



An
Bord
Pleanála

Inspector's Report

ABP 312931-22

Development

Removal of existing 10 metre telecommunications support structure and replacement with a new 24 metre telecommunications support structure for wireless data and broadband services.

Location

Eir Exchange, Creevagh, Ballintubber, Co Mayo.

Planning Authority

Mayo County Council.

Planning Authority Reg. Ref.

20/1024

Applicant(s)

Vodafone Ireland Ltd.

Type of Application

Permission.

Planning Authority Decision

Grant Permission.

Type of Appeal

Third Party(s) v Decision

Appellant(s)

Ballintubber Residents Group

Observer(s)

None

Date of Site Inspection

19th October 2022

Inspector

Fergal Ó Bric.

1.0 Site Location and Description

- 1.1 The appeal site is located within the rural townland of Creevagh, Ballintubber, County Mayo. The appeal site is located within the curtilage of a telecommunications exchange building. Immediately south-east of the appeal site is a single storey structure which is not inhabited and appears to have a community type use. To the north-east of the appeal site is a two storey dwelling and further west of the appeal site is a T-junction with the N84, the main route linking Castlebar with Galway City. Immediately north and west of the appeal site are undeveloped agricultural lands. Site levels fall gradually from the appeal site towards the adjoining local public road.
- 1.2 The site is accessed via a pedestrian gateway onto the adjoining public road, the L5744. The local public road has a carriageway width of approximately four metres. There are no public footpaths nor street lighting in this vicinity and the 80 kilometres per hour speed control zone applies.

2.0 Proposed Development

- 2.1 The development proposals would comprise:

The removal of the existing 10 metre tall telecommunications structure and its replacement with a 24 metre high telecommunications support structure (overall height 25.5 metres), with carrying antennas, dishes and associated equipment, ground based equipment cabinets and new fencing for wireless data and broadband services. The telecommunications structure would be located to the front (south-west) of an Eir exchange building. The existing ten metre tall telecommunications structure on site comprises a timber structure and is located to the side (east) of the telecoms exchange building.

- 2.2 A Planning report outlining the nature and purpose of the proposals, a technical justification for the development, a visual assessment of the replacement installation, details of compliance with National and local planning policy and a health and safety report was submitted by the applicants as part of this planning documentation.

- 2.3 Further information was submitted to the Planning Authority and included the following: Coverage mapping for three different heights of replacement structure (18 metres, 21 metres and 24 metres tall) were submitted. Details of surface water management on the site and details of a monopole structure rather than a lattice type support structure.
- 2.4 An Appropriate Assessment Screening conducted by the Planning Authority concluded that the proposal would not adversely impact upon the integrity of any European site.
- 2.5 A letter of consent was submitted from Eircom consenting to Vodafone Ireland Ltd making a planning application on their lands, at Creevagh, Ballintubber.

3.0 Planning Authority Decision

3.1 Decision

The Planning Authority granted planning permission for the development subject to six planning conditions. The pertinent planning conditions can be summarised as follows:

Condition number 2: The monopole structure shall be reduced to 18 metres in height.

Condition number 3; The transmitter output, antennae type, and configuration shall be in accordance with the details submitted to the Planning Authority

Condition number 4: No material change of use of the mast shall occur without a prior grant of planning permission.

Condition number 5: The monopole shall be made available to telecoms operators for co-location purposes

Condition number 6: When the structure is no longer required, it shall be demolished, removed, and the site reinstated at the operator's expense.

3.2 Planning Authority Reports

3.2.1 Planning Report

The initial Planner's Report, not dated, set out the following:

- The site is located within the confines an existing telecoms exchange building.
- The Broadband Officer within Mayo County Council recommended that further information be sought regarding the submission of mapping to demonstrate the benefit of the proposed replacement telecoms structure at an increased height.

The subsequent Planner's Report dated 16th day of December 2021, set out the following:

- Mayo County Council were satisfied that all of the issues raised within the further information request and the issues raised within the third party observations had been adequately addressed and would be reinforced by planning conditions.
- A grant of planning permission was recommended as set out within Section 3.1 above.

3.2.2 Internal Referrals

Broadband Officer: Recommended that further information be sought in relation to the submission of a service improvement map to confirm whether the revised development is warranted.

3.3 Prescribed Bodies

None received.

3.4 Third Party Observations

The Planning Officer states that there was a total of thirty two third party observations received. The content of the observations received was similar to the issues raised within the third party appeal submission received by the Board and it included the following:

- Adverse visual impact.

