



An  
Bord  
Pleanála

## Inspector's Report

### ABP-304775-19

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<b>Development</b>	Erection of a new multi-user telecommunications support structure
<b>Location</b>	Coillte Forest Drumcliff, Drumcliff North, Co Sligo
<b>Planning Authority</b>	Sligo County Council
<b>Planning Authority Reg. Ref.</b>	19138
<b>Applicant(s)</b>	Cignal Infrastructure Ltd.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Refuse
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Cignal Infrastructure Ltd.
<b>Observer(s)</b>	Geraldine Gibbons Issac Hanna Gordon & Sandra Barber Cllr. Donal Gilroy Brendan & Sinéad Reiley.

**Date of Site Inspection**

12<sup>th</sup> August 2019.

**Inspector**

Sarah Lynch

## 1.0 Site Location and Description

- 1.1. The site is located to the north east of Drumcliff Village in a secluded site within a Coillte forest which is accessed via a local road to the east of the N15 Scenic Route as identified within the Sligo County Development Plan. The topography of the site is relatively flat and the surrounding area is sparsely developed with the presence of a number of individual dwellings. There is no development immediately adjacent to the appeal site.
- 1.2. There are uninterrupted views to the north east of the appeal site of the southern face of Ben Bulbin mountain and SAC. Agriculture is the predominant land use in the vicinity.

## 2.0 Proposed Development

- 2.1. It is proposed to construct the following:
  - 33 metre multiuser telecommunications support structure carrying 9 no. antennas and associated remote radio units, 6 no. communication dishes,
  - 3 no. lighting finials,
  - 6 no. outdoor cabinets,
  - 2.4-metre-high security palisade fencing surrounding the site.

## 3.0 Planning Authority Decision

### 3.1. Decision

Sligo County Council determined to refuse permission for one reason which can be summarised as follows:

- The proposed development would be contrary to policy P-TEL-1, having regard to the sensitive location of the subject site between the N15 scenic route and Ben Bulbin, designated sensitive rural landscape and the proximity of the site to St. Columba's Church, Protected Structure, It is considered that the proposed development would form an obtrusive and discordant feature at this location

which would be seriously injurious to the visual amenity and architectural heritage of the area.

### 3.2. **Planning Authority Reports**

#### 3.2.1. Planning Reports

- The planners report reflects the decision of the planning authority.

#### 3.2.2. Other Technical Reports

- Area Engineer – no objections subject to conditions.

### 3.3. **Prescribed Bodies**

- IAA – applicant shall engage with Sligo Airport to ensure that any crane operations do not impact on flight paths.
- Airport Operator – warning light should be attached.

### 3.4. **Third Party Observations**

- None

## 4.0 **Planning History**

There is no recorded planning history pertaining to this site.

## 5.0 **Policy Context**

### 5.1. **Development Plan**

#### **Sligo Development Plan 2017-2023**

The site is located in the rural area on un-zoned lands

The following sections of the plan are of relevance to the proposal:

- Section 11.2.1 – Broadband
- Section 11.2.2 Mobile telephony infrastructure

Sligo County Council recognises the importance of high-quality telecommunication infrastructure as a prerequisite for a successful economy. It is the aim of the Council to achieve a balance between facilitating the provision of telecommunications services in the interests of social and economic progress and protecting residential amenity and environmental quality.

- **Policy P-TEL-1** Protect areas of significant landscape importance from the visual intrusion of large-scale telecommunications infrastructure.

## 5.2. **Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, 1996**

5.2.1. These Guidelines set out the criteria for the assessment of telecommunications structures. The relevant points to this case are summarised below.

- An authority should indicate any locations where telecommunications installations would not be favoured or where special conditions would apply. Such locations might include high amenity lands or sites beside schools (Section 3.2).
- In rural areas towers and masts can be placed in forestry plantations provided of course that the antennae are clear of obstructions (Section 4.3).
- Only as a last resort should free-standing masts be located within or in the immediate surrounds of smaller towns or villages. If such 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 (Section 4.3).
- The sharing of installations and clustering of antennae is encouraged as co-location will reduce the visual impact on the landscape (Section 4.5).

## 5.3. **Circular Letter PL07/12**

5.3.1. This Circular Letter revises elements of the 1996 Guidelines. In particular, Section 2.2 advises Planning Authorities to cease attaching time limiting conditions to telecommunications masts, except in exceptional circumstances. Section 2.4 advises that the lodgement of a bond or cash deposit is no longer appropriate and instead

advises that a condition be included stating that when the structure is no longer required it should be demolished, removed and the site re-instated at the operators' expense.

#### **5.4. Natural Heritage Designations**

- Cummeen Strand/Drumcliff Bay SAC and SPA is located c. 850 metres south west of the appeal site.
- Ben bulben, Gleniff and Glenade Complex SAC are located c. 2.2 km north east of the appeal site.
- Sligo / Leitrim Uplands SPA are located c.1.7km north east of the site.
- Streedagh Point Dunes SAC is located c. 7.8 km north of the site.
- Ballintemple and Ballygilgan SPA is located c. 8km north west of the appeal site.

#### **5.5. EIA Screening**

5.6. Having regard to the limited nature and scale of the proposed development and the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

### **6.0 The Appeal**

#### **6.1. Grounds of Appeal**

4 Site consultants have prepared the grounds of appeal on behalf of the applicant, the issues raised relate to the reason for refusal of the development and can be summarised as follows:

- The site is not within a visually vulnerable area or sensitive rural landscape.
- The site is not within a scenic route.
- A detailed Visual impact assessment was undertaken.

