



An  
Bord  
Pleanála

## Inspector's Report

### ABP-312727-22

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<b>Development</b>	Removal of 10m telecommunications mast and replacement with 30m support structure with associated equipment and site works.
<b>Location</b>	Eir Exchange, L6404 Road, Dundermot, Ballymoe, Co. Roscommon
<b>Planning Authority</b>	Roscommon County Council
<b>Planning Authority Reg. Ref.</b>	21216
<b>Applicant(s)</b>	Vodafone Ireland Ltd.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	To refuse.
<b>Type of Appeal</b>	First
<b>Appellant(s)</b>	Vodafone Ireland Ltd.
<b>Observer(s)</b>	Nigel Kenny
<b>Date of Site Inspection</b>	3 <sup>rd</sup> January 2023
<b>Inspector</b>	Deirdre MacGabhann

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## 1.0 Site Location and Description

- 1.1. The 0.014ha appeal site is situated c.780m to the north east of Ballymoe, in the townland of Dundermot, County Roscommon. The site is situated to the north of the N60, on the western side of the L6404, within an existing Eircom Exchange compound. The county road joins the national road c.85m to the south of the site.
- 1.2. The existing compound comprises a telecommunications equipment mounted on a wooden pole, cabinets and cabin. Alongside the public road, the approximately site is bound to the east by a low stone wall and elsewhere by a trimmed hedge. Access is via an small opening in the stone wall alongside the public road. The appeal site is a rectangular site situated within the compound on its eastern side.
- 1.3. The appeal site lies south of the River Suck in a rural setting. To the south and south east of the site is mature woodland which extends along the national road. The national road and county road which pass the site forms part of the Suck Valley Way walking route and Beara-Breifne Way (Suck Valley Way, Ballymoe to Castlerea). Picnic tables are present in the woodland area to the south of the site.

## 2.0 Proposed Development

- 2.1. The proposed development, as revised by way of further information (submitted on the 13<sup>th</sup> December 2021) comprises the following, for wireless data and broadband services:
  - The removal of an existing 10m telecommunications support structure (10m wooden pole, with overall height of 12.5m) together with telecommunications equipment on it,
  - Replacement lattice telecommunications support structure (30m, overall height 31.5m) carrying relocated existing antenna and additional antenna dishes and associated equipment, and
  - Ground based equipment cabinets, new 2.4m palisade fencing around the perimeter of the site and 1.5m access gate (from within the larger compound).

2.2. The planning application includes a covering letter from the applicant setting out the rationale for the development. In summary, the existing support structure provides telecommunications equipment for Vodafone's mobile network. The new support structure will ensure continued network coverage for Vodafone and is required to support a new operator, Eir Mobile which requires a site in the area. The existing structure is of insufficient height to provide for Eir Mobile's network coverage requirements. The replacement support structure would also be available to other telecommunications, emergency services and broadband operators in line with national policy. The correspondence refers to Comreg's coverage maps and states that coverage in the area, for 4G, is 'fair' for Eir and Three and 'fringe' for Vodafone. It states that the development is in accordance with policies of the County Development Plan 2014-2020 and is acceptable in terms of visual impact due to its established presence in the landscape, context of mature trees, distance from protected structures and scheduled monuments and avoidance of mast proliferation. Emission levels will comply with ICNERP.

2.3. The FI response includes information on existing telecommunication structures within 5km of the site and photomontages of the proposed development.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

3.1.1. On the 18<sup>th</sup> January 2022, the PA decided to refuse permission for the development on the grounds of:

- (i) Visual impact - PA acknowledge that the site is already occupied by a telecommunications support structure. However, having regard to increased height, scale and overall design, it is considered that the development would injure the visual amenities of the area, including the Castlerea and Upper Suck Valley Landscape Character Area of 'High Value'. Development fails to have adequate regard to Landscape Character Assessment of County Roscommon and would contravene policy 4.66 and 4.67 of Roscommon County Development Plan 2014-2022.

