerations. With regard to the siting and design of the proposed telecommunications structure the area planner concluded that they were satisfied that the design and location of the proposed development on a rural site set back c.75m from the closest residential development was acceptable. In addition to this, the area planner was of the opinion that the applicant had justified the need for the telecommunication infrastructure. The planners report notes that development contributions are not applicable in this case.

3.2.2 Other Technical Reports

Transportation Department: Report dated 3/6/25 requesting further information with respect to sightlines.

3.3. Prescribed Bodies

National Environmental Health Service: Report dated 15/5/25 outlining no objection, subject to conditions relating to the need for a statement of compliance with the International Radiation Protection Association Guidelines or the equivalent European Pree-standard 50166-2 and the need for a description of construction activities and clarification on the length of construction works.

4.0 Planning History

Appeal site

4.1 There is a substantial planning history associated with telecommunications facilities within the appeal site, a summary is set out below:

- **Reg. Ref. 23/238.** Application for the erection of a 30m high, free standing lattice type telecommunications structure, carrying antennae, dishes, and ancillary equipment, including lighting finial, to share with other licenced

operators. To include associated ground equipment within a proposed 2.4m high palisade fenced compound, and all associated ground works. Application withdrawn.

- **Reg. Ref. DA901843 (PL 17.236811).** Application for the erection a 36m high free standing lattice communications structure, carrying antennae and communication dishes, with associated ground-mounted equipment cabinets to share with others licensed operators within a 2.4m high palisade fence compound, previously granted planning permission Ref: DA/40231 (not constructed), at ESB's existing Ashbourne 38kv substation. Permission granted, subject to conditions. This decision was the subject of a third-party appeal to An Bord Pleanála where the decision of the Planning Authority was upheld. In this case the permitted development was located to the west of the site.
- **Reg. Ref. DA40231.** Application for the erection of a 36-metre high, free-standing communications structure, carrying antennae and communication dishes to form part of ESB's communication system and to share with other licensed operators within a 2.4-metre-high palisade compound, at ESB's existing 38kV Substation. Significant further information re planning application DA/40231 for development which will consist of the relocation of a 36-metre high, free-standing communications structure, carrying antennae and communications dishes to form part of ESB's communication system and to share with other licensed operators within a 2.4-metre-high palisade compound, previously granted planning permission ref. 01/1162 at ESB's existing 38kV Substation. Permission granted, subject to conditions. In this case, the permitted telecommunications structure was located to the south-east of the site.
- **Reg. Ref. 011162.** Application for the erection of a 36-metre-high free standing communications mast supporting antennae & communication dishes with associated ground mounted equipment cabinets to form part of E.S.B.'s communication system within a 2.4-metre-high palisade compound at E.S.B.'s existing 38Kv station. Permission granted, subject to conditions. In this case,

the permitted telecommunications structure was located in proximity to the southern boundary of the land.

Having regard to the planning history of the appeal site, it is noted that permission has been granted for a telecommunications structure at various locations within the site. In addition to this, it is noted that the proposed development would constitute a reduction in height from 36m as previously permitted to 24m.

Lands to the west

- **Reg. Ref. DA/130853.** Application for the change of house type and garage from those previously granted planning permission under DA/111153 including amendments to site boundaries. Permission granted, subject to conditions.

Land to the south-west

- **Reg. Ref. 23/965.** Application for a 30-meter lattice mobile and broadband tower with headframe carrying telecommunications equipment, together with associated equipment and cabinets enclosed within a 2.4m palisade fence compound with access track. Permission granted, subject to conditions.

Lands to the south

- **Reg. Ref. AA160553.** Application for a Solar Photovoltaic (PV) development consisting of solar PV arrays with a surface area of approximately 58,000m² mounted on steel support structures, associated underground cabling and ducting, a grid control building. An appropriate period of 10 years (i.e., duration of the planning permission to construct the development) is sought, with an operational life of 25 years. Permission granted, subject to conditions.

5.0 Policy Context

5.1. Development Plan

- 5.1.1 The *Meath County Development Plan 2021-2027* is the operative plan for the area. The following policies and objectives are pertinent to the proposed development:

INF POL 54 which seeks 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 56 which seeks 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 59 which seeks 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.

HER POL 53 which seeks to discourage proposals necessitating the removal of excessive number of trees or hedgerows.