- Proximity to neighbouring residential properties.
- Distraction to traffic travelling along the N84
- The necessity for the structure is questionable, there is currently good quality broadband provision in Ballintubber.
- No broadband coverage issues in this area.
- No alternative locations for the development have been considered.
- Health and safety risks associated with telecoms infrastructure.
- Proposals would depreciate property values in this vicinity.
- Alternative sites not fully investigated.
- Proximity to recorded monuments and protected structures.
- Lack of consultation with the community.

4.0 Planning History

I am not aware of any planning history pertaining to the appeal site.

5.0 Policy Context

5.1 Mayo County Development Plan 2022-2028

Section 7.4.4 of the Plan pertains to Broadband and Information and Communications Technology where the following is set out: “Broadband is central to the development of a knowledge-based economy throughout Ireland, facilitating remote working and promoting social inclusion. Areas without broadband cannot take full advantage of internet-centred developments in education, banking, research, business, etc. Therefore, deficits in provision of broadband, as well as mobile coverage in County Mayo need to be resolved”. It is also set out that “The Council also recognises the need to balance the requirement to facilitate mobile telecommunications infrastructure in the county to address existing coverage blackspots and the need to protect residential and visual amenity, the natural and built environment. In considering proposals for telecommunications infrastructure, the Council will have regard to the Department of the Environment, Heritage and Local Government’s “Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities” 1996 and Circular Letter

PL07/12 'Telecommunication Antennae and Support Structures' and any amendments thereof".

The following specific policies and objectives are also set out:

Policy INP 18 To support the delivery of high-capacity Information Communications Technology infrastructure, broadband connectivity and digital broadcasting, throughout the county, in order to ensure economic competitiveness for enterprise and the commercial sectors and enabling more flexible work practices e.g., teleworking/homeworking.

Policy INP 19 To support the delivery of telecommunications infrastructure in the county, having regard to the Government Guidelines 'Telecommunications Antennae and Support Structures Guidelines for Planning Authorities' 1996 (DoEHLG), The 'Guidance on the potential location of overground telecommunications infrastructure on public roads', (Dept of Communications, Energy & Natural Resources, 2015) and Circular Letter PL 07/12 (as updated) and where it can be demonstrated that the development will not have significant adverse impacts on communities, public rights of way and on the built or natural environment, including the integrity of the Natura 2000 network.

Objective INO 33: To encourage the location of any telecommunications structure, having regard to the Landscape Appraisal of County Mayo, and where possible, advise on a less intrusive location in areas where they are unlikely to intrude on the setting of, or views of/from national monuments or protected structures.

Objective INO 35: To work with statutory undertakers to make the most efficient use of infrastructure in the delivery of broadband in the county, particularly encouraging the use of existing telecommunications ducting where it is available.

Objective INO 36: To actively engage with telecommunication service providers to help identify, improve and/or eliminate mobile phone signal blackspots within the county, including an examination of the feasibility and suitability of council owned lands/assets.

Landscape Character

Map 10.1 sets out the Landscape Policy Areas within the County and Figure 10.1 comprises a landscape sensitivity Matrix.

The appeal site is located with Policy Area 4A-Lakeland sub-areas where communications structures are deemed to have a low potential to create adverse impacts on the landscape.

5.2 National Planning Framework

Section 5: Planning for diverse rural places:

For rural Ireland, 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.

Objective 24: To support and facilitate the 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.

NSO 5 A Strong Economy Supported by Enterprise, Innovation and Skill.

“In the short term, opportunities provided by access to high quality broadband services will be fully exploited through the roll-out of the state intervention segment of the National Broadband Plan, delivering step-change in digital connectivity and ensuring that coverage extends to remoter area including villages, rural areas and islands”.

5.3 Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, 1996.

These Guidelines set the criteria for the assessment of telecommunications structures. Of relevance to the subject case is:

- An Authority should indicate 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).

- 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. The support structure should be kept to the minimum height consistent with effective operation (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).

5.4 Circular Letter: PL07/12

The Circular Letter updated and revised elements of the 1996 Guidelines under Section 2.2 to 2.7. It advises Planning Authorities to:

- Cease attaching time limiting conditions to telecommunications masts, except in exceptional circumstances,
- Avoid inclusion in development plans of minimum separation distances between masts and schools and houses,
- Omit conditions on planning permission requiring security in the form of a bond/cash deposit,
- Reiterates advice not to include monitoring arrangements on health and safety or to determine planning applications on health grounds,
- Future development contribution schemes to include waivers for broadband infrastructure provision.