- (ii) Co-Location – Considers that inadequate information on the possibility of co-location on existing structures has not been satisfactorily demonstrated. Development therefore fails to comply with governments guidelines on Telecommunications Antennae and Support Structures (section 4.3, visual impact and 4.5, sharing and clustering) and section 4.7 Telecommunications, of the Roscommon CDP 2014-2022. Development would set a precedent for proliferation of structures and represent a haphazard and uncoordinated approach to facilitating telecommunications infrastructure.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

- Planning (11<sup>th</sup> June 2021) – Refers to the location of the site, its planning history, relevant planning policy and submission/technical reports made. It screens the proposed development for environmental impact assessment (not required) and under the Planning Assessment it considers that the development is acceptable in terms of access and traffic safety and flooding, but raises concerns regarding the visual impact of the development. The report recommends FI in respect of opportunities for co-location (on existing structures and in relation to proposed structure), coverage maps, planning status of existing equipment and photomontage of development given its location in an area designated as having a High Landscape Character Value..
- Planning (18<sup>th</sup> January 2022) – Refers to the FI provided and states that no evidence has been provided of engagement with other telecommunication providers regarding co-location on existing structures or proposed structure and no information on extent of improved coverage (with development). Concerns are also raised in respect of the visual impact of the development. Reference to exempted development provisions in respect of existing structure and facilities is noted. The report recommends refusing permission for the development on grounds of visual impact and absence of information on co-location on existing telecommunications equipment.

- Appropriate Assessment Screening Report (14<sup>th</sup> June 2021) – Concludes that no likely significant effects on European sites by the development alone or in combination with other plans and projects.

### 3.2.2. Other Technical Reports

- Environment – No objections, recommend conditions if permission is granted.
- Area Engineer – Standard conditions to apply.

### 3.3. Prescribed Bodies

- IAA – No requirement for obstacle lighting.

### 3.4. Third Party Observations

3.4.1. There are five observations are on file from '4site' on behalf of Cignal, Ballymoe Tidy Towns, Ballymoe Angling Clube, Ballymoe Development Company Ltd and Nigel Kenny. The observers object to the development on the following grounds:

- Cignal Infrastructure own and operate an existing 33m multiuser telecommunications support structure at Leabeg Townland, Ballymoe, c.2.3km to the south east of the proposed development. The structure has been designated as a multiuser installation capable of meeting all operator requirements in the areas and has capacity to accommodate additional telecommunications equipment as the need arises.
- Planning status of existing development (existing structure and sewage treatment plant referenced in application).
- No rationale for why site is optimum for 30m mast, consideration of alternative sites or why river valley chosen for site.
- Lack of consultation.
- No evidence of demand for co-location.
- Impact on landscape of high landscape value.
- Impact on adjacent Coillte site (plans for river inlet), picnic area, river Suck, Suck Valley Way Walk and Beara Breifne Way cycle way.

- Environmental concerns (impact on health and biodiversity including native pollinators from electromagnetic radiation).

## 4.0 Planning History

- PA ref. 20/564 – Incomplete application on subject site for removal of existing 10m telecommunications support structure and replacement with new 30m support structure and associated equipment.

## 5.0 Policy Context

### 5.1. National Policy

- Project Ireland – National Planning Framework. Policy Objective 48 – supports the development of a stable, innovate and secure digital communications and services infrastructure on an all island basis.
- Telecommunication Antennae and Support Structures: Guidelines for Planning Authorities 1996. The Guidelines support the role out of telecommunications infrastructure in the country. In section 4.2 Design and Siting, the guidelines recognise that location will be substantially influenced by radio engineering factors and recommends consideration of a number of factors including:
  - Visual Impact (section 4.3), the Guidelines state that visual impact is among the more important considerations which have to be taking into account at arriving at a decision on a particular application. It is acknowledged that the approach taken by the PA will depend on the location of the development e.g. rural/agricultural area or industrial area. However, it advocates great care in applications in sensitive landscapes and designated areas and avoidance in proximity to listed buildings, archaeological sites and other monuments. Along major roads or tourist routes, the Guidelines state that where masts may be visible but not terminating views, it might be decided that the impact is not seriously detrimental. Similarly, along such routes it is stated that views of the mast may be intermittent and incidental and may not

intrude on the general view or prospect. The Guidelines also refer to local factors which will have to be taken into account in determining the extent of visibility e.g. intermediate objects, topography, other objects in wider landscape. The Guidelines also acknowledge the need for increased number of cells, to cater for a larger number of customers.

