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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Sligo County Council**

**Planning Register Reference Number: 22/175**

**APPEAL** by Vantage Towers Limited care of Charterhouse Infrastructure Consultants of 27 Market Street, Listowel, County Kerry against the decision made on the 14<sup>th</sup> day of July, 2022 by Sligo County Council to refuse permission.

**Proposed Development:** Erection of a 24-metre-high telecommunications monopole structure together with antennas, dishes and associated telecommunications equipment all enclosed by security fencing at Ard Na Veigh Road, Magheraboy, County Sligo.

**Decision**

**REFUSE permission for the above proposed development for the reasons and considerations set out below.**

**Reasons and Considerations**

Section 11.2.2 (Mobile Telephony Infrastructure) of the Sligo County Development Plan 2017-2023 provides that in assessing proposals for telecommunications installations, the planning authority will have regard to the guidance document Telecommunication Antennae and Support Structures –

Guidelines for Planning Authorities (Department of the Environment and Local Government July 1996), as amended by Circular PL 07/12. Section 4.3 of the Guidelines sets out that only as a last resort, and if the alternatives (set out in the Guidelines) are either unavailable or unsuitable, should free-standing masts be located in a residential area. In arriving at its decision, the Board noted that the site of the proposed telecommunications structure is on lands zoned 'OS - Open Space' and that the site lies directly adjacent to lands that are zoned 'R3 – Medium/High-Density Residential Area' in the Sligo County Development Plan 2017-2023 (extended to July 2024 and incorporating the Sligo and Environs Development Plan 2010-2016), including lands on which a development of social housing has been permitted under Part 8 of the Planning and Development Regulations 2001, as amended. Notwithstanding the details on alternative sites presented with the planning application, the Board was not satisfied that all reasonable alternatives were considered by the developer such that would lead the Board to conclude that the current site in a residential area is the only site available or suitable and that the mast should be permitted at the proposed location as a last resort. In the absence of a more robust assessment of alternatives as per Section 4.3 of the guidelines, the Board was not satisfied that the proposed development would be consistent with national Guidelines or the provisions of the statutory development plan for the area in terms of siting it in a residential area with the potential to impact on the residential and visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

*Patricia Calleary*

**Patricia Calleary**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this 24 day of October 2023.**