5.5 Natural Heritage Designations

The Lough Carra/Mask SPA (site code 004051) is located approximately 2.3 kilometres south-east of the appeal site. There is no surface water hydrological pathway linking the appeal site to the European site.

The Lough Carra/Mask pNHA (001774) is located approximately 2.1 km south-east of the appeal site. There is no surface water hydrological pathway linking the appeal site to the pNHA.

6.0 The Appeal

6.1 Grounds of Appeal

The grounds of the third-party appeal, submitted by Lally Consulting Engineers on behalf of the Ballintubber Residents Group and others include the following:

National and Local Policy:

- The 1996 Telecommunications Guidelines outline a number of relevant considerations when considering these type of developments and include, visual impact, access and roads, sharing and clustering, health and safety impacts, obsolete structures and duration of planning permissions.
- Planning Circular 07/12 made revisions to the Guidelines regarding the appropriate location and design of telecommunications structures.
- The Telecommunications Guidelines set out that only as a last resort should freestanding masts be located within or in the immediate surrounds of towns and villages, and if such locations should be necessary, sites already developed for utilities should be considered.
- The proposals have not been assessed against the criteria set out within the telecommunications section of MCDP re; options for locating such infrastructure.

Access and Road Safety:

- The appeal site is located in proximity to a T-junction onto the N84.
- Sightlines at the site entrance are less than 70 metre towards the N84 junction.
- Section 16.3.1, Table 3 within the Mayo Development Plan 2014 Volume 2 sets out that that development should be located no closer than 90 metres to a National Road junction.

- As there is no vehicular entrance, this would result in vehicles parking on the road verge within 90 metres a national road junction.
- There would be heavy construction machinery required to erect the telecommunications equipment and would result in a sharp increase on traffic on a narrow local county road.
- The maintenance of the equipment would also result in increases in traffic levels on the local road
- The applicants have failed to address these traffic safety issues.

Technical Justification:

- The coverage for the area as set out by the applicants for 4G customers ranges from fair to fringe, however this assessment is based on an average for the whole of the map area, the coverage would be better described as fair to good.

Alternative sites considered:

- No attempt has been made to address the issue of alternative site locations, such as the sites containing the structures referenced M0038 and MY0138.

Visual Impact:

- The applicants have not submitted any drawings or images demonstrating the potential visual impact of the development within the local landscape.
- A lattice structure is more visually imposing than a monopole structure.
- The existing monopole structure on site is similar in height to the nearby trees, however a 25.5 metre tall structure would be twice the height of the existing monopole and would dominate the visual amenity of the area.
- The proposed lattice structure is to be located within a cluster of residential properties, all of which will be affected by the proposals.
- The appeal site is exposed and visually prominent.

- The increased height will create a greater eyesore and will be more visually intrusive.

Design, Siting, and layout:

- The proposed telecommunications structure would be located within three to four metres of an ESB powerline which cuts across the front boundary of the appeal site. This would pose a potential safety hazard.
- The proposed lattice structure is to be located within a cluster of residential properties, all of which will be affected by the proposals.
- The applicants make reference to the existence of a nearby heritage structure MA089-050, however no mention is made of the nearby Ballintubber Abbey or Ballintubber national school.
- In the absence of a Visual Impact assessment, the proposals would be injurious to the visual amenities of the area.
- Proposals are in close proximity to a 1940's structure and it is unclear if the foundation construction for the re
- Telecommunications structure could adversely impact upon the structural integrity of the neighbouring buildings, which is approximately 6 metres away from it.
- protected structures and recorded monuments as alluded to in the applicants cover letter.

Other Issues:

- Devaluation will arise with the development of the current proposals due to the adverse visual impact that will arise.
- The applicants have failed to engage with the local community regarding their proposals.

6.2 Planning Authority Response

The Planning Authority made no comment in relation to the appeal.

6.3 Observations

None received.

6.4 Applicant response to third party appeal submission.

National and Local Policy:

- ComReg has set out that it: Will continue to accommodate efforts designed to help businesses survive and end users avail of telecommunication services in this coronavirus emergency.
- The proposals are in accordance with the telecommunications objectives, specific TC 01, 02 and 03 as set out within the Mayo County Development Plan (MCDP) 2014. The Planner was satisfied that the principle of development was acceptable on the site given the established telecommunication uses on the site.
- The Broadband officer within the Local Authority noted the far to fringe 4G coverage in the area and the possibility for co-location on the proposed structure and was therefore, supportive of the proposals.