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

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

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

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

5.2 National Guidelines

- The *Telecommunications Antennae and Support Structures Guidelines for Planning Authorities* (DELG, July 1996)

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

- *Circular Letter PL 07/12* (DECLG, October 2012) revised elements of the Telecommunications Guidelines. It provides guidance to planning authorities on time limits, minimum separation distances, bonds, monitoring arrangements on health and safety and future development contributions.
- *Circular Letter PL11/2020* 'Telecommunications Services – Planning Exemptions and Section 254 Licences' was issued in December 2020. It provides Planning Authorities advice on what works require approval under a section 254 licence, what overground works require a Section 254 Licence and exemptions for telecommunications infrastructure.

5.3 Natural Heritage Designations

5.3.1 The subject site is not located within or adjacent to a European Site. The nearest designated sites are the Malahide Estuary SPA (Site code 004025) and the Malahide Estuary SAC (Site Code 000205) which are located c. 11.3km to the south-east. In addition to this, the Rogerstown Estuary SAC (Site code 000208) and the Rogerstown Estuary SPA (Site code 004015) are located c. 12.3km and 12.5km to the north-east, respectively.

5.3.2 The appeal site is located c.11.7km to the west of the Rogerstown Estuary NHA (Site Code 000208), 12.2km north of the Royal Canal pNHA (Site code 002103), c. 13.6km to the north of the Liffey Valley pNHA (Site Code 000128), c. 13.4km to the south-west of the Bog of the Ring pNHA (Site Code 001204), c. 17km to the south-east of the Balrath Woods pNHA (Site code 001579), C. 19.2km to the south-east of Duleek Commons pNHA (Site code 001578) and c. 19.3km to the south of the Thomastown Bog pNHA (Site code 001593).

5.3.3 A screening exercise for Appropriate Assessment will be undertaken in Section 8 below.

5.4 EIA Screening

5.4.1 The proposed development 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. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

5.5 Water Framework Directive

5.5.1 The purpose of the EU Water Framework Directive is an initiative aimed at improving water quality throughout the European Union. The Directive was adopted in 2000 and requires governments to take a new approach to managing all their waters; rivers, canals, lakes, reservoirs, groundwater, protected areas (including wetlands and other water dependent ecosystems), estuaries (transitional) and coastal waters.

5.5.2 An Coimisiún Pleanála and other statutory authorities cannot grant development consent where a proposed development would give rise to a deterioration in water quality.

5.5.3 The appeal site is located c. 614m from the Broadmeadow _020 River Waterbody IE_EA_08B020600. This waterbody is classified as poor ecological status. This is illustrated on the EPA mapping (<https://gis.epa.ie/EPAMaps/agriculture>).

5.5.4 I have assessed the application for the proposed telecommunications tower and associated development for which permission is sought 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.

5.5.5 The reason for this conclusion is as follows:

- The small scale and nature of the development; and
- The distance of the site from the river waterbody.

6 The Appeal

6.1 Grounds of Appeal

6.1.1 A third-party appeal has been lodged by Ger Fahy Planning and Development Consultant on behalf of 1. Brian and Orla Geraghty, 2. Claire O'Connell and 3. Paul and Sorcha O'Connor. The appeal includes a number of appendices which include photographs, objections to the application and application materials. The main grounds main grounds of appeal can be summarised as follows:

Justification / need

- The proposed development does not accord Section 6.16.4 of the *Meath County Development Plan 2021-2027* (policy of clustering masts) given that there is a mast 950m from the appeal site and a separate mast under construction a further 950m away in addition to an existing mast at Broadmeadow Equestrian. There is no need or justification for another mast having regard to the number of masts in the area. The proposed development would have a serious negative visual impact on the rural landscape, and the siting is inappropriate having regard to the proximity of residential dwellings.
- The applicant fails to appreciate that there is already a proliferation of existing masts in the area, and they have not shown any attempt at co-location or utilisation of these masts.
- The applicants planning statement seems to be largely reliant on the fact that permission was previously granted for a mast on the site. This ignores that each application must be assessed on its own merits. Conditions have changed since the previous masts were granted permission, there have been a number of masts permitted in the area.
- Smart metre communications equipment could be co-located on existing masts. There is no site-specific need for development at this location.
- The proposal would not lead to a reduction in greenhouse gases.
- There is sufficient 4G and 5G coverage in the area and no established need for the proposed development.

