



An
Bord
Pleanála

Inspector's Report

ABP-313704-22

Development

Permission to construct a 30-metre-high multi-user lattice tower telecommunications structure with headframe, carrying antenna and dishes enclosed within a 2.4 metre high palisade fence compound with associated ground equipment and associated site works including new access track

Location

Skyvalley, Taughmaconnell, Ballinasloe, Co Roscommon.

Planning Authority

Roscommon County Council

Planning Authority Reg. Ref.

2227

Applicant(s)

Signal Infrastructure Limited.

Type of Application

Permission.

Planning Authority Decision

Grant Permission

Type of Appeal

Third Party

Appellant(s)

Ciara Farrell,
Orla Glennon,

Wind Turbine Action Group South
Roscommon.

Observer(s)

None.

Date of Site Inspection

30th September 2022.

Inspector

Barry O'Donnell

1.0 Site Location and Description

- 1.1. The subject site has a stated area of 0.004ha and is situated in the townland of Skyvalley, in a rural part of County Roscommon. It consists of a small parcel of an agricultural field. The field consists of improved grassland and was in use for grazing at the time of my site visit.
- 1.2. The site is elevated above the public road and is at a local high point in the landscape. The area surrounding the site has experienced limited growth to date and is primarily in use for agriculture. There is a detached house to the east, adjacent to the site access and there is some scattered housing further to the east.

2.0 Proposed Development

- 2.1. The proposed development entailed within the public notices comprises the construction of a 30m high multi-user lattice tower telecommunications structure with headframe, carrying antenna and dishes enclosed within a 2.4m high palisade fence compound, with associated ground equipment and associated site works including new access track.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority granted permission on 5th May 2022, subject to 9 No. conditions.
 - Condition 3 required that structures on the site shall be removed and the site reinstated within 6 months of the cessation of use of the tower.
 - Condition 4 required submission of a construction management plan including traffic management proposals.
 - Condition 7 required that sound pressure levels generated by the development should not exceed background levels when measured at any dwelling in the vicinity.
 - Condition 8 required archaeological monitoring during construction.

3.2. Planning Authority Reports

- 3.2.1. Planning Reports dated 15th March 2022 and 4th May 2022 have been provided. The first report states that the proposal is acceptable in principle but concerns are expressed regarding justification for a new mast, in the context of a requirement to co-locate where possible. A request for additional information is recommended in this regard.
- 3.2.2. The second report followed receipt of the AI response. It summarises and responds to the individual AI response items and outlines that issues raised have been satisfactorily addressed. The report recommends that permission be granted, subject to 9 No. conditions, which are consistent with the Planning Authority's decision.
- 3.2.3. Other Technical Reports

An **Environment Office** report dated 15th March 2022 has been provided, which recommends a condition as part of a grant of permission.

MD Engineer reports dated 23rd February 2022 and 26th April 2022 have been provided. The first report recommends that additional information be requested regarding (1) achievable sightlines from the site access and (2) autotrack analysis to demonstrate the access to adequate to serve the development. The second report followed receipt of the AI response. It outlines no objection to the development, subject to a recommended condition.

3.3. Prescribed Bodies

- 3.3.1. The Department of Housing, Local Government and Heritage (DAU) made a submission on 14th March 2022, which recommended that archaeological monitoring should be a condition of planning as the development involves groundworks close to a recorded monument
- 3.3.2. The Irish Aviation Authority made a submission on 22nd February 2022, which advised that there is no requirement for obstacle lighting on the proposed structure.
- 3.3.3. The Planning Report indicates that the application was referred to An Taisce and The Heritage Council but no responding submissions were received.

3.4. Third Party Observations

3.4.1. A number of submissions were received, the issues raised within which can be summarised as follows: -

- Absence of an identified need.
- Inadequate detail regarding the development.
- Public safety.
- Landscape and visual impacts including cumulative impacts.
- Inadequate CGI representations.
- Impact on adjacent European sites and biodiversity in the area.
- Flooding/drainage issues.

4.0 Planning History

4.1. I did not encounter any previous planning records pertaining to the site.

Recent nearby planning records

ABP-314614-22: *Site to the southwest:* Current appeal relating to development consisting of the installation of a 36m lattice support structure carrying telecommunications equipment, together with associated site development works.

ABP-313750-22: *Site to the north and west:* Current strategic infrastructure development application for the development of a windfarm and associated site works.

