



An  
Bord  
Pleanála

## Inspector's Report ABP-312905-22

<b>Development</b>	Replacement of a 20m high telecommunications structure with a 24m lattice telecommunications structure.
<b>Location</b>	Eir Exchange, Drumaneany, Fintown, Co. Donegal.
<b>Planning Authority</b>	Donegal County Council
<b>Planning Authority Reg. Ref.</b>	21/52421
<b>Applicant(s)</b>	Eircom Limited (t/a eir)
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse Permission
<b>Type of Appeal</b>	First-Party vs. Refusal
<b>Appellant(s)</b>	Eircom Limited (t/a eir)
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	1 <sup>st</sup> May 2022
<b>Inspector</b>	Stephen Ward

## **1.0 Site Location and Description**

- 1.1. The site is located at the existing Eir Exchange site, Drumaneany, Fintown, Co. Donegal. This is a remote portion of Donegal, located approximately 4km northwest of Fintown village and 3km southeast of Doocharry village. The surrounding landscape is mountainous and consists of upland bog and rough pasture, with pockets of forestry, lakes and streams evident in the surrounding area.
- 1.2. The site has a stated area of 0.0076 ha and is located on the south-western side of the R252 Regional Road. It currently comprises a small telecommunications exchange building, with a hipped, tiled roof (5.2m in height), which is set back approximately 7m from the public road. To the rear of the building is an existing 20m high monopole support structure. It is c. 600mm in width and includes antennae at the top of the structure to give an overall height of 23 metres.
- 1.3. The site is bounded by a low stone wall to the front roadside boundary and a 1.1m high chain link compound fence to all other boundaries. It rises gradually from the public road and is open in nature with no significant boundary screening. There is a coniferous plantation to the southeast of the site. Surrounding land rises to the west and there are several dwellings to the rear of the site. A number of additional dwellings are located further east along the regional road opposite the plantation.

## **2.0 Proposed Development**

- 2.1. The proposed development comprises the replacement of the existing support structure on site with a 24m high (full height 27.1m) lattice telecommunications structure. The application aims to address the requirements of eir and Tetra Ireland by significantly improving services. Tetra Ireland owns and operates the National Digital Radio Service, which is a purpose-built secure digital mobile radio network for use by Ireland's security, fire and safety, health, government and public agencies. The network is stated to be critical to the sectors who use it and the existing structure must be upgraded to ensure secure and reliable coverage.
- 2.2. In summary, the proposed development includes the following:
  - Removal of existing 20m high monopole (total height of 23m)

- Construction of 24m high telecommunications lattice structure with 3 no. 3.1m high antennae on top (total height 27.1m)
- Accommodation of existing (relocated) and proposed antennae, dishes and associated equipment.
- Provision of operators' ground equipment cabinets and associated facilities.
- Provision of 2.4m high palisade fencing.

## 3.0 Planning Authority Decision

### 3.1. Decision

By order dated 3<sup>rd</sup> February 2022, Donegal County Council (DCC) issued notification of the decision to refuse permission. The reason for refusal was as follows:

*The proposed development is located on lands that are designated as High Scenic Amenity in the County Donegal Development Plan 2018 – 2024 (as varied). It is a policy of the Council under TC-P-4 of the County Donegal Development Plan 2018-2024 (as varied) “to consider proposals for replacement telecommunications antennae and dishes where any proposed new antennae/dish can be sited and located in a manner that does not negatively impact on the visual amenities, built, natural and archaeological heritage or qualifying interest of any such area”. Any proposal for replacement dishes/antennae shall be subject to all material considerations, including environmental designations and amenity considerations. On the basis that the proposed replacement mast would, by virtue of height and form, be an overbearing and incongruous structure within the established pattern of development within the immediate vicinity of the site which consists mostly of residential properties it is considered that to grant permission would contravene the aforementioned policy and would seriously would be injurious to the visual amenity and character of the host rural environment and would set an undesirable precedent for similar developments which would serve to erode the amenities of this scenic rural area, and thus would be contrary to the proper planning and sustainable development of the area.*

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

#### **Planner's Reports**

The Planning Officer's assessment can be summarised as follows:

- The principle of the development has been deemed acceptable in accordance with the planning history of the site (see section 4.0 below).
- The structure in question aids the provision of emergency services.
- The siting and design of the existing structure was previously deemed acceptable. However, the screening/landscaping proposals required under P.A. Reg. Ref. 18/51728 have not been implemented or detailed in the current application.
- The height of the proposed structure would be overbearing on the established residential properties and the proposed mass would be a foreign and incongruous structure within the pattern of development.
- There is no vehicular access other than a roadside setback.
- It is recommended to refuse permission for the reasons outlined in the DCC decision.