- Sharing Facilities and Clustering (section 4.5) – The Guidelines state that the sharing of installations will normally reduce the visual impact on the landscape and that *‘All applicants will be encouraged to share and will have to satisfy the authority that they have made a reasonable effort to share’*.
- Circular letter PL07/12 – Amongst other things the circular advised that planning authorities should not include time limited conditions, specific separation distances in development plans for telecommunications installations or be concerned regarding health and safety matters, which are regulated by other codes.
- Circular letter PL03/18 – Provides that where mobile or broadband operator demonstrate to the satisfaction of the PA that their infrastructure provides services to customers who would not otherwise be able to avail of an adequate mobile or broadband service, such infrastructure shall not attract development contributions.

## 5.2. Roscommon County Development Plan 2022 to 2028

- 5.2.1. The current Roscommon County Development Plan, which covers the period 2022 to 2028, was adopted by the County Council on 8<sup>th</sup> March 2022 and came into effect from the 19<sup>th</sup> April 2022. In section 7.12, Information and Communication Infrastructure, the Plan recognises that a high quality and competitive telecommunications service is essential in order to promote industrial and commercial development and to improve security and to enhance social inclusion and mobility. Policies of the Plan support improving high quality broadband and ICT infrastructure throughout the county in accordance with the government’s *Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities* in order to achieve balanced social and economic development whilst



protecting the amenities of urban and rural areas (ITC 7.62 and ITC 7.63). Under policy ITC 7.65 the Plan encourages the co-location of antennae on existing telecommunications structures and under ITC 7.66 to ensure that such structures are located to minimise and/or mitigate any adverse impacts on communities, public rights of way and the built or natural environment.

- 5.2.2. The appeal site falls within the Castlerea and Upper Suck Valley Landscape Character Area, as identified in the Roscommon Landscape Character Assessment, with 'high' landscape value. Policies of the CDP seek to minimise visual impact on these areas (NH 10.25)

### **5.3. Natural Heritage Designations**

- 5.3.1. The appeal site is situated c.1km to the south east of Corliskea/Trien/Cloonfelliv Bog SAC and proposed Natural Heritage Area (shared site code 002110).

### **5.4. EIA Screening**

- 5.4.1. Having regard to the nature and limited scale of the proposed development and the absence of any significant environmental sensitivity in the vicinity of the site or 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**

- 6.1.1. In summary, grounds of appeal are:
- Rationale – To improve coverage and capacity of mobile telecommunications and broadband services in the area.
  - Visual impact – Photomontages demonstrate that the development would not have an adverse impact on the visual amenities of the area.  
Telecommunication structure on the site for many years, precedent for

infrastructure and utilities in the area. Proposed tower is taller and bulkier but surrounding natural environment will assist in screening. Views of proposed structure will be intermittent, seen with other upright structures (streetlighting, electricity poles) and over trees and through natural screening.