Access and Road Safety:

- No new access to the appeal site is proposed.
- The development would be accessed via the existing pedestrian access to the site.
- The development is not likely to generate any additional traffic, other than that associated with the infrequent and periodic maintenance of the utilities and telecommunications infrastructure on the site, which would generate on average four traffic movements per annum per operator to the site.
- A temporary access would be required for the construction period, after which the front boundary wall would be reinstated.
- The applicants state that they would be willing to accept a planning condition requiring the submission of a traffic management plan.

Technical Justification:

- The extended structure is needed for Eir to continue the rollout of 3G, 4G and 5G network services.

- The coverage from the existing structure does not provide a reliable or high quality indoor voice service or support high speed mobile broadband in the Ballintubber area.
- The proposals would improve the mobile telephony coverage and service, thus eliminating the coverage blackspot for Eir in this area.
- If planning permission is refused, Eir would lose essential coverage and customers would lose essential coverage and service.
- The proposed structure would provide high speed broadband and mobile connectivity to the local Eir network.
- The site would be shared by two providers, Eir and Vodafone, with capacity to provide for other operators.
- The development has been designed to enable additional co-location with other telecommunications providers of mobile and broadband services to deliver service to customers in Ballintubber and its environs.
- Telecommunications connectivity is now regarded as the fourth utility service, after water, electricity, and gas. Strong connectivity is an important factor in attracting new business.

Site Selection:

- The site was chosen as it currently accommodates telecommunications infrastructure. Co-location with existing telecoms infrastructure is supported by both National and local planning policy.
- There are no other existing masts or structures suitable in the cell area for the operators to locate their equipment.

Alternative sites considered:

- There are two other existing telecommunications sites in this vicinity, one further north-east of the appeal site, currently shared between Three Ireland and Vodafone and Eir have a site further north-west of the appeal site. These sites were discounted as the coverage achievable would not extend to Ballintubber, where improved coverage

is required. High-speed services have a range of 500 metres per sector.

- It has not been possible to secure an alternative site within Ballintubber that would satisfy the requirements of the Mayo Development Plan.

Visual Impact:

- The additional visual impact that would arise from the development due to its context adjoining an existing exchange building, a number of existing electricity wires and poles and the natural screening that exists in this vicinity of the appeal site and would assist in minimising any adverse visual impact to/from the appeal site.
- Photomontages of the development at a height of 24 metres were submitted as part of the planning documentation and demonstrate that the proposal would not be visually obtrusive in this environment.
- The development would be located within an established utilities site which has the capacity to absorb the proposed telecommunications development.
- The Planning Officer within Mayo County Council acknowledged that the structure would be visible from certain views. However, views would be intermittent and given the location within the exchange site that there would be limited visual impact upon the wider area.
- The structure has been redesigned to provide for a monopole structure, is nondescript in character and design and is not too dissimilar in design to a lamp standard or traffic light pole which are common throughout Ireland.
- The proposed structure is taller than the one to be removed in order to provide possibilities for co-location with other telecommunications service providers.

Design, Siting and Layout:

- The applicants have stated that in the event that the ESB wires need to be re-routed that this would be agreed with the ESB in advance of the commencement of construction works on site.

- When designing the structure for this site, the Radio Engineers required height to provide a signal over the surrounding area and to provide potential to become a shared facility with other telecommunication providers.
- The accommodation of co-location is encouraged as per Section 7.4.4 of the Mayo County Development Plan, hence the need for the increased height.

Other Issues:

- The applicants will conduct more detailed engineering surveys and structural assessments prior to commencing development on site. The applicants submit that they are willing to submit a Construction Management Plan with adequate monitors and controls for the written agreement of the Planning Authority is the Board deem appropriate.
- The public have an opportunity to be involved in the planning process during the 5 week observation period, during which public site notices are erected on site and newspaper notices published as well as the notices relating to the submission of the significant further information.
- The applicants have referenced a number of precedents where the Board have permitted monopole structures 310129 for a replacement 20 metre monopole structure near Ballymore Eustace and another for a telecons structure at an Eir exchange in Glenealy under reference 311081, where in both cases the Board deemed the monopole structures to be suitable within the local environment.