- The applicants failed to acknowledge the permitted 3G mast which is currently under construction just 950m away from the appeal site. There is no reason why the applicants could not utilise this.
- Coverage maps supplied by the applicant are inaccurate. Comreg maps show that 5G coverage in the area is good.
- Appellants would not object to an extra antenna at the tower at Broadmeadow Equestrian.
- There are more masts 2.9km away in Ashbourne Garda Station, 2.5km at Ashbourne Rugby Club, 2.56km at Newtown, and 5km away at Kilsallaghan and Coolquay.
- Given the appeal sites proximity to Ashbourne, there is no reason why the proposed development could not be sited in an industrial estate or industrially zoned land. The planning statement submitted with the application confirms that there is land zoned MP20 in the Development Plan c. 500m to the north of the site.

Visual impact

- The proposal is not a high-quality design having regard to the siting so close to existing dwellings.
- The proposed development would be a visual eyesore when viewed in the local landscape particularly when view from residential development in proximity to the site.
- The ESB substation has a height of 12m and is clearly visible from the church grounds, the proposed development of a mast of 24m would dominate the landscape and would be visually intrusive.
- There is a well established high-capacity ICT infrastructure and broadband network in the area so there is no need for the current proposal.
- There is no need for the mast to be located so close to the road having regard to the large-scale ESB solar farm adjacent to the appeal site. The proposed mast could be located further afield and would be less visually obtrusive for example in the south-eastern corner of the solar farm operated by ESB.

- The proposed development is sited too close to a Protected Structure and Recorded Monument and would have a significant visual impact on same. The proposed mast would be significantly higher than the Protected Structure and Recorded Monument and would reduce the visual landmark features of same.
- The existing mature hedgerow provides a high level of screening from the existing substation. There has been no consideration for the serious negative visual impact due to the removal of the roadside boundary hedgerow and trees and due to the fact, there is no proper screening along any of the boundaries. The topography of the site is such that it will be visually dominant from the wider and the local landscape, even if the hedge were retained.
- There has been no consideration given to the loss of biodiversity, no habitat assessment for foxes or badgers, at a very minimum a bat survey should have been conducted to establish if bat roosts are being lost. The lack of this information should lead to the application being refused.
- No landscape and visual impact assessment has been undertaken, and no verified views have been provided. The photomontages submitted with the application cannot be relied on as they are not verified views and have been deliberately sited to give the perception of the proposed development will be well screened. The verified views should include the removal of 90m x 3m hedgerows to facilitate sightlines and should include winter views as the worst-case scenario.

Planning Application

- Major inaccuracy to say that the nearest residential dwelling is 200m away from the proposed development. One of the third parties' houses is immediately opposite the appeal site. The planning history submitted with the application ignored the permitted house opposite the appeal site.
- The planning application and decision of the Planning Authority is reliant on previous permissions; however, these predate the permission granted for the dwelling opposite and since those permissions a number of masts have been developed in the area.

Health

- Concerns relating to the potential risks associated with living so close to a 5G of 4G mast. The waves from these masts are governed by the ICNIRP and the exact size of the radius depends on the direction and height of the antenna, power use and wavelength. The safety zone of a 5G mast is 55m and or 4G is 19m. The roadside and access to the residential development to the west are within this zone and this is unacceptable in terms of public health. If the mast is deemed essential than it should be located an area outside of the 55m radius.

6.2 Applicant Response

6.2.1 A first party response dated 24th July 2025 has been received. The response can be summarised as follows:

Site location

- The site has the potential to provide for multiple operators to co-locate on a single dedicated site. This accords with Government Policy and Guidance and the ESBT business model.
- It is clear that a full assessment of the proposed development was undertaken by the Planning Authority with due regard to planning policy and relevant planning matters, including the concerns raised by third parties.
- The site is the only feasible location for the proposed development as the location of the base station is severely limited due to the proximity of underground lines and associated electrical infrastructure.
- The previous locations are no longer feasible as the substation has subsequently been reconfigured and developed.
- The area planner was satisfied that the applicant justified their reasonings as to why co-location is not suitable, and that the applicant has complied with objective DM OBJ 84 of the *Meath County Development Plan 2021-2027*.
- The Supervisory Control and Data acquisition equipment is a critical communication system for the substation that needs to be located within the substation. This is currently located on an old timber pole. The proposed structure would be able to accommodate the Supervisory Control and Data

acquisition equipment allowing it to be relocated to a secure structure and improve performance.

- Given the locational requirements and consideration of alternative sites, including the nearby solar farm or on other lands, away from the substation are not considered viable.