#### **Other Technical Reports**

None.

### **3.3. Prescribed Bodies**

None.

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

None.

## 4.0 Planning History

**P.A. Reg. Ref. 18/51728:** Permission granted (February 2019) for (1) retention of an existing telecommunications installation comprised of a 20m support structure, antennas, dishes, associated equipment, cabin and fencing used by the emergency services (garda, fire brigade and ambulance) and (2) additional telecommunications antenna, dishes and associated equipment cabinet.

Condition 3 of the permission required the agreement and implementation of a landscaping scheme.

**ABP Ref. PL05.228285:** Permission granted (October 2008) for erection of a 20 metre support pole to carry three number radio aerials for use by the Emergency Services (Garda, Ambulance and Fire Brigade) together with associated equipment for a new National Digital Radio Service. Notable conditions can be summarised as follows:

Condition 1 applies a temporary permission of 10 years.

Condition 2 limits use to serve the National Digital Radio Service for emergency services and prohibits additional equipment unless otherwise granted permission.

Condition 3 requires the agreement and implementation of a landscaping scheme.

## 5.0 Policy & Context

### 5.1. National & Regional Policy/Guidance

#### Project Ireland 2040

- 5.1.1. The National Planning Framework (NPF) acknowledges that telecommunications networks play a crucial role in enabling social and economic activity. For rural Ireland, it states that broadband is essential enabling infrastructure that affords rural communities the same opportunities to engage with the digital economy as it does to those who live in our cities and towns. National Policy Objective 24 aims to support and facilitate delivery of the National Broadband Plan as a means of developing further opportunities for enterprise, employment, education, innovation and skills development for those who live and work in rural areas.

## NWRA Regional Spatial & Economic Strategy 2020-2032

- 5.1.2. Section 6.5 of the RSES deals with 'Broadband Connectivity' and highlights the importance of improving coverage in rural areas. Regional Policy Objective (RPO) 6.36 supports the roll-out of the National Broadband Plan. Section 6.6 deals with the 'Smart Region' and RPO 6.52 aims to facilitate infrastructural needs, including immediate priorities for access to ultra-fast and rural broadband initiatives.

## Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996)

- 5.1.3. These guidelines, hereafter referred to as the Telecommunications Guidelines, set out the criteria for the assessment of telecommunications structures. Section 3.2 sets out that an authority should indicate in their Development Plan an acceptance of the importance of a high-quality telecommunications service, as well as 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.
- 5.1.4. Section 4.3 outlines that the visual impact is among the more important considerations which have to be taken into account in arriving at a decision on a particular application. Whatever the general visual context, great care will have to be taken when dealing with fragile or sensitive landscapes. In rural areas, masts can be placed in forestry plantations to reduce visual intrusion subject to clearance of obstructions, suitable colour scheme, and additional planting. Some masts will remain quite noticeable in spite of best precautions and additional visual considerations will need to be taken into account. In upland/mountainous areas masts may remain visible but should not be discounted, and every effort should be made to share/cluster with existing masts to reduce the visual impact on the landscape (as also outlined in Section 4.5 of the Guidelines).

## Circular Letter PL07/12 – Telecommunications Antennae and Support Structures

- 5.1.5. Issued in 2012, this Circular Letter revises elements of the 1996 Guidelines. In summary, the revisions are as follows:

- Temporary permissions should only be used in exceptional circumstances where particular site / environmental conditions apply.
- Separation distances between telecommunication structures and sensitive receptors should not be incorporated into statutory plans.
- Bonds for the removal of structures should not apply.
- A register of approved structures should be maintained.
- Clarification that Planning Authorities do not have competence to assess health and safety matters as these matters are regulated by other codes.

## 5.2. County Donegal Development Plan 2018 to 2024

### Telecommunications

- 5.2.1. Section 5.3 of the Development Plan sets out policies and objectives in relation to telecommunications. The overall aim is to facilitate the development of high quality and sustainable telecommunications networks for the county as a critical element to support growth in all areas of the economy and increase the quality of life for the people of Donegal. The following objectives and policies apply to the proposed development:

**TC-O-1:** To facilitate the development and delivery of a sustainable telecommunications network across the County through a range of telecommunication systems, developed with due regard to natural and built heritage and to environmental considerations.