7.0 Assessment

- 7.1 At the time the Planning Authority made its decision on the 8th day of February 2022, the appeal site was identified as being in a rural area and was assessed under the policies and objectives as set out within the Mayo County Development Plan 2014-2020. However, the Mayo County Development Plan 2014-2020 has since been superseded by the Mayo County Development Plan 2022-2028, operational since the 10th day of August 2022.

7.2 The main issues in this appeal are those raised within the appeal submission. I will address matters in relation to access and road safety, principle of development, technical justification/site selection, design and layout, landscape and visual impact and address a number of other issues raised within the appeal submission. Appropriate Assessment requirements are also considered. I am satisfied that no other substantial planning issues arise. The main issues can be dealt with under the following headings:

- Principle of Development.
- Access and Road Safety
- Site Selection.
- Design and layout
- Landscape and Visual impact.
- Other issues.
- Appropriate Assessment.

7.3 Principle of Development

7.3.1 The Governments' aim in developing and improving telephony and broadband infrastructural services is set out in the 1996 Telecommunications Guidelines, and the revisions/updates to these Guidelines within Planning Circular PL 07/12. More recently, the National Broadband Plan (NBP), was published in 2020 and reflects the Government's ambition to ensure that the opportunities presented by this digital transformation (provided by the NBP) are available to every community in Ireland. The delivery of the NBP will play a key role in empowering rural communities through greater digital connectivity, which will support enterprise development, employment growth and diversification of the rural economy.

7.3.2 The Telecommunication Guidelines set out the need for the facilitation of a high-quality telecommunications service and set out the issues for consideration within planning assessments including location, access, co-

location / shared facilities, design, visual impact, health, and safety. The Mayo County Development Plan (MCDP) 2022-28 policy on telecommunications structures, is set out in Section 7.4.4, Broadband and Information and Communications Technology. and is reflective of the Guidelines. Specific policies INP 18 and 19 are supportive of the facilitation and improvement of broadband services subject to a number of caveats, including that no significant adverse impact on the surrounding area and receiving environment would arise.

7.3.3 The proposal to improve telecommunications and broadband services is consistent with the policies and objectives as set out in the National Planning Framework, specifically within NSO 5 in relation to: A strong economy supported by enterprise, innovation and skill and within the current MCDP (specific policies and objective INP 18 and 19 and INO 36), and the guidance set out within the Telecommunications Antennae and Support Structures Guidelines for Planning Authorities (1996).

7.3.4 The appeal site is located at Creevagh, Ballintubber, designated as a rural area as set out within the Mayo County Development Plan 2022-28. I am satisfied that telecommunications and broadband infrastructure represents a utility service, similar to that of electricity, gas, watermains and foul sewer utilities and represents an important service for local residents, services and community facilities and therefore, would be considered acceptable. I note the established uses on the site where there is an Eir exchange building and a monopole telecommunications structure, which would be replaced by a taller monopole structure and would allow for co-location with other telecommunications providers. Therefore, it is apparent that the Planning Authority is satisfied that telecommunications infrastructure is acceptable within the current appeal site

7.3.5 In conclusion. it is evident from the policies and objectives set out within Section 7 of the MCDP, and specifically INP's 18 and 19, that the Planning Authority are seeking to support and facilitate the development of information, communications and telecommunications technology and INO 35 to support service providers in the most efficient use of existing telecoms infrastructure. I

am satisfied that the current proposals which relate to extending existing telecoms infrastructure on a site that already provides wireless and broadband facilities for the applicants and Eir, and that the current proposals would provide for improved broadband and wireless telephony and broadband. Given that broadband and communications are now considered an important aspect of utility services in terms of supporting education, business, and residential uses, I consider that the extended telecommunications structure, would be acceptable in principle at this location, subject to the issues of site selection, design and layout and visual and landscape impact being addressed in a satisfactory manner.

7.4 Site Selection

7.4.1 The Telecommunication Guidelines and Planning Circular PL07/12 seek to encourage co-location of telecommunications structures and to require documentary evidence as to the non-availability of this option in proposals for new structures. It also states that the shared use of existing structures will be required where the numbers of masts located in any single area is considered to have an excessive concentration. Similarly, the Guidelines state that only as a last resort should free-standing masts be located within or in the immediate surrounds of smaller towns or villages. If such locations should become necessary, sites already developed for utilities should be considered and masts and antennae should be designed and adapted for the specific location.

