



An
Bord
Pleanála

Inspector's Report ABP-305885

Development	Construct a 21m high multiuser monopole telecommunications structure with dishes, fencing and ground based equipment cabinet.
Location	Srah, Ballinlough, Co. Roscommon
Planning Authority	Roscommon County Council
Planning Authority Reg. Ref.	19442
Applicant(s)	Shared Access Ltd Infrastructure
Type of Application	Permission
Planning Authority Decision	Grant with conditions
Type of Appeal	Third Party
Appellant(s)	Eamonn Carty
Observer(s)	None
Date of Site Inspection	16 th January 2020.
Inspector	Suzanne Kehely

1.0 Site Location and Description

- 1.1. The site is located on the northern side of the N60 on the north western outskirts of Ballinlough Village- about 550m from the village about halfway between Castlerea, Roscommon and Balihaunis, Mayo. The site is a 36sq.m. parcel of grassland in the north west corner of a field that slopes moderately up from the N60. The field borders an industrial estate and petrol station at the eastern end of the village. There is a field gate to the site that is accessed via this industrial estate. A mature hedgerow along the northern perimeter of the estate screens the field from view at street level.
- 1.2. The site is at a distance of about 260m from the nearest residence. Other structures in the wider area include a water tower (360m east).

2.0 Proposed Development

- 2.1. Construction of a 21m high multi-user monopole telecommunications structure carrying 9 antennae and 2 dishes for up to 3 operators and all enclosed within a 2m high mesh fenced compound with 7 no equipment cabinets. The dishes are proposed at a height of 12m for sightlines to other installations. The fencing will be painted green.
- 2.2. The site is proposed to be accessed for both construction and twice-yearly maintenance and calibration. It is anticipated that there will one HGV delivery trip. Traffic will be low.
- 2.3. The proposal will meet with the International Commission guidelines for public exposure.
- 2.4. The application is accompanied by a planning report which provides justification for the proposal in the immediate vicinity of site and Ballinlough village This report explains how the applicant is a provider of wireless communications infrastructure. The site is part of eir's strategy to provide an integrated telecommunications system and improved network coverage to enable 4G across parts of the country that have poor mobile phone and internet coverage. The report refers to surrounding telecommunications, national, regional and local planning context, alternative sites, benefits, visual impact and heritage context.

- 2.4.1. An additional draft landscaping scheme is submitted with the response to the grounds of appeal.

3.0 Planning Authority Decision

3.1. Decision

The planning authority issued, by order dated 21st October 2020, notification of its decision to grant permission subject to 7 conditions:

- Condition 1 – standard
- Condition 2 – restricts alterations
- Condition 3 – landscaping details for agreement
- Condition 4 - landscaping completion
- Condition 5 – construction management plan for agreement
- Condition 6 – restoration plan
- Condition 7 – noise

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The planning report refers to the national policy and guidance by reference to:
 - Telecommunications Antennae and support Structures- Guidelines for Local Planning Authorities 1996 DECLG and subsequent revisions
 - The Roscommon County Development Plan 2014-2020 and policies regarding telecommunications, natural and heritage and landscape character and development Management
- The application was referred to the Aviation Authority - no objection is noted.
- The issues in the written objection in relation to siting and location, visibility, and alternatives are noted and considered.
- The planner is satisfied on the basis of the information and site inspection that the location is suitable and capable of being assimilated into the landscape but that additional landscaping would provide additional screening.

- While noting that the 21m structure will be higher than the industrial structures to the south it is considered that additional native screening around the site would be appropriate.
- It is noted that the site is located in the Ballinlough Bogland and Esker Ridges Character Area which is classified as being of Moderate Value and is also close to Suck River and Lough O'Flynn Boglands and Esker Ridges Character Area which is a High Value Area. However whilst adjacent to this higher value area the main receptors are still some distance from the proposed site. The relative impact is considered to be minimal.
- There are no scenic views routes in the vicinity of the site – the landscape can absorb the development however a landscape scheme is considered appropriate for this site
- The proposed development is acceptable in principle. Having regard to the suitability of the site from a technical perspective together with the nature and scale of the development it is considered that subject to compliance with conditions that it would not seriously injure the amenities of the area, devalue property in the vicinity or create any traffic hazard or inconvenience and would be in accordance with the proper planning and development of the area.

3.2.2. Other Technical Reports

- None

3.3. Prescribed Bodies

3.3.1. Irish Aviation Authority: In a letter dated 17th September 2019 it stated that this authority has no observations.