21/274: *Site to the north:* (ABP-313998-22) Current appeal relating to the erection of a temporary meteorological mast at Skeavally.

5.0 Policy Context

5.1. Roscommon County Development Plan 2022-2028

5.1.1. The site is located in a rural, unzoned part of County Roscommon.

5.1.2. A Landscape Character Assessment was prepared as part of the development plan. Figure 1 of the Assessment contains a map of the individual landscape character areas. The subject site is in the *Lough Funshinagh, Stone Wall Grasslands and Esker Ridges* character type, which is identified as being of 'Moderate' landscape value.

5.1.3. Section 7.12 relates to *Information and Communication Infrastructure* and it contains the following policies that are relevant to the proposal: -

ICT 7.62: Co-operate with the Department of Communications, Climate Action and Environment and public and private agencies where appropriate, in improving high quality broadband infrastructure throughout the county and supporting the delivery of the National Broadband Plan.

ICT 7.63: Promote and facilitate the sustainable development of a high-quality ICT network throughout the county, in accordance with the requirements of the 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.

ICT 7.64: 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 the enterprise and commercial sectors and in enabling more flexible work practices.

ICT 7.65: Encourage co-location of antennae on existing telecommunications structures. 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.

ICT 7.66: 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.

5.2. **Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996)**

5.2.1. The Guidelines outline that in suburban and rural areas, antennae arrays will typically be installed on freestanding support structures or masts. In reference to the

height of such structures, the Guidelines state that, when the requirements of the network are taken into account, they can range from 12m to 60m though most typically they will be between 20m and 40m. The most usual support structure will be a tripod lattice construction.

- 5.2.2. In relation to the location of these structures, the Guidelines advise that topography and population density will dictate to a large extent the location of the base station. While each base station has its own locational requirements, it must also fit into the national network. For this reason, there may not always be great flexibility regarding a given location. Where substantial local flexibility is required, it may mean moving other sites in the network or providing additional alternative base stations.
- 5.2.3. In relation to design and siting, it is advised that this will be dictated by radio and engineering parameters. However, there may be limited scope for design change and applicants should be asked to explore the possibility of other available designs.

5.3. Natural Heritage Designations

- 5.3.1. The subject site is not located with or adjacent to any designated European site, the closest such site being Killeglan Grassland SAC (Site Code 002214), which is c.2km west.
- 5.3.2. Feacle Turlough is a proposed Natural Heritage Area (Site Code 001634) and it is c. 1.8km east.

5.4. EIA Screening

- 5.4.1. Schedule 5 of Part 2 of the Planning and Development Regulations 2001-2022 contains prescribed classes of development for the purposes of Part 10 of the Planning and Development Act, 2000, as amended (Environmental Impact Assessment). Telecommunications masts are not referenced by Parts 1 and 2 of the Schedule, so the development is therefore not a prescribed project for the purposes of EIA.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. Separate appeals have been received from Ciara Farrell, Orla Glennon and Wind Turbine Action Group South Roscommon. Each appeal is summarised separately below: -

Appeal by Ciara Farrell

- Absence of need
 - The applicant has not demonstrated any clear need for the development and has not quantified the improvements that are claimed to arise.
 - Claims of improvements to the surrounding area are unsupported.
 - Statements regarding blackspots in the area are contradicted by the appellant's experience and that of other objectors.
 - Inadequate consideration was given to the option of co-location at an existing mast.
 - No consideration was given to an approved mast at Toberiheen.
- Site location
 - CGI locations used for the visual assessment are remote and do not adequately demonstrate the impact on the landscape.
 - The applicant did not adequately consider the landscape sensitivities of the surrounding area, which includes European sites and Natural Heritage Areas. Reference is made to *Kelly v An Bord Pleanala* (2014, IEHC 400) in this context.
- Appropriate Assessment
 - It is unclear if the access road is incorporated into the Planning Authority's assessment. This is important as the main reason for the Planning Authority's determination that AA is not required relates to distance from European sites.
 - Construction methods and foundation depth are unstated, so could not have been considered as part of screening.