Landscape and Visual Impact

- Any impact of the proposal on the landscape was fully assessed and surrounding features were fully assessed during the consideration of this proposal.
- A photographic Survey was provided, and it included a series of photomontages from a number of locations that were carefully selected to best assess the degree of likely impact that the proposal would have on residential properties, community areas and features such as St. Patricks Church and the Brindley Testimonial.
- The proposed development would not be unduly visible, obtrusive or appear incongruous.

Residential amenity

- In this instance any impact on the nearest dwelling, some 75m to the northeast of the site would not be considered unreasonable. Given the main aspect of the dwelling any views from the front of the dwelling would be oblique and distant and generally seen in the context of the substation and associated infrastructure.

Sightlines

- The proposal involves using the existing access to the substation, located on the outside bed of the road and benefits from a wide vehicular splay and additional traffic generated by the proposal would be minimal.
- In order to achieve sightlines some cutting back / removal of a portion of hedgerows and trees is required.

Landscaping

- Any landscaping removed could be replaced in accordance with an approved landscape scheme. Such a scheme would include the replacement of existing vegetation with a mixed hedgerow of native species and shrubs.

Bat and Mammal survey

- No evidence of bats or mammals have been provided for the appellants. Visits to the site have not revealed any evidence of bats, mammals or habitats being present therefore a full bat and mammal survey was not deemed necessary. If such a survey is required, this could be adequately addressed by an appropriate condition.
- Any works could be undertaken outside of 1st March and 31st August (bird nesting season) and in accordance with the provisions of Wildlife Acts 1976 and 2000 (as amended).

Health and safety

- Government advise is that planning authorities concern themselves with design and siting issues only and defer any health and safety issues and their monitoring to the relevant authorities in this instance The Commission for Communications Regulations (ComReg).

6.3 Planning Authority Response

- 6.3.1 Response dated 11/7/25 stating that the subject site is within an existing ESB compound at Donaghmore, off the L-5022-0. The existing sub-station contains several poles, pylons and equipment associated. There are no recorded monuments or protected structures on the land or within the immediate vicinity of the site. There is a protected structure c. 370m to the north-east of the site (Brindley Testimonial Ref.91457) and a recorded monument at the same location (ME0046-007-Castle Motte) located. St. Patricks Church is located c. 320m to the north of the site.
- 6.3.2 The subject site is located in the Wards Lowlands Landscape Character Area which is of low landscape character value and high landscape sensitivity and is of Regional Landscape importance.

6.3.3 The planning authority has reviewed the issues raised by the third parties and is satisfied that these issues have been substantively addressed in the Planning Report dated 6th June 2025.

6.3.4 The Coimisiún is respectfully respected to uphold the decision of the planning authority to grant planning permission.

6.4 Observations

6.4.1 There are no observations on file.

6.5 Further Responses

6.5.1 There are no further responses on file.

7 Assessment

7.1 Having examined the appeal details and all other documentation on file, including submissions and responses, the report of the local authority and inspected the site. I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Visual Impact
- Vehicular Access
- Flooding
- Other matters
- Appropriate Assessment

7.2 Principle of development

7.2.1 The appeal site is within the RA (Rural Areas) Zone with the associated land use 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’*

7.2.1 Telecommunication Structures are an open for consideration use in the RA (Rural Areas) Zone. In view of the emphasis placed in national and regional policy documents on the provision of adequate telecommunications including broadband and the fact that the policies and objectives of the current *Meath County Development Plan 2021-2027* support adequate telecommunication infrastructure, I consider the principle of the development to be acceptable subject to a full assessment of the proposed development.

Site Selection (Alternatives Considered)

7.2.2 The third-party appeal states that there is a mast 950m from the appeal site and in addition to an existing mast at Broadmeadow Equestrian. The third-party appeal concludes that there is no need or justification for another mast having regard to the number of masts in the area. It is also stated that the proposed mast could be located further afield and would be less visually obtrusive for example in the south-eastern corner of the solar farm operated by ESB.

7.2.3 This first-party response states that states that there are no other telecommunication sites in the near vicinity that would be able to provide the same level of coverage that the existing site offers.