**TC-P-1:** It is a policy of the Council to facilitate the deployment of the National Broadband Plan, the national subvention plan to deliver High Speed Broadband to every rural household outside the commercially served areas as defined on the National Broadband Plan Map and similar projects, subject to any constraints arising from international/national environmental designations and the proper planning and sustainable development of the area.

**TC-P-3:** It is a policy of the Council to require the co-location of new or replacement antennae and dishes on existing masts and co-location and clustering of new masts on existing sites, unless a fully documented case is submitted for consideration, along with the application explaining the precise circumstances which militate

against co-location and/or clustering. New telecommunications antennae and support structures shall be located in accordance with the provisions of the Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities 1996, (or as may be amended) and they shall not normally be favoured within Areas of Especially High Scenic Amenity, beside schools, protected structures or archaeological sites and other monuments. Within towns and villages operators shall endeavour to locate in industrial estates/areas where possible.

**TC-P-4:** It is the policy of the Council to consider proposals for replacement telecommunications antennae and dishes where any proposed new antennae/dish can be sited and located in a manner that does not negatively impact on the visual amenities, built, natural and archaeological heritage or qualifying interest of any such area. Any proposal for replacement dishes/antennae shall be subject to all material considerations, including environmental designations and amenity considerations.

**TC-P-5:** It is the policy of the Council to consider proposals for replacement telecommunications support structures where any proposed new support structure can be sited and located in a manner that does not negatively impact on the visual amenities, built and archaeological heritage or qualifying interest of any such area. Any proposal for replacement telecommunications support structures shall be subject to all material considerations, including environmental designations and amenity considerations.

### Landscape

- 5.2.2. The county has been categorised into three layers of landscape value (Especially High Scenic Amenity', 'High Scenic Amenity' and 'Moderate Scenic Amenity'), which are illustrated on Map 7.1.1 of the Plan. The subject site is within an area classified as 'High Scenic Amenity', which are described as landscapes of significant aesthetic, cultural, heritage and environmental quality that are unique to their locality and are a fundamental element of the landscape and identity of County Donegal. These areas have the capacity to absorb sensitively located development of scale, design and use that will enable assimilation into the receiving landscape and which does not detract from the quality of the landscape, subject to compliance with all other objectives and policies of the plan.



- 5.2.3. Policy **NH-P-7** seeks to facilitate development in areas of ‘High Scenic Amenity’ and ‘Moderate Scenic Amenity’ of a nature, location and scale that allows the development to integrate within and reflect the character and amenity designation of the landscape
- 5.2.4. Policy **NH-P-13** states that it is a policy of the Council to protect, conserve and manage landscapes having regard to the nature of the proposed development and the degree to which it can be accommodated into the receiving landscape. In this regard the proposal must be considered in the context of the landscape classifications, and views and prospects contained within this Plan and as illustrated on Map 7.1.1: ‘Scenic Amenity’.

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

The nearest Natura 2000 site is the Coolvoy Bog SAC (Site Code 001107) located c. 400m to the west. To the east of the site (c. 1.25km) is the Derryveagh and Glendowan Mountains SPA (Site Code 004039) and the Cloghernagore Bog and Glenveagh National Park SAC (Site Code 002047).

### 5.4. **Environmental Impact Assessment**

The development is not of a class of development set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended). Accordingly, I am satisfied that EIA or EIA screening is not required in this case.

## 6.0 **The Appeal**

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

The decision of DCC to refuse permission has been appealed by the applicant. The appeal states that the grounds are provided for under Section 37 (2)(b)(iii) of the Planning and Development Act 2000 (as amended), i.e. that permission should be granted having regard to the RSES, Guidelines under section 28, policy directives under section 29, the statutory obligations of the local authority, and the relevant policy of the Government, the Minister, or any Minister. The grounds of appeal can be summarised under the following headings:

### Site Selection & Justification

- The existing structure is inadequate and additional height is required for the coverage requirements of eir and other future operators.
- Eir currently transmits from two shared sites (with Three Ireland) at Meenmore East approximately 5km to the east and at Stranasaggart approximately 3km to the north. These sites are unable to provide coverage for 4G or future services.
- The appeal site is ideally located between the 2 other existing sites to meet the demands of the 4G deficient area, where coverage is only classified as 'fringe' and 'fair' for three operators (Eir, Three, and Vodafone). All three operators will benefit from the proposed development.
- The modern additional equipment requirements can more easily be accommodated on a lattice structure compared to a monopole.
- Tetra will relocate to the proposed structure and will benefit from the additional height provided and an improved overlap of services.