7.4.2 The applicants state that they are a long-established telecommunications infrastructure provider, and the replacement telecommunications structure provides for two operators (Vodafone and Eir), and the proposals would facilitate co-location for other telecommunications providers. This requirement necessitates the development of the increased height proposed, which would allow additional antennae to be attached to the structure by other providers to facilitate improvement of mobile and data services in the area.

7.4.3 As per the ComReg website, there are two telecommunications sites in this vicinity, one further north-east of the appeal site, currently shared between Three Ireland and Vodafone at Ballyhean, Castlebar and Eir have a site

further north-west of the appeal site. The applicants state that reliable mobile and broadband coverage can only be guaranteed within five hundred metre cells. Therefore, it is apparent from the ComReg site viewer that there are no other existing suitable sites available where the required transmission links and the level of 3G, 4G and 5G coverage would be achieved to meet consumer demand in Ballintubber. The applicants state that the current service is not adequate for high-speed broadband for Eir customers in and around Ballintubber, for 4G and 5G customers. The applicants have included a section on the technical justification supporting the appeal site and includes existing and predicted telephony coverage footprint mapping.

7.4.4 The predicted mobile coverage mapping sets out the benefit to mobile call and data sessions that would accrue to residents of Ballintubber in terms of significantly improving coverage services. There is no substantive evidence within the application, appeal, or observations regarding suitable alternative available sites within the Ballintubber area. It is apparent from the ComReg mapping that coverage for Eir 2G, 3G and 4G customers in Ballintubber varies from fair to fringe, and that there is no coverage for 5G users. The applicants set out that the development is necessary to provide improved mobile coverage in Ballintubber and the surrounding area in order to cater for the significant increase in demand for high-speed data capacity and also to provide space for other operators to locate their dishes and antennas on the monopole structure at a suitable height.

7.4.5 I also note from the ComReg site coverage map that Vodafone mobile and broadband 4G coverage is very good in the immediate vicinity of the site and good further west of the appeal site. I note that the applicants have not raised any objection to the second condition included by the PA in relation to an 18 metre height monopole structure. On this basis, I am satisfied that an 18 metre monopole structure is sufficient in this instance to enable Vodafone to maintain its very strong mobile and broadband coverage in the area and also to allow for other operators to co-locate on the structure in order to improve their mobile and broadband coverage in the Ballintubber area, This is a matter that can be addressed by means of an appropriate condition, if the Board deem appropriate. Having reviewed the information submitted, I am satisfied

that the applicant has demonstrated an adequate technical justification for the development.

7.4.5 Having regard to the demonstrated need for improved telecommunications services in Ballintubber, the lack of viable alternatives within the vicinity of the appeal site, I consider that the development at this specific location is justified. The development of telecommunications infrastructure on this site is established. I am satisfied that the proposals would contribute to continuing and providing a more reliable telephony and broadband service for customers in Ballintubber, which has been demonstrated, is very good at present for 4G users and non-existent for 5G users. This is supported by the data included within the outdoor mobile coverage mapping on the ComReg website, Therefore, I am satisfied that the current proposals would facilitate co-location, would assist in supporting the implementation of National guidance and local policy for the facilitation of co-location of telecommunications infrastructure in this locality.

7.4.6 In Conclusion, I accept part the planning justification set out by the applicants, that the current site is established and permitted in relation to the provision of telecommunications infrastructure and there is not a more suitable alternative location for the development in the vicinity of the appeal site, having regard to the location, distant from schools and/or community facilities and the achievable coverage for the area that would be suitable for the co-location of telecoms infrastructure.

7.5 **Design and Layout**

7.5.1 The Guidelines state that only as a last resort should free standing masts be located within or in the immediate surrounds of smaller towns or villages, and that if such locations should become necessary, sites already developed for utilities should be considered and masts and antennae should be designed and adapted for the specific location. It is stated within the appellants appeal statement that the existing telecommunications site has been specifically selected, having regard to the guidance offered within the 1996 telecommunication guidelines and the existence of the telecoms exchange on the appeal site and the natural screening that exist within the vicinity of the

appeal site. The location of the infrastructure just off the N84, would serve the mobile coverage and broadband requirements of motorists travelling along the N84, the main route linking Castlebar with Galway city, and therefore, needs to be in proximity to the route.