7.2.4 I note the concerns of the third parties with respect to the need for justification for another mast in this area of Co. Meath. The *Meath County Development Plan 2021-2017* and the 1996 Telecommunications Antennae and Support Structures Guidelines are favourably disposed to the orderly development of telecommunications infrastructure, subject to environmental constraints. **INF POL 59** of the *Meath County Development Plan 2021-2027* encourages co-location of antennae on existing support structures and requires documentary evidence as to the non-availability of this option when proposals are submitted for new structures. The 1996 Guidelines also advocate mast sharing.

7.2.5 In broad terms, Section 8.1 of the cover letter submitted with the application outlines that the proposed development would serve the requirements of ESBT, facilitating the rollout of Smart metering and the proposal would also provide a structure to deliver their own communications systems such as the relocation of the Supervisory Control and Data Acquisition and that the existing location is in an established utility site.

- 7.2.6 In addition to this, the cover letter states that the proposed development would assist in meeting government broadband coverage targets by facilitating the co-location of mobile / broadband operators and that there are no other telecommunication sites in the near vicinity that would be able the same level of coverage that the proposed site would be able to achieve.
- 7.2.7 I refer the Coimisiún to the ComReg Site viewer map for the area (siteviewer.comreg.ie) which shows that while there are a number of mast sites in the Ashbourne area, there is only 1 in the immediate vicinity of the appeal site (Broadmeadows Equestrian). However, I make the Coimisiún aware that the Comreg map does not include a 30-metre lattice mobile and broadband tower and associated site works at Fleenstown Little, Ashbourne for which planning permission was granted under **Reg. Ref. 23/477**.
- 7.2.8 I acknowledge that under normal circumstances co-location on the permitted tower would be the preferable option. However, the telecommunications tower being proposed is required to house a number of communications functions, including ESBT's own communications infrastructure and in addition to this, the Supervisory Control and Data Acquisition which is a critical communication system for the substation and is required to be within the substation. Relocating the Supervisory Control and Data Acquisition to the proposed structure would help maintain the reliability of substation communications going forward and could not be facilitated outside of the substation.
- 7.2.9 In addition to this, I note that the proposed structure could also provide a co-location opportunity for a commercial broadband / mobile phone provider. In this regard, I have considered the Outdoor Mobile Coverage Map for the area ([Service Coverage - Commission for Communications Regulation](#)). This map shows that a number of companies have very good to good coverage for both 4G and 5G. However, there would appear to be a slight coverage drop off for some operators for which coverage is stated as fair for both 4G and 5G services. The *Meath County Development Plan 2021-2027* seeks to facilitate the delivery of a high-capacity Information and Communications Technology (ICT) infrastructure and broadband network and digital broadcasting throughout the County, and it is therefore important that all operators have to potential to provide appropriate coverage for broadband and phone communications.

7.2.10 Based on the submitted information, in the context of existing structures which have been discounted and having regard to the need for ESB Network Services to have a structure to deliver their own communications and the potential co-location of phone / broadband operators, I consider that an absence of potential alternatives has been adequately demonstrated and I am satisfied that a rationale has been provided regarding the provision of a mast at the subject site.

7.3 Visual Impact

7.3.1 The third-party appeal outlines concerns that the proposal is not a high-quality design having particular regard to the siting so close to existing dwellings and that is sited too close to a Protected Structure and Recorded Monument and would have a significant visual impact on same.

7.3.2 The first-party response states that the proposed development would not be unduly visible, obtrusive or appear incongruous. It is further states that a photographic Survey was provided and that the Planning Authority have found the visual impact of the proposal to be acceptable.

7.3.3 The *Meath County Development Plan 2021-2027* (**DM OBJ 83**) seeks to encourage the location of telecommunications structures at appropriate location within the County, subject to environmental considerations while objective (**DM OBJ 85**) seeks to avoid the location of structures in sensitive landscapes, in nature conservation areas, in highly sensitive landscapes and where views are to be preserved.

7.3.4 The appeal site is within the Ward Lowlands Landscape Character Area with low landscape value and high sensitivity. There are no Protected Views and Prospects in vicinity or wider area as demonstrated on Map 8.6 of the *Meath County Development Plan 2021-2027*.

7.3.5 The file includes images to aid in the visual assessment of the development proposal. There are 10 viewpoints, viewpoints 1 and 2 are in close proximity to the proposed structure. Views 3,4 and 5 are located to the north of the structure looking south, viewpoint 6 is from the east of the site (within a 1km radius), viewpoint 7 is from the south of the site (within a 1km) and viewpoints 8,9,10 are from the west within the 0.5km radius and the 1km radius.

