



An
Bord
Pleanála

Board Order
ABP-313490-22

Planning and Development Acts 2000 to 2021

Planning Authority: Donegal County Council

Planning Register Reference Number: 22/50239

APPEAL by Signal Infrastructure Limited care of Indigo of Raheen Business Park, Limerick against the decision made on the 7th day of April, 2022 by Donegal County Council to refuse permission for the proposed development.

Proposed Development: Construction of new 27 metres multi-user telecommunications support structure carrying 10 number antennas and associated remote radio units, five number communication dishes, three number lightning finials and 10 number outdoor cabinets, all enclosed within a security compound with a 2.4 metres high palisade fence with four metres access gate. Site access and site works to include culverting in part of the existing watercourse; all at Port Road, Gortlee, Letterkenny, County Donegal.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. Having regard to the Guidelines relating to telecommunications antennae and support structures which were issued by the Department of the Environment and Local Government to planning authorities in July, 1996, which encourage co-location, the presence of a nearby site and the limited justification provided for co-location on this site, the Board considered that the developer had not provided sufficient evidence to demonstrate that reasonable effort to comply with the Guidelines had been made. The proposed development would, therefore, be contrary to the Ministerial Guidelines, would contravene Policy TC-P-3 as set out in the Donegal County Development Plan 2018-2024 and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the location of the site upstream of Lough Swilly Special Area of Conservation (site code: 002287), the risk of water pollution arising during construction and the absence of mitigation measures, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that the development, either individually or in combination with other plans or projects, would not adversely affect the integrity of the European site. In such circumstances, the Board is precluded from granting permission.



Michelle Fagan

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this *6th* day of *September* 2022.