### Policy

- The appeal outlines various provisions of the Development Plan which support telecommunications developments.
- The proposed development would not set a precedent for further such development. If permitted, it would facilitate co-location in accordance with TC-P-3 of the Development Plan and it is unlikely that further structures would be permitted.
- The refusal reason referenced TC-P-4, which relates to replacement antennae and dishes and is not applicable in many cases due to exempted development provisions. Policy TC-P-5 relates to replacement support structures and is more relevant in this case.
- The proposed development is well distanced from designated areas.
- The proposal embraces site-sharing and will facilitate other future operators.
- The proposal is consistent with national policy to support the improvement of telecommunications infrastructure in rural areas.

## Visual Impact

- The site is not within an area of Especially High Scenic Amenity (EHSA) and should not be refused in accordance with TC-P-6. The proposal is consistent with section 7.1.1 of the Plan and can be absorbed in the landscape as a replacement of the existing structure
- The lattice design has been chosen to accommodate a maximum extent of equipment for multiple operators at a minimal height.
- The location on an existing utility site is consistent with the Telecommunication Guidelines recommendations.
- The increased height and revised design will not significantly impact the surrounding area.
- The location is not unduly obtrusive, and the varied topography, forestry, and land use shows that the landscape can accommodate the development.
- There will be no increase in the number of structures in the area.
- There were no objections from local residents and some of the dwellings were permitted after the grant of permission for the original monopole. The monopole is now accepted as established infrastructure and the impact of the proposal will be marginal compared to the existing structure.

### **6.2. Observations**

None.

### **6.3. Planning Authority Response**

The Planning Authority refers to the contents of the Planner's Report and Recommendation, and requests that the Board upholds the decision to refuse permission. It also includes a photograph showing the height of the existing mast and notes that no photomontages have been submitted to illustrate that there would be no potential visual impact.

## **7.0. Assessment**

### **7.1. Introduction**

7.1.1. Having regard to the documentation submitted in connection with the application and the appeal, and having inspected the site, I consider that the main issues for assessment are as follows:

- The principle of the development
- Visual Amenity
- Residential Amenity
- Traffic

### **7.2. The principle of the development**

7.2.1. The proposal is for a replacement multi-user telecommunications structure that would host antennae and dishes to improve coverage and capacity for 4G, emergency services, and other future services at this location. This is clearly supported by national, regional and local planning policies which seek to improve telecommunications infrastructure in rural areas in the interests of improved connectivity and economic development.

#### Need and Justification

7.2.2. The appeal addresses the need and justification for the proposed development, including details of other existing sites in the area. It outlines the site selection criteria and the deficiencies that exist in the area.

7.2.3. I have reviewed ComReg's online Outside Coverage Map for the surrounding area and I note that the rating for 'Eir' and 'Three' 4G coverage largely ranges from only 'fair' to 'fringe'. The rating for Vodafone is lower within a general range of 'fringe' to 'no coverage'. I would also highlight that these maps do not account for indoor coverage, which is likely to be of a lower standard, and that network capacity is another important consideration in addition to coverage. In this regard, the proposal would enable other operators (other than Eir & Tetra) to potentially improve their coverage and capacity at this location.

- 7.2.4. Having regard to the existing network deficiencies and the increasing demands for mobile and internet data services, I am satisfied that a justification has been established for improved services in the area.

#### Mast-Sharing and Alternatives

- 7.2.5. I note that the Development Plan and the Telecommunications Guidelines encourage the co-location of antennae on existing support structures and masts. They acknowledge that sites will be chosen in the interests of good quality coverage taking into account topography, population, and other criteria, and accept that in some instances may not be technically possible to share facilities. I have reviewed the ComReg Site Viewer, which confirms that the location of the nearest existing masts in the area are consistent with that outlined by the applicant (i.e. 5km to the east and 3km to the north). The applicant is already sharing at these sites, and I would accept that they are too far distanced from the target area to meet the appropriate coverage requirements.
- 7.2.6. The subject site has been proposed as a replacement of an existing structure within a utility site, which is consistent with the recommendations of the Telecommunications Guidelines. Accordingly, I am satisfied that the applicant has assessed suitable alternative locations and that there are no suitable existing structures for sharing within the target area. I consider that the applicant's motivation for the construction of a new mast is reasonable and that it provides for site-sharing and co-location of future operators, thus reducing the need for separate structures in the future.