Residential impacts

- 7.3.6 There is a dwelling to the west of the appeal site. The third-party appeal states that the proposed development would be a visual eyesore when viewed in the local landscape particularly when view from residential development in proximity to the site.
- 7.3.7 The existing dwelling is set back c. 71m from the appeal site and c.74m from the proposed telecommunications tower. The existing dwelling has a north-western orientation and would not directly face the proposed telecommunication infrastructure.
- 7.3.8 Notwithstanding this, I note that Image No.2 of the visual assessment shows that the proposed telecommunications tower would be visible from the front gate of the property. In addition to this, I acknowledge that the proposed telecommunications tower would be clearly visible from the front and side of the dwelling. It is also noted that existing ESB pylons associated with the existing 38kv ESB sub-station are also visible from this view.
- 7.3.9 On balance, while I note that the proposed telecommunications tower would be visible from the front and side of the existing dwelling, I am of the opinion that the development would not be so excessive that it would have an undue impact on the residential amenity of the dwelling. I have come to this conclusion having considered the set back of the proposed telecommunications tower from the existing dwelling, the semi-industrial nature of the substation (which includes pylons of up to 15m in height), the orientation and layout of the dwelling and the visual assessment submitted with the application.

Brindley Testimonial

- 7.3.10 The proposed telecommunications tower is located c. 370m to the south-east of a protected structure c. 370m (Brindley Testimonial Ref.91457) and a recorded monument at the same location (ME0046-007-Castle Motte). The record of Protected Structures as set out in Appendix 8 of the *Meath County Development Plan 2021-2027* states that the Brindley Testimonial comprises of '*an obelisk memorial erected as a memorial to Charles Brindely, a Ward Union huntsman*'. The obelisk is within agricultural fields and is on top of an elevated mound and is prominent within the landscape.

7.3.11 In terms of assessing the visual impact of the proposed development on the Brindley Testimonial, it may have been useful for the visual assessment to include a viewpoint from this location. However, having been on site, I acknowledge that the proposed development would be visible from the Brindley Testimonial in medium term views. However, this must be balanced with the fact that there are a number of pylons, electricity poles, transmission wires and other infrastructure associated with the existing ESB substation within the same viewpoint. In my opinion, given the c.370m set back and the existing semi-industrial setting in which the proposed development would be located, that the proposed development would not have an undue impact on the character and setting of the Protected Structure. In addition to this, I note that Map 8.6 of the *Meath County Development Plan 2021-2027* does not include any view or prospects from the Brindley Testimonial.

St. Patrick's Church

7.3.12 St. Patrick's Church is located c. c. 320m to the north of the site. I make the Coimisiún aware the St. Patrick's Church is not a protected structure, however, views and prospects from this building should be considered as part of the assessment.

7.3.13 With regard to St. Patrick's Church, while I acknowledge that the proposed telecommunications structure would be taller than the existing substation and would be visible in views from the church grounds, this structure would be c. 320m from the church grounds. In this regard, I refer the Coimisiún to viewpoints 4 and 5 of the visual assessment included within the application material which show that while the proposed development is clearly visible, it is so at a distance. I am satisfied that the proposed development would not have any undue visual impact, I have come to this conclusion having regard to the set back of the proposal and its location within an existing ESB Substation.

Conclusion

7.3.14 I have considered the visual assessment and have visited the site, and I accept that the proposed telecommunications structure would be prominent from certain viewpoints, including the residential dwelling to the west of the site, the Brindley Testimonial and St. Patrick's Church. However, on balance, I am satisfied that the development would not be so visually impactful that it would seriously injure the visual

and residential amenity of the area and would not impact on the character and setting of the protected structure.

7.4 Vehicular Access

- 7.4.1 The proposed development seeks to use the existing access to the site which includes a wide splay. However, the report of the Transportation Department state that the sightlines from the north are obstructed and recommend further information for the applicant to demonstrate that unobstructed sightlines of 90m in accordance with DN-GEO-03060 are demonstrated. Further information was not requested and condition 6 of the Notification of Decision to Grant Planning Permission required the applicant to demonstrate the same.
- 7.4.2 Having been on site, I note that the existing access does include a large / wide splay which is acceptable, however vision to the north of the access is obstructed by the existing hedgerow and trees. Notwithstanding this, I refer the Coimisiún to the Line-of-Sight Map submitted with the initial application which shows an 80m visibility splay to the near side of the road from to the north of the site.
- 7.4.3 Given that the line of sight from the existing access point is marginally below the requirements sets out in the TII Document DN-GEO-03060, I am satisfied that this matter could be dealt with by way of condition which requires that the proposal to comply with the relevant standards.