7.5.2 The replacement monopole structure would be consistent with the design of the existing pole telecommunication structure on site, albeit it would be taller. There is no space available at the height required on the existing structure to provide for the additional telecom's equipment. The taller monopole structure would allow for other telecommunications providers the possibility to co-locate on the structure.

7.5.3 Planning Circular PL07/12 recommended that Development Plans should avoid the inclusion of minimum separation distances between telecommunication installations, schools, and residences, as provided for under the 1996 Guidelines. Regarding the nearest residential property, I note that the telecommunications structure would be located approximately fifty-one metres south-west of the nearest residential property and this dwelling would not have a direct aspect towards the telecommunications structure. The nearest residential properties to the north-east and north-west of the appeal site are located at a higher level than the appeal site. Having regard to the separation distance and the lack of a direct aspect towards the proposed structure and the existence of natural screening in the vicinity of the appeal site, I do not consider that the extended telecommunications structure could be considered to constitute an overly dominant or overbearing feature and would not adversely impact upon the residential or visual amenities of those adjacent residential properties.

7.5.4 In Conclusion, I consider that the proposal to replace the existing telecommunications support structure on a shared brownfield site within the confines of a telecoms exchange building, but removed from residential properties, the proposals to make it available for co-location to other telecommunications operators is consistent with the provisions of the Development Plan and the national planning guidance. I consider the

replacement of the existing telecoms support structure to be acceptable, subject to consideration of its landscape and visual impact

7.6 Landscape and Visual Impact

- 7.6.1 The appellants consider that the development would interfere with the character of the landscape and would seriously injure the visual amenities of the area.
- 7.6.2 Regarding the visual amenities of the area, the replacement telecommunications structure and compound would be located within the confines of an established telecoms exchange building. The appeal site is located on a brownfield site and the site levels fall gradually towards the public road. The applicants state that the extra height is required to make provision for co-location by other operators on the monopole structure. No additional landscaping or mitigation works are proposed within the appeal site; however, a condition should be included whereby additional landscaping could be provided along the perimeter of the site to minimise any adverse visual impact within the local landscape.
- 7.6.3 I note that the applicant has submitted montages of the 24-metre-tall structure. However, having regard to the coverage data available on the ComReg website and the lack of objections from the applicants to the conditioning by the PA of an 18-metre-tall monopole structure, I am satisfied that the 18-metre replacement telecommunications support structure would not be overly visually prominent within the local environment. It would be visible from certain parts of the locality, however these views would be intermittent, given the existence of streetlamp columns and overhead electricity wires within the vicinity of the appeal site. I note that there is no direct aspect from any of the residential properties towards the appeal site. I consider that the replacement telecoms structure would not form a dominant feature within the local landscape from residential properties due to the separation distances and the existence of local natural screening. The associated cabinets and fenced compound would similarly not be highly visible, given their low-level height. I, therefore, consider that the development would not have an adverse visual impact within the locality.

7.6.4 I note that the appellants raised the issue of potential adverse impact upon Ballintubber Abbey and the Ballintubber National school. I note that the school is located approximately 1.3 kilometres south-west of the appeal site and the Abbey approximately 1.5 kilometres south-east of the appeal site. I also note that no observations were made by the management within the school in relation to the proposals. It is considered, that by virtue of the generous separation distances between the appeal site and the local school and Abbey that no adverse impact would arise from the development in this instance.

7.6.5 As per Policy INP 19, telecommunication developments which would have an adverse material impact upon the visual amenities of an area will not be permitted. Section 7.4.4 of the Plan seeks to achieve: a balance between facilitating the provision of mobile telecommunications infrastructure and the need to protect residential, visual amenity and the natural and built environment. This section of the Development Plan also refers to the provisions of the 1996 Telecommunication Guidelines and the need to work with and support key stakeholders to secure the implementation of the NBP and to ensure that fast and effective broadband facilities are available in all parts of the County. Therefore, a balance needs to be struck between the protection to be afforded to the landscape and the telecommunications infrastructure policies and objectives set out within Section 9.9.2.

7.6.6 Where the structure will be visible within the town locality due to its 24-metre height, it will generally be seen against a backdrop of the telecoms exchange building and the rural environment in which the appeal site is set. Having regard to these characteristics of the appeal site and the wider area and noting that the 24-metre height is required to effectively function over as large an area as possible and provide for the possibility of co-location with other telecommunications providers, I do not consider that the magnitude of the impact of the development on the visual amenities of the area would be so significant as to warrant refusal. I note the comments made by the Planning Officer within Mayo County Council who considered that the proposals would not impact negatively on the landscape and would be acceptable.