3.4. Third Party Observations

3.4.1. The appellant party submitted a letter of objection which raised issues relating to:

- Visual impact – as viewed in wider area and also from house and neighbouring house which are in direct eye line of equipment on the monopole structure due to location and levels.

- Insufficient consideration of alternatives

4.0 Planning History

None stated.

5.0 Policy Context

5.1. Roscommon County Development Plan 2014-2020

5.1.1. The appeal site is located in a rural area.

- Chapter 3 - promotes the delivery of key infrastructure and high-speed telecommunications to drive economic growth.
- Chapter 4 refers to telecommunications, Section 4.7 refers to Telecommunications including broadband and mobile phone networks. Section 4.7.2 - Mobile Phone Network Development. Policies 4.64, 4.65 and 4.69 support the provisions of such. Policies 4.66, 4.67, 4.68 and 4.70 refer to protecting sensitive landscape and amenities area/routes and visual amenities generally through siting and landscape screening.
- Chapter 7 refers to natural heritage and landscape character assessment.
- Chapter 9 sets out development management guidelines and standards. Section 9.33 - Telecommunications

Map 19 - Walking routes/cycling routes –the site is not near any of these.

Map 20 – There are public rights area relating to River Suck to the north east and also along the N60 corridor east of the village.

5.2. Natural Heritage Designation

The nearest sites are:

Carrowbehy/Caher Bog SAC (site code: 000597) at a distance of 3.86km north.

Cloonchambers Bog SAC (Site Code: 000600 at a distance of 4.02km to the north east.

5.3. National Planning Framework

- 5.3.1. It is an objective to develop a stable, innovative and secure digital communications and services infrastructure on an all-island basis.

5.4. Ministerial Guidelines

- 5.4.1. Telecommunications Antenna and Support Structures – Guidelines for Planning Authorities 1996 apply. These are amended by Circular letter PL07/12 which states that only in exceptional circumstances where particular site or environmental conditions apply, should a permission issue with conditions limiting their life 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. The practice of restricting telecom structures from within 1km of houses and schools is also discouraged. Bonds are no longer considered necessary. Health and safety are regulated by other codes and should not be regulated by the planning process required. All development contributions should include waivers for broadband infrastructure provision.
- 5.4.2. Siting: The guidelines provide for restriction of siting telecommunication infrastructure in sensitive areas such as high amenity areas (section 3.2).
- 5.4.3. Visual Impact: Section 4.3 of the Guidelines states: 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. Some masts are acknowledged as having the capability of remaining quite noticeable in spite of the best precautions. The following considerations may need to be taken into account:
- Along major roads or tourist routes, or viewed from traditional walking routes, masts may be visible but yet are not terminating views. In such cases it might be decided that the impact is not seriously detrimental
 - Similarly along such routes, views of the mast may be intermittent and incidental, in that for most of the time viewers may not be facing the mast. In these

circumstances, while the mast may be visible or noticeable, it may not intrude overly on the general view or prospect

- There will be local factors which have to be taken into account in determining the extent to which an object is noticeable or intrusive – intermediate objects (buildings or trees), topography, the scale of the object in the wider landscape, the multiplicity of other objects in the wider panorama, the position of the object with respect to the skyline, weather and lighting conditions, etc.

- 5.4.4. Co-location: Section 4.5 states that the sharing of installations and clustering of antennae is encouraged as co-location will reduce the visual impact on the landscape.

5.5. Regional Planning Guidelines

- 5.5.1. Section 5.6 refers to telecommunications and its key role in social and economic progress in the Western Region. Telecommunications Masts are an essential element in providing a communication network for the region.

5.6. EIA Screening

- 5.6.1. Having regard to the nature and scale of the development comprising a telecommunications structure and ancillary development on the outskirts of an urban area and removed from sensitive environmental receptors 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

- 6.1.1. The appellant lives at a distance of 270m from the proposed development and raises concerns about:

- The visual impact on the village and environs and more particularly on his home. This is aggravated by the comparatively low level of the site resulting in an estimated higher level by only 2.5m above the ground level in his home.
- His home is positioned in direct line between the site and another installation east of the village. It is unacceptable to have communication signals pass through an established home at such low height levels.
- There are other more suitable locations on higher ground and that would be less visually noticeable.
- No proper study and understanding of long-term effects
- It would lead to a devaluation of property
- A woodland site would be better.

