

An
Coimisiún
Pleanála

Commission Order ACP-324112-26

Planning and Development Act 2000, as amended

Planning Authority: Donegal County Council

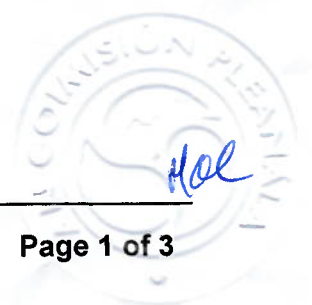
Planning Register Reference Number: 26.02

Appeal by Phoenix Tower III Ireland Limited against the decision made on the 20th day of January, 2026 by Donegal County Council to refuse permission for the licence application.

Licence Application: 20 metres telecommunications streetworks solution and associated ancillary ground cables on grass verge along R240, Quigleys Point, County Donegal.

Decision

In exercise of the powers conferred on it under section 254 of the Planning and Development Act, 2000, as amended, An Coimisiún Pleanála, directs the planning authority to **REFUSE** a licence, based on the reasons and considerations set out below.

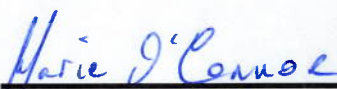


Reasons and Considerations

Policy TC-P-3 of the County Donegal Development Plan 2024 - 2030 requires consideration of the "Telecommunications Antennae and Support Structures Guidelines for Planning Authorities", issued by the Department of the Environment in 1996. Having regard to the government's guidelines on "Telecommunications Antennae and Support Structures Guidelines for Planning Authorities" (1996) and the guidance set out therein, that free-standing masts should only be located within, or in the immediate surrounds of, smaller towns and villages as a last resort, it is considered that insufficient technical justification and evidence has been provided in respect of alternative sites, to support the location of the development.

In particular, it is considered that the application does not sufficiently address the capacity of the existing telecommunication mast at Foyle View Point, Carrowkeel, Quigleys Point to cater for the black spot area. An extension to this mast was permitted under ACP-322991-25. Policy TC-P-2 of the County Donegal Development Plan 2024-2030 specifically requires the co-location of antennae on existing telecommunications structures. In the absence of sufficient information to demonstrate potential options for co-location, it is considered that the proposed development would be contrary to government guidelines, to Policies TC-P-3 and TC-P-2 of the County Donegal Development Plan 2024 - 2030 and would, therefore, be contrary to the proper planning and sustainable development of the area.

The Commission considered that the proposed development is a project for the purposes of the Environmental Impact Assessment Directive. However, the Commission concluded that the proposed development does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 to the Planning and Development Regulations 2001, as amended, and, therefore, no preliminary examination, screening for Environmental Impact Assessment, or Environmental Impact Assessment is required.


Marie O'Connor

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 29th day of July 2026