#### Location

- 7.2.7. I note that the Development Plan outlines policy (TC-P-3) for the location of telecommunication antennae. In this regard, I consider that the appeal site is not within an Area of Especially High Scenic Amenity, and is not beside a school, protected structure, archaeological site and other monument.
- 7.2.8. Perhaps more relevant to the current case, Policy TC-P-5 deals specifically with the replacement of existing structures and does not identify any preferred or precluded locations. Understandably, the principle of the location would appear to be accepted in such cases and this policy focuses more on the suitability of the replacement and its impacts on the visual and heritage amenities of the area.

## Conclusion

- 7.2.9. Having regard to the above, I consider that the proposed development would be consistent with national, regional and local planning policy to support telecommunications infrastructure in this rural area. I have considered the applicant's justification for the proposed development, and I am satisfied that there are no reasonable opportunities to share or co-locate the proposed development with other structures. In the absence of other suitable alternative locations, I consider that the proposal for the replacement of the existing support structures on an established utility site is acceptable in principle in this rural area.

### **7.3. Visual Amenity**

- 7.3.1. In considering visual impact in rural areas, the Telecommunications Guidelines acknowledges that some masts will remain quite noticeable in spite of best precautions. It acknowledges that forestry plantations can help to minimise visual impact and recommends that sites in upland/mountainous areas should not be discounted.
- 7.3.2. CDP Policy TC-P-6 outlines that new structures shall not be located within 'Areas of Especially High Scenic Amenity', but does not have any similar preclusion for the 'Areas of High Scenic Amenity', which applies to the appeal site. I acknowledge that the higher ground to the west is designated as an 'Area of Especially High Scenic Amenity', but I am satisfied that the appeal site is sufficiently distanced so that it will not significantly impact on that landscape. Furthermore, the site is not affected by any views to be preserved as identified in the Development Plan and there would not appear to be any Protected Structures in the vicinity of the site.
- 7.3.3. I acknowledge that the proposed lattice structure would be higher and wider than the existing monopole structure on site. And having regard to the established status of the existing structure, I am satisfied that the key consideration is additional impact of the proposed structure compared to the existing, rather than its consideration as a new structure.
- 7.3.4. The appeal site itself is quite open due to a lack of boundary screening, which appears to be contrary to the conditions of previous permissions. However, in the wider context it should be noted that the site is largely enclosed by surrounding

topography and forestry. On the approach to the site from the southeast (along R252), the proposed structure would be largely screened by the coniferous plantation. And while similar screening does not exist on the opposite approach from the northwest, I consider that the plantation still provides a strong backdrop for much of the proposed structure. Clearly it would protrude above the treeline to some extent, but I do not consider that this would constitute a significant adverse visual impact, particularly when compared to the existing structure. I also consider that the proposed development would largely assimilate with the existing utility poles and associated wiring along the R252 road.

- 7.3.5. To the west of the site, the proposed structure would be enclosed by rising ground which would largely screen and contain the visual impact to a localised level. And while the site is more open to the east, I note that there are limited public vantage points from the east and any visibility would be mitigated by the rising backdrop of ground to the west.
- 7.3.6. Ultimately, I accept that the proposed development will result in localised visual impacts and the Telecommunications Guidelines acknowledge that masts will remain quite noticeable in spite of the best precautions. In such cases, it is advised to consider whether the structure would terminate views and whether viewers would be facing the mast for the most time or whether visibility may be intermittent or incidental. Local factors should also be considered such as trees or buildings, topography and scale in the wider landscape, and the multiplicity of objects in the wider panorama.
- 7.3.7. Having regard to the above guidance, I do not consider that the site location is prominent or that the proposed development would terminate a significant view. Views along the R252 would only be intermittently or briefly facing the proposed development and I am satisfied those views would be incidental having regard to the prominent views in the wider area and the screening provided by intermediate topography, forestry, and other development. I accept that the proposal would be more visible than the existing structure, but not to any unacceptable extent. On that basis, I do not consider that the proposal would seriously detract from the visual amenity or character of the area. The visual impact can be further mitigated through landscaping, which should be agreed with the planning authority as a condition of any permission.