Landscaping

- 7.4.4 As a result of the requirements of Condition 6 of the Notification of Decision to Grant Planning Permission a portion of the existing trees and hedgerow would be required to be removed.
- 7.4.5 The third-party appeal states that the existing mature hedgerow provides a high level of screening from the existing substation and that no consideration has been given to the serious negative visual impact due to the removal of the roadside boundary hedgerow and trees. Further to this, it is stated that no consideration given to the loss of biodiversity and no habitat assessment for foxes, badgers or bats have been conducted.

- 7.4.6 In response the first party states that any landscaping removed could be replaced with an approved landscaping scheme which would include the replacement of existing vegetation with a mixed hedgerow of native species and shrubs.
- 7.4.7 I note that **HER POL 53** of the *Meath County Development Plan 2021-2027* seeks to discourage proposals necessitating the removal of excessive number of trees or hedgerows. Having been on site, I note that the western boundary of the appeal site is defined by hedging and mature trees. The existing hedging and mature trees provide a good level of screening from the 38 KV ESB substation at close views. In addition to this, I would be of the opinion that the existing hedging and mature trees would provide good screening of the ancillary elements of the proposed development (cabinets etc) and screening of the lower portions of the proposed telecommunications tower.
- 7.4.8 I acknowledge that the loss of native trees and hedgerows is regrettable. However, given that the application shows that the existing access can achieve 80m visibility splay to the near side of the road from to the north of the site, I would not anticipate a large amount of hedgerow and trees would be required to be removed.
- 7.4.9 Having considered the above, I am satisfied that a condition which requires the maximum retention of hedgerows and trees would be acceptable in this case should the Coimisiún be of a mind to grant planning permission. In addition to this, a condition which requires a new hedgerow and trees to be planted in place of any removed hedgerow will also be recommended.

Ecology

- 7.4.10 The third-party appeal outlines concerns that no consideration given to the loss of biodiversity and no habitat assessment for foxes, badgers or bats have been conducted.
- 7.4.11 In response the first-party state that visits to the site have not revealed any evidence of bats, mammals or habitats being present and therefore a full bat and mammal survey was not deemed necessary.
- 7.4.12 While I note the concerns of the third parties, given that the current visibility splay is 10m below the standard of 90m set out in the TII Document DN-GEO-03060, I am of the opinion that there is no need to remove the entirety of hedgerow and trees. While I acknowledge that the level of hedgerow / tree removal is not known at this stage, I

am satisfied that the condition recommended above requiring the maximum retention of hedgerow and trees and the replacement of any removed hedgerow with new hedgerow and trees would ensure that the proposed development would not have an undue impact on bats or mammals in the area.

7.5 Flooding

7.5.1 have consulted the flood mapping system (www.floodinfo.ie) and I note that the subject land is within Flood Zone 'C.'

7.5.2 Having considered all the foregoing; I consider the proposed development would not result increase the risk of flood either within the site itself or the surrounding area. The proposal is acceptable from a flood risk perspective.

7.6 Other matters

Health

7.6.1 The third party raise health concerns in relation to the siting of the proposed telecommunications tower in the vicinity of existing residential properties.

7.6.2 Circular Letter PL07/12 states that planning authorities should be primarily concerned with the appropriate location and design of telecommunications structures and do not have the competence for health and safety matters in respect of telecommunications infrastructure. It also notes that telecommunications infrastructure is regulated by other codes and such matters should not be additionally regulated by the planning process.

7.6.3 I note that the response from the National Environmental Health Service to the initial application recommended a condition which required that the applicant provide a statement of compliance to the planning authority that the development is compliant with the International Radiation Protection Association (IRPA) Guidelines.

7.6.4 While I note that this condition was not included in the Notification of Decision to Grant Planning Permission from Meath County Council, I recommend that this condition be included should the Coimisiún be of a mind to grant planning permission.

Development Contributions

7.6.5 I note that the Meath County Development Contributions Scheme 2024-2029 includes a waiver for masts, antennae, dishes and other apparatus or equipment being installed for mobile or broadband operators to provide services to customers who would not

otherwise be able to avail of an adequate mobile or broadband service for such communication purposes. I am satisfied that the proposal would provide for such having regard to the potential for co-location of mobile / broadband operators. Therefore, in my opinion, there is no requirement for a development contribution. This conclusion was also reached by the area planner.