- Need - Current lightweight structure not capable of meeting current or future needs without upgrading and is not capable of supporting new operators (i.e. limited to 2G and 3G, see Appendix A – Technical Justification). Proposed 30m tower will provide Vodafone with increased height compared to surrounding treeline and ability to install directional antenna which will allow more advanced technologies to be deployed (4G and 5G). Development will enhance Vodafone services in Ballymoe village, N60, R360, Dublin-Westport railway line and surrounding roads by providing increased 2G and 3G coverage level and allowing Vodafone to deploy latest technologies for improved voice and mobile broadband data services. Height of structure will facilitate use by other operators. Height and design of structure not unusual for an established utilities property on rural, agricultural land on the outskirts of towns or villages. The site would also have potential for new low-level planting to offer screening in the immediate area.
- Site suitability – Site is within an established utilities site, on outskirts of Ballymoe village. Nearest alternative site is >2km to south east. Would improve coverage in the area, including for businesses and working from home. Development replaces an existing structure, would facilitate co-location, reduce the potential number of free standing masts, minimise adverse effects on communities (within existing site, mature trees in locality, potential for low level landscaping).
- Roscommon CDP 2014 – 2020 – Section 4.7 of the Plan recognise the importance of high quality and competitive telecommunication service and supports the development of additional infrastructure in the most environmentally friendly sustainable manner. The proposed development, with the potential for co-location and with an existing telecommunications support structure, is preferable to the construction of a new free standing support structure at an alternative location.

- Planning precedent – Telecommunications structures, similar to that proposed, are not uncommon for established utilities properties, including those in rural areas on outskirts of villages (PL19.308818, PL26.309348, PL21.309694 and PL20.309405).

## 6.2. Planning Authority Response

- None.

## 6.3. Observations/Further Responses

- 6.3.1. There is one observation on file from Nigel Kenny. He repeats matters raised in observations to the PA. There are no further responses.

## 7.0 Assessment

- 7.1. Having examined the policy context of the development, application details and all other documentation on file, and inspected the site, I consider that the main issues in this appeal relate to:

- Precedent.
- Need and Co-location.
- Visual impact.

## 7.2. Precedent

- 7.2.1. The appellant refers to cases previously determined by the Board where permission has been granted for larger telecommunication structures (e.g. 24m, 308818; 20m 309348 and 309694) in similar circumstances, i.e. within existing Eir Exchanges sites/existing telecommunication sites and located close to villages. Whilst I am mindful of these cases, the proposed development is brought forward within a site specific context which requires consideration on its own merits.

## 7.3. Need and Co-location

- 7.3.1. The applicant, in the Technical Justification (Appendix A to appeal), demonstrates that the subject site provides very good 2G and 3G services in the area of the site

but is limited in its ability to provide 4G and 5G services. This is consistent with the data provided by Comreg in their outdoor mobile coverage map which indicates very good 2G and 3G in the area of the site, fringe 4G and no 5G. It is also stated that the existing timber structure is not capable of accommodating additional equipment primarily due to its limited height and ability to accommodate omni directional antenna only. I would conclude from this that the applicant has a demonstrated need for additional telecommunications equipment in the area to provide for improved coverage, in particular for new services.

- 7.3.2. The Comreg outdoor mobile coverage map indicates service provision by other operators in the area of the site. For example, Eir has good 2G and 3G coverage, fair/good 4G and fair 5G. Three has good/very good 2G, good 3G, fair 4G and good 5G.
- 7.3.3. In the course of the planning application the PA sought information on other telecommunication structures in the area and the potential for the applicant to co-locate on these. In response to the request for FI the applicant provides a map of existing telecommunication sites within 5km of the appeal site (consistent with the information on Comreg's site viewer). The map indicates a site c.2.3km to the south east of the appeal site and one c.5km to the north east of it. However, no information is provided on the potential for co-location on these sites or the consequences (favourable or unfavourable) for service provision. I draw the Board's attention to the submission on file from Cignal which states that the 33m support structure at Leabeg Townland (c.2.3km to the south east of the site) is designed as a multiuser installation capable of meeting all operator requirements in the area and has capacity to accommodate additional telecommunications equipment as the need arises.
- 7.3.4. Having regard to the foregoing, I am not satisfied that the applicant has adequately addressed the matter of co-location, as per the PAs second reason for refusal and is therefore contrary to national guidelines and policies of the current County Development Plan which require reasonable effort to share structures.