#### **7.4. Residential Amenity**

- 7.4.1. The DCC decision raised concerns about the overbearing and incongruous impact of the development on the dwellings in the immediate vicinity of the site. In this regard, I note that the proposed structure would be located c. 60-90m from the nearest dwellings to the rear (west) of the site. I note that these dwellings face towards the proposed development and there is effectively no intermediate screening. However, it should also be noted that these dwellings are significantly elevated above the appeal site, which mitigates the visual impact to some degree.
- 7.4.2. In considering the overbearing impacts of the development I am again conscious of the established monopole structure on the site. And while the proposed structure would be higher and wider, I am satisfied that this would not be to an unacceptable extent given the significant separation distances that would be maintained from existing dwellings. According to previous planning application information on ground levels, the closest dwelling to the rear has a floor level that is c. 10m higher than the adjoining road level. Therefore, I am satisfied that the height of the proposed structure would be suitably mitigated by these elevated dwelling positions which otherwise benefit from a wide panoramic outlook to the east, and I do not consider that the proposed development would result in unacceptable overbearing impacts for surrounding dwellings.

#### **7.5. Traffic**

- 7.5.1. There is no existing vehicular entrance or parking facilities associated with the existing utility site and it is not proposed to provide such facilities as part of the proposed development. There is an existing setback area along the roadside, and this appears to be used for the parking of service vehicles. Having regard to the nature of the development, I am satisfied that traffic generation would be limited to servicing requirements. I do not consider that this would be significant, or that it would be a significant intensification on the existing use of the site.
- 7.5.2. The alignment of the road is relatively straight at this location and visibility is good in both directions. There are limited traffic volumes, and an 80km/hr speed limit applies. Having regard to the established use of the site, I do not consider that the proposed



development would compromise safety or convenience for motorists or other vulnerable road users at this location.

## **8.0 Appropriate Assessment**

- 8.1. The nearest Natura 2000 site is the Coolvoy Bog SAC (Site Code 001107) located c. 400m to the west. To the east of the site (c. 1.25km) is the Derryveagh and Glendowan Mountains SPA (Site Code 004039) and the Cloghernagore Bog and Glenveagh National Park SAC (Site Code 002047).
- 8.2. In terms of potential impacts, I consider that the construction stage has the potential to result in the release of sediment and other pollutants to watercourses/groundwater that may be hydrologically linked with the Natura 2000 network. At operational stage, any potential for effects is limited to any impact on the quantity and quality of surface water to the surrounding drainage network and the water quality of the Natura 2000 sites.
- 8.3. There are no surface water features on or immediately adjoining the site that would provide a direct pathway between the development and the Natura 2000 sites. I acknowledge that land drains to the east and there is a stream on the opposite side of R252 which connects to the wider drainage network and the Natura 2000 network. However, having regard to the existing developed nature of the site and its distance from any potential hydrological links, the limited extent of the proposed works, and the significant hydrological buffer and assimilative capacity between the appeal site and the Natura 2000 network, I do not consider that there is any likelihood of significant effects in this case.
- 8.4. Having regard to the above preliminary examination, it is concluded that no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect either individually or in combination with other plans or projects on a European site. No mitigation measures have been relied upon in reaching this conclusion.

## 9.0 Recommendation

I recommend that permission should be granted, subject to conditions, for the reasons and considerations set out below.

## 10.0 Reasons and Considerations

Having regard to the provisions of the County Donegal Development Plan 2018-2024, the 'Telecommunications Antennae and Support Structures Guidelines for Planning Authorities' issued by the Department of the Environment and Local Government in 1996 and the associated Circular Letter PL 07/12, the existing pattern and character of development in the area and the nature and scale of the proposed development, 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, would not seriously injure the amenities of property in the vicinity, and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 11.0 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. 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.

3. The developer shall allow, subject to reasonable terms, other licensed mobile telecommunications operators to co-locate their antennae onto the proposed mast.

**Reason:** In order to avoid the proliferation of telecommunications structures in the interest of visual amenity.

4. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

5. Details of the proposed colour scheme for the telecommunications structure and ancillary structures 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.

6. The proposed structure and all associated antennae, equipment and fencing shall be demolished and removed from the site when it is no longer required. The site shall be reinstated to its predevelopment condition at the expense of the developer.

**Reason:** In the interest of orderly development.

7. The construction of the development shall be managed in accordance with a Construction Traffic 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 the timing and routing of construction traffic to and from the construction site, associated directional signage, proposals to facilitate the delivery of abnormal loads to the site, and to measures to obviate queuing of construction traffic on the adjoining road network.

**Reason:** In the interests of public safety and residential amenity.

8. 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 amenity of the area.

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Stephen Ward  
Senior Planning Inspector

2<sup>nd</sup> May 2022