8 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 application is for the erection of a 24-metre high, free standing lattice type telecommunications structure and associated cabinets.
- 8.2 The subject site is not located within or adjacent to a European Site. The nearest designated sites are the Malahide Estuary SPA (Site code 004025) and the Malahide Estuary SAC (Site Code 000205) which are located c. 11.3km to the south-east. In addition to this, the Rogerstown Estuary SAC (Site code 000208) and the Rogerstown Estuary SPA (Site code 004015) are located c. 12.3km and 12.5km to the north-east, respectively.
- 8.3 In addition to this, the appeal site is located c.11.7km to the west of the Rogerstown Estuary NHA (Site Code 000208), 12.2km north of the Royal Canal pNHA (Site code 002103), c. 13.6km to the north of the Liffey Valley pNHA (Site Code 000128), c. 13.4km to the south-west of the Bog of the Ring pNHA (Site Code 001204), c. 17km to the south-east of the Balrath Woods pNHA (Site code 001579), C. 19.2km to the south-east of Duleek Commons pNHA (Site code 001578) and c. 19.3km to the south of the Thomastown Bog pNHA (Site code 001593).
- 8.4 There is no hydrological link between the subject site and the European sites.
- 8.5 Having considered the nature, scale, and location of the proposed development, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.
- 8.6 This determination is based on:
- Small scale and domestic nature of the development
 - Distance from European sites.

- No hydrological connections to the European sites.

8.7 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.

8.8 Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

9 Recommendation

9.1 I recommend that permission be granted subject to conditions, for the reasons and considerations as set out below.

10 Reasons and Considerations

10.1 Having regard to the provisions of the *Meath County Development Plan 2021-2027* and the 'Telecommunications Antennae and Support Structures Guidelines for Planning Authorities (1996) (as updated by Circular Letters PL 07/12 and PL11/2020, respectively); it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or result in a significant negative residential or visual impact on the surrounding vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11 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. Prior to the commencement of development, the applicant shall provide the following for the written agreement of the planning authority:

a) A drawing showing unobstructed sightlines from the existing entrance of 90 metres to the nearside edge of the road from a setback of 3.0 metres, in accordance with TII document DN-GEO-03060.

b) A landscape plan which includes the following:

i) The retention to the maximum extent possible of the existing hedgerow and trees along the roadside boundary of the site.

ii) Detailed arrangements for the enhancement and strengthening of hedgerows to the west of the appeal site. Replacement planting to include native trees and native hedgerow along the roadside boundary of the land as required.

Reason: In the interests of traffic and road safety, in the interest of visual amenity, and to protect the biodiversity of the area.

3. Details of the proposed colour scheme for the telecommunications structure, ancillary structures and fencing shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

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

4. The proposed mast and all associated antennas, equipment and fencing shall be demolished and removed from the site when it's no longer required. The site

shall be reinstated to its pre-development conditions at the expense of the developer.

Reason: In the interests of orderly development

5. The antennae type and mounting configuration shall be in accordance with the details submitted with this application, and notwithstanding the provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, shall not be altered without prior grant of planning permission.

Reason: To clarify the nature and extent of the permitted development to which this permission relates and to facilitate a full assessment of any future alterations.

6. A low intensity fixed red obstacle light shall be fitted as close to the top of the mast as practicable and shall be visible 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 the commencement of the development.

Reason: In the interests of public safety

7. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

8. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the

development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity

9. The applicant shall provide a statement of compliance to the planning authority that the proposed development is compliant with the International Radiation Protection Association (IRPA) Guidelines (Health Physics, Vol. 54, No. 1 (Jan) 1988) or the equivalent European Pre-standard 50166-2.

Reason: In the interests of public safety

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.

Ronan Murphy
Planning Inspector

1st October 2025

Form 1 - EIA Pre-Screening

Case Reference	ACP-322905-25
Proposed Development Summary	Erection of a 24-metre high, free standing lattice type telecommunications structure
Development Address	ESB Ashbourne 38kV Substation, Donaghmore, Ashbourne Co Meath
	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)	☐ Yes, it is a 'Project.' Proceed to Q2. ☒ 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)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☐ 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?	
☒ 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. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	N/A
☐ 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)	N/A

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 ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ **Date:** _____