6.2. Planning Authority Response

- No further comments

6.3. Response to appeal

- It is agreed that the appellant's home is at a distance of 270m. It is submitted that there are 3 intervening fields and the appellant's amenity will not be affected to the extent that refusal is warranted.
- There are no prescriptive distances between dwelling and telecommunications infrastructure in the development plan.
- In respect of health concerns the Board is referred to the Radio Emission Statement which certifies that the application has been designed to meet international health and safety standards including the relevant guidance by the ICNIRP and The Communications Regulator in Ireland.
- The Department circular states that it is not within the competency of the planning authority to determine health and safety and such matters are regulated by separate statutory codes.
- The applicant has considered alternative sites. This is the area within which a new mast could uplift the coverage to a level required. Sites outside this area cannot provide such coverage required.

- The woodland site has issues relating to access and tree felling in addition to being outside the specific cell.
 - The drop in property value as anticipated is unsubstantiated. A counter argument of increased value due to enhanced communication infrastructure is put forward.

6.4. Counter response

- There is only one field separating between the appellant's house and the site.
- There is acknowledgment that harm will come to the appellant's property.
- The applicant fails to address levels and transmission of radio waves through the appellant's home.
- The landscaping proposed will do little to camouflage a 21m high structure.
- The scope of the standards that are being complied with are questioned.
- The choice of alternatives has not been fully explored. It is submitted that the examples given by the applicant were not realistic. It is also explained that the appellant is only suggesting alternatives in general capacity not site specifically.
- The emerging pattern of development to the north east supports another location.
- With respect to property value, it is submitted that there is no supporting research to demonstrate an increased value arising from the nature of the proposal. Common sense would suggest that no one would choose another location for house that his property if the proposed development was permitted and constructed.

7.0 Assessment

7.1. Issues

- 7.1.1. This appeal is against a decision to grant permission for a telecommunications mast in a rural area but at a distance of 270m from the appellant's home. Having regard to the submissions, the pertinent issues arising centre on:
- Principle of development
 - Visual impact
 - Residential amenity

- Appropriate Assessment

7.2. Principle of development

7.2.1. Telecommunication infrastructure is recognised as essential in achieving social and economic development and the development plan policies in this regard are strongly mandated in national planning policy and ministerial guidance. However, the provision of such should not unduly compromise the protection of the environment or amenities of the area. I note that the development management criteria in section 9.33, which in the context of the guidelines seems reasonable and on examining the proposal I am satisfied that it generally meets with this criteria based on considerations as set out below.

- The need for the monopole structure and equipment is explained in the application and again in the response to the grounds of appeal. In this case the stated defining parameters are the need to uplift 2G, 3G and 4G service for the Ballinlough domestic and commercial customer -base and also for the N60 corridor and environs. In this regard I note that the Comreg coverage maps clearly show a deficiency in 2G, 3G and 4G coverage. While the optimal functional location to base the installation would be the centre of the village this is not, I agree, appropriate.
- The existing base station in the vicinity is east of the village and has a 1km radius with only a basic level of service and no 4G. The subject site is within the cell search area while also being somewhat elevated – providing more efficient use of the location.
- In this case the proposed location while serving a target catchment, is also located adjacent to an industrial area outside the village centre and away from schools and buildings of architectural interest and more than 250m from dwellings which are dispersed along a local road to the east and extending north off the N60. (This is where the appellant lives.)
- I note that the facility has the capacity of sharing which accords with the co-location requirements

- The site is not within any delineated designation area for environmental or amenity protection.
- The applicant has also submitted a letter of compliance with the International Radiation Protection Association (IRPA) Guidelines.
- With respect to alternatives, a list of existing telecommunications sites in the area is provided. I consider the applicant has provided reasonable rationale for the site location having considered the alternative options.

7.2.2. In view of this approach to the general provision and siting of the proposed telecommunications infrastructure I consider the proposed location is a rational and reasonable choice.

7.2.3. Accordingly, I am satisfied based on the information submitted that the proposal which is to advance the availability of up-to-date communications in Ballinlough village and N60 corridor accords with policy and objectives of both the Development Plan and national strategy for telecommunications. I therefore consider the proposal is acceptable in principle subject to not having any significant adverse impacts on amenities in the area.

7.3. **Visual impact**

7.3.1. The case is made that the proposed development would be visually obtrusive in the area by virtue of its height and open field setting, whereas the planning authority has concluded that it would not be visually intrusive.