7.6.7 It is acknowledged that the proposed telecommunications installation would impact upon the local landscape by virtue of the height of the replacement telecom's structure. However, Sections 7.4.4 of the Plan set out that telecommunications proposals will be facilitated where no significant adverse impact on the surrounding area and local receiving environment arises. On balance, while I acknowledge that the proposals will impact upon the local landscape, I am satisfied that the impact would not be a significant or materially adverse one, to warrant a refusal of planning permission.

7.6.8 In conclusion, I do not recommend that permission be refused on grounds relating to landscape or visual impact.

7.7 Other Issues

7.7.1 Property Values

I note the concerns raised in the grounds of appeal in respect of the devaluation of neighbouring property. However, having regard to the assessment and conclusion set out above, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property in the vicinity.

7.7.2 Archaeology and Protected structures

I note that there are no protected structures within the curtilage of the appeal site nor in its vicinity. There are no archaeological features within the curtilage of the appeal site. The nearest recorded monument is an enclosure (MA05448) an enclosure, which is located approximately 330 metres north-easts of the appeal site. I am satisfied that the development will not adversely impact upon the recorded monument.

7.8 Appropriate Assessment-Screening

7.8.1 The Lough Carra/Mask SPA (site code 004151) is located approximately 2.3 kilometres south-east of the appeal site. There is no surface water hydrological pathway linking the appeal site to the European site. Having regard to the nature of the development where no water services are required

and the separation distance from Natura 2000 site, I consider that the telecommunications development either alone, or, in combination with other plans or projects, would not be likely to adversely impact on a European site, in view of the sites' conservation objectives and that, therefore, a Stage 2 Appropriate Assessment and the submission of a Natura Impact Statement is not required.

8.0 Recommendation

8.1 I recommend that planning permission be granted.

9.0 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, as updated by Circular Letter PL/07/12 issued by the Department of the Environment, Community and Local Government on the 19th day of October 2012,

b. The policy of the planning authority, as set out in the Mayo County Development Plan 2022-2028 to support the provision of telecommunications infrastructure,

c. The general topography and landscape features in the vicinity of the site

d. The existing pattern of development in the vicinity,

it is considered that, subject to compliance with the conditions set out below, the development proposed would not adversely impact upon the amenities of the area and would 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 and particulars submitted to

the Planning Authority on the 21st day of December 2020 and by further plans and particulars received by the Planning Authority on the 19th day of November 2021, except as may otherwise be required 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 The monopole structure hereby permitted shall be 18 metres in height. Revised plans demonstrating compliance with this condition shall be submitted for the written agreement of the Planning Authority prior to the commencement of development.

Reason: In the interest of visual amenity and proper planning and sustainable development.

- 3 Details of the proposed colour scheme for the proposed monopole 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.

- 4 Any additional panels or structures, proposed to be attached to the support structure exceeding 1.3 metres in dimension, shall be the subject of a separate planning application.

Reason: To regulate and control the layout of the development and in the interest of orderly development.

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

Reason: In the interest of public health.

- 5 The construction 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 with respect to the boundary hedgerows.

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

- 6 Within six months of the cessation of use the telecommunications structure and ancillary structures shall be removed and the site shall be reinstated. Details relating to the removal and reinstatement 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.

- 7 The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with the Planning Authority prior to the commencement of development. This scheme shall include the following:

(i) a plan to scale of not less than 1:500

(ii) The species variety, number, size, and locations of all trees/hedgerow which shall comprise native species such as Mountain Ash, Birch, Willow,

Sycamore, Pine, Oak, Hawthorn, Holly, Hazel, Beech, or Alder but which will not include prunus species.

(iii) the applicants shall submit a landscaping scheme to the Planning Authority for their written agreement for the appeal site. The landscaping shall comprise semi-mature native deciduous species including Oak, Ash, Holly and Alder or other species to be specified.

(iv) Details of screen planting which shall not include cupressocyparis or leylandii.

(v) Specifications for mounding, levelling, cultivation, and other operations associated with plant and grass establishment

(vi) A timescale for implementation.

All planting shall be adequately protected from damage until established. Any plants which die, are removed, or become seriously damaged or diseased within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed with the Planning Authority.

Reason: In the interest of visual amenity.

Fergal Ó Bric

Planning Inspectorate

30th January 2023