- Each of the prescribed bodies were consulted and did not respond, their silence must equate to a nil or negligible impact.
- The planning authorities silence in relation to certain views assessed must mean that they do not have concerns in relation to these viewpoints.
- Coillte wood screens the development.
- Coillte wood will be replanted.
- Location of the proposed mast will not have any detrimental impact on setting of St. Columba's church.

## 6.2. Planning Authority response

- See planners report
- No additional information has been submitted with appeal which would alter the Council's decision.

## 6.3. Observations

Five observations have been received from local residents and business owners in the vicinity, the issues raised can be summarised as follows:

- Proposal would be visually intrusive
- Impact on tourism
- Area is a sensitive rural landscape.
- Impact on Wild Atlantic Way.
- Impact on health.
- Impact on setting of WB Yeats burial, where photos are taken towards Ben Bulbin by tourists.
- Existing mast 1 mile from site.

## 7.0 Assessment

7.1. This is a first party appeal against the decision of Sligo County Council to refuse permission for the proposed development. It is the contention of Sligo County Council

that the proposed development by virtue of its location in a significantly sensitive environment in terms of the overriding scenic value of the landscape, would result in a discordant form of development which would be seriously injurious to the visual amenity and architectural heritage of the area.

- 7.2. The lands on which the proposed development will be located are identified as normal rural landscape within the Landscape Characterisation map of the Sligo County Development Plan, however, according to the Landscape Characterisation map, the proposed development at 33 metres in height will be located between two visually vulnerable areas, Drumcliff and the coast line to the east and Ben Bulbin to the north west. The site is also proximate to the N15 Scenic route to the west and an additional scenic route to the north which follows a local road.
- 7.3. I noted at the time of site inspection that the steeple of St. Columba's Church (RPS No. 2000) is visible from the site. This Protected Structure contains the final resting place of W.B Yeats which is a significant tourist attraction.
- 7.4. Having regard to the foregoing and the proximity of the site to a number of SAC's and SPA's, as outlined within Section 5.4 above, it is apparent, that cumulatively speaking, the surrounding landscape is sensitive in nature and it is not only important to assess development in this context within the designated and identified sensitive areas but also development outside of, and proximate to, these areas.
- 7.5. The applicants have stated within the grounds of appeal that there are no other suitable sites for their proposed development. A number of existing telecommunications structures have been identified and discounted on either location or unavailable capacity to accommodate an additional user. A visual impact assessment was submitted with the application and refers to 17 no. views assessed within it. Of particular significance to the assessment of visual impact in this regard, are the views from the aforementioned scenic routes towards Ben Bulbin and the surrounding countryside and from St. Columba's church and grounds towards Ben Bulbin and the surrounds.
- 7.6. I note that the visual impact assessment in the first instance, discounts potential for impacts from a number of points to the south and north of the site and cites the presence of trees and natural topography of the land as a mitigating factor. It is further noted within the assessment that a number of views namely those identified as 3, 4,



5, 6 and 13 have the potential for impact, but it is stated that the existing development and particularly the collite forest mitigate against the potential for visual impacts from these viewpoints. It is further stated within the assessment that there are potential views from locations numbered 7, 8, 9 and 11 however the coillte forest is cited as a mitigating measure in relation to these also.

7.7. Whilst I note the contents of the applicant's grounds of appeal, in which reference is made to the significant distance from a number of the view points in relation to the site and the resultant de minimis visual impact, I have serious concerns in relation to the interruption of the existing panoramic views from a number of the identified viewpoints within the assessment. I further note that the existing Collite forest is a commercial forest which will succumb to felling in 2025 and whilst it is stated that replanting will occur, this will take a significant number of years to mature. The removal of this forest will render the proposed 33 metre structure highly visible from a number of locations including from the N15 scenic route, which lies c.600 metres west of the site.

7.8. Therefore, based on the information submitted and having regard to the sensitivity of the surrounding scenic landscape and the existing relatively uninterrupted panoramic views currently available from a number of locations surrounding the site towards Ben Bulbin SAC and the surrounding scenic landscape, which includes the N15 Scenic Route and from the grounds of St. Columba's church, I consider that the proposal would give rise to an obtrusive and visually prominent form of development which would unduly impact upon the unique visual amenity of the surrounding scenically sensitive landscape.

#### 7.9. **Appropriate Assessment**

7.10. Having regard to the minor nature of the development in terms of land disturbance, the absence of any pathway to, and the separation distance to any European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## 8.0 Recommendation

8.1. I recommend that permission is refused for the following reason.

1. The proposed development would provide for a 33-metre telecommunications structure and associated equipment within an area surrounded by sensitive rural landscapes as identified within the Landscape Characterisation map of the Sligo County Development Plan 2017-2023, whereby it is the policy of Sligo County Council as per policy P-TEL-1 to protect areas of significant landscape importance from the visual intrusion of large-scale telecommunications infrastructure. This is reasonable. The proposed development by virtue of its siting between the N15 Scenic Route and the Sensitive Rural Landscape of Ben Bulbin mountain would result in an obtrusive and incongruous form of development which would be seriously injurious to the visual amenity of the area and would therefore be contrary to the proper planning and sustainable development of the area.

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Sarah Lynch  
Planning Inspector

12<sup>th</sup> September 2019