7.3.2. In the first instance I note that the site is in the lowest tier in terms of sensitivity of the receiving landscape. The landscape character assessment of the county takes account of a varied range of features and their capacity to absorb development. There are four levels of amenity value ranging from exceptional to moderate. The subject site is in an area classified as moderate landscape value. This is a key determinant in assessing the potential visual impact. While the site is moderately elevated there are a number of factors that mitigate visual prominence in the immediate environs. The structure will not be out of place in the immediate environs and due to its slender nature nor, in my judgement, will it be readily discernible in the more distant views. I refer in particular to the more sensitive landscape area

associated with River Suck Valley and designated linear amenity routes. The site as viewed from the N60 from where public views would be most likely, is screened by the existing development in the form of industrial premises and a petrol station. This pattern of development acts as a buffer and the views of the monopole structure in the background would be easily absorbed as viewed from the south. The location is quite removed also from existing and designated amenity routes and trails.

- 7.3.3. The siting in the corner of a field, that both gently undulates and has a backdrop of mature hedgerow, has the capacity to assimilate the structures. The additional landscape planting and use of colour will screen views of the cabinets and fencing and the monopole with antennae.
- 7.3.4. The appellant makes the case that the structure will be highly visible from his dwelling which is also elevated and notwithstanding the 270m separation distance, the terrain does not serve to mitigate the visual impact as viewed from his property. While I accept there will be some visibility of the 21m high structure from dwellings to the east I consider the separation distance is adequate and that it is not an unreasonable location for development adjacent to an industrial estate on the outskirts of the town it proposes to substantially serve. The landscaping will soften the impact. Accordingly, I do not consider injure of visual amenity to be a reasonable basis to refuse permission.
- 7.3.5. In overall terms I consider the impact on the landscape will be moderate to low and to be within acceptable limits.

7.4. Health and safety.

- 7.4.1. The appellant is concerned about the position of his house in a signal pathway between the antennae and other transmission bases. The comparable height of his home and the proposed antennae and transmission route, he states, places him in a sightline. These concerns relate to public health and safety. Accordingly, in line with ministerial guidance and as specifically clarified in the ministerial circular of 2012 this matter is regulated by a separate regularity code and is not a planning issue. In this regard I would emphasise that the applicant has also submitted a letter of compliance with the International Radiation Protection Association (IRPA) Guidelines.

7.5. Appropriate Assessment

- 7.5.1. The subject site is not located within any designated Natura 2000 site. Having regard to the nature and scale of the proposed development, I am satisfied that 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 be granted for the proposed development based on the following reasons and considerations.

9.0 Reasons and Considerations

Having regard to:

- (a) National strategy regarding the improvement of mobile communications services and the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, 1996 issued by the Department of the Environment and Local Government and as amended by Circular letter,
- (b) the Roscommon County Development Plan 2014 – 2020,
- (c) the need to improve telecommunications infrastructure in the locality,
- (d) the general topography and landscape features in the vicinity of the site,
- (e) the separation distance between the site and Ballinlough village and dispersed development and
- (f) the existing pattern of development in the vicinity,

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 and would, otherwise, be in accordance with the proper planning and sustainable development of the area.

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

Reason: In the interest of public safety.

3. Landscaping of the site shall be carried out in accordance with a landscaping scheme, which shall be submitted to and agreed in writing with planning authority prior to commencement of development.

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

4. 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.

5. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or its appendages or within the curtilage of the site without a prior grant of planning permission.

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

6. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.

Reason: In the interest of public health.

7. Prior to construction details of road signage, warning the public of the entrance and of proposals for traffic management at the site entrance during construction stage, shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of traffic safety.

8. On decommissioning of the telecommunications service, or if the service ceases operation for a period of more than one year, the telecommunications structure, associated antennae and related ancillary structures including foundations and access arrangements shall be removed and the site lands shall be reinstated on removal of the telecommunication structure and ancillary structures within three months of decommissioning.

Reason: To ensure satisfactory reinstatement of the site upon cessation of the service.

9. 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 traffic management during the construction phase, details of intended construction practice for the development, including hours of working, noise management measures

and off-site disposal of construction/demolition waste, as well as protective measures to be employed during the construction of the pedestrian access track with respect to boundary hedgerow.

Reason: In the interests of public safety and amenity.

Suzanne Kehely

Senior Planning Inspector

6th May 2020