## 7.4. Visual Impact

- 7.4.1. The appeal site is situated in the Castlerea and Upper Suck Valley Landscape Character Area. The overall character of the area is described as an area of *'gently undulating dry grassland farmland, with the River Suck winding its way through to create a subtle river valley'*. The Landscape Assessment Study designates the area of High landscape Value reflecting its river corridor landscape type and associated ecology and habitats. The Study also acknowledges the Suck Valley Way providing quiet walking amenities through the area. Forces of change are indicated to be *'built development along the River Suck and Suck Valley could adversely impact on the tranquil amenity which is the most significant feature in this landscape, thus undermining the potential economy of walking tourism'*.
- 7.4.2. By virtue of mature trees to the south and east of the site and hedgerows and trees in the wider landscape, views of the existing structure are confined to the public road passing the site, the public road immediately north of it and the N60 approaching the site from Ballymoe. Other views are precluded or are intermittent by virtue of roadside or intervening vegetation and/or distance.
- 7.4.3. The more significant views of the proposed development are largely captured by the applicant in the 4 photomontages presented of the development. It is evident from these and from inspection of the site, that the proposed structure will be most visible from the N60 leaving Ballymoe village, from alongside the L6404 passing the site and from this local road to the north of the site. From all of these vantage points the public roads form part of the Suck Valley Way and Beara Breifne Way cycle way.
- 7.4.4. Government guidelines on Telecommunications identify visual impact as one of the more important considerations to be taken into account in arriving at a decision on a particular application. It advocates great care in applications in sensitive landscapes and designated areas and avoidance in proximity to listed buildings, archaeological sites and other monuments. Along major roads or tourist routes, the Guidelines state that where masts may be visible but not terminating views, it might be decided that the impact is not seriously detrimental. Similarly, along such routes it is stated that views of the mast may be intermittent and incidental and may not intrude on the general view or prospect.

- 7.4.5. The appeal site is removed from listed buildings, archaeological sites and other monuments. However, in this instance, I would be concerned that the proposed structure which is significantly larger in size than the existing structure, would be visible from the N60 leaving Ballymoe village, a designated tourist route, and would terminate views from the picturesque bridge leaving the town. Further, the proposed structure would dominate views in a tranquil riverside environment which is designated as LCA of High Value and detract from the amenity of the area and amenity of the designated tourist routes alongside the river. The proposed compound would be close to the public road and the structures, including the proposed palisade fencing, dominant in views passing the site.
- 7.4.6. I consider that such impacts, whilst affecting a relatively modest area, are significant and contrary to policies of the County Development Plan to minimise visual impacts on landscapes of high value (NH 10.25) and to ensure that telecommunications structures are located to minimise and/or mitigate any adverse impacts on communities, public rights of way and the built or natural environment (ITC 7.66). In coming to this conclusion, I am particularly mindful that the applicant has not fully addressed options for co-location or the potential of alternative sites in the area of the appeal site which are more removed from this sensitive environment.

## **8.0 Appropriate Assessment**

- 8.1.1. Having regard to the nature, modest scale and location of the proposed development which is substantially removed from the nearest European site, it is concluded that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## **9.0 Recommendation**

- 9.1. I recommend that permission for the proposed development be refused.

## **10.0 Reasons and Considerations**

Having regard to:

- (a) 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, and
- (b) the height and scale of the proposed development, which is substantially exceeds that of the existing structure,
- (c) the location of the proposed development in Castlerea and Upper Suck Valley Landscape Character Area, where the area is designated of 'High Value' and alongside a designated tourist route,
- (d) lack of clarity regarding the potential for co-location on alternative telecommunication structures in the area and the demand for co-location on the proposed structure,

it is considered that the proposed development would be visually obtrusive in a sensitive landscape, would set an inappropriate precedent for the proliferation of telecommunication structures and would be contrary to the government's guidelines on Telecommunications and policies of the Roscommon County Development Plan 2022-2028 in respect of landscape character areas and telecommunications (NH 10.25, ICT 7.65 and ICT 7.66). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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Deirdre MacGabhann

Planning Inspector

9<sup>th</sup> January 2023