- Consideration should also be given to the interconnected network of protected areas, which includes protected sites, landform and character areas..
- The Planning Authority's Screening is inadequate.
 - Cumulative effects were not considered, with reference to an existing meteorological mast and proposed masts (21/274 and 20/275 refer).
- Planning Authority Conditions
 - Concerns raised by the MD Engineer were not addressed by the Planning Authority, in particular a requirement to undertake risk assessment and to prepare a traffic management plan.
 - Controls over surface water drainage contained at condition 5 of the Planning Authority's decision are inadequate.
 - A requested condition from the Environment section, that waste be disposed of by an authorised collector, was not attached to the decision to grant permission.
- The Board is requested to reverse the decision to grant permission.

Appeal by Orla Gannon

- Skyvalley is adequately served by 3 mobile operators, with reference to the presence of antennae at Lugboy Water Tower.
- The selection of this site has not been adequately justified.
- No proposals to prevent run-off during construction discharging to groundwater are provided.
- Construction details for the proposed tower are not provided.
- No assessment of ecological impacts has been undertaken.
- The visual assessment is invalid as there are conflicting references to equipment and conditions at the time of photographs.
- Taken together with other permitted and proposed development in the area, these proposals are contrary to the proper planning and sustainable development of the area.

- The Killeglan Karst Landscape where the site is located is of national importance and further surveys are required to determine its full extent and history.
- Killeglan Grassland SAC is one of the most important sites for a number of specified protected species and is in close proximity to the site. Marsh Fritillary is also present at Killeglan and is a legally protected species.
- The proposal would endanger public safety by reason of a traffic hazard.

Appeal by Wind Turbine Action Group South Roscommon

- Appropriate Assessment
 - The site is close to a number of European sites and the Planning Authority did not undertake a screening for appropriate assessment
 - The Board refused permission in 2017 for a windfarm in the same location and as part of its assessment, the Board retained a consultant hydrologist who determined that the site is hydrologically connected to a number of nearby sites including European sites.
- Adjacent Turloughs
 - Potential impacts on the hydrology of adjacent turloughs is not addressed by the application.
 - Surface water drainage is stated to be one of the most challenging engineering aspects of the development, given the karst landscape.

6.2. Applicant Response

6.2.1. A response to the appeals was received on 29th June 2022, submitted on the applicant's behalf by Indigo consultants. Its contents can be summarised as follows:

-

- Technical requirement
 - Comments regarding the requirement and benefits of the development are baseless and are contradicted by expert analysis provided with the application.

- Analysis provided with the application identified that a development at this location would be beneficial to all service operators.
- Analysis of another mast in the area indicates that it has limited coverage range and cannot provide adequate service. It is also incapable of expansion.
- The Planning Authority undertook a detailed assessment of the proposal and determined that the infrastructure is required to provide necessary infrastructure.
- Regarding claims that another site at Toberiheen, Ballydangan, Athlone should have been considered, it is 20km from the site which is too far to service this area.
- The proposal by Hibernian under Reg. Ref. 22/114 for a 36m tower is proposed to accommodate the needs of one local broadband provider. This case remains undecided.
 - The applicant notes the appellants did not object to the Hibernian proposal, which is c.730m distant.
- Construction and road safety
 - Notwithstanding the appellant comments, there was ongoing engagement with the Planning Authority roads engineer, who did not object to the development. Conditions were also attached to the Planning Authority decision, to control traffic aspects of the development.
- Visual assessment
 - The site is located in an area of moderate landscape value that is not designated for protection.
 - Photomontages provided with the application adequately illustrate the lack of visual impact.
 - The development may have a moderate impact in some close-up views but does not provide direct views from housing and will be insignificant in the wider landscape. Limited impacts are outweighed by benefits.

- The Planning Authority determined that the development, whilst visible, does not have any detrimental impact on its receiving environment.
- Environmental impact assessment
 - The development is of a type and scale that does not require EIA and is below sub-threshold level to warrant EIA screening.
 - The Planning Authority undertook AA screening and concluded that there was no real likelihood of significant effects on the environment.
 - The appellants appear to have based concerns on previous wind farm proposals and this has led to erroneous claims.
 - References to a previous wind farm proposal are not considered comparable.
 - Conditions attached to the Planning Authority's decision are adequate to address environmental concerns.
- The Board is requested to uphold the Planning Authority's decision.

6.3. Planning Authority Response

6.3.1. None Received.

6.4. Observations

6.4.1. None.

6.5. Further Responses

6.5.1. None.

7.0 Assessment

7.1. Having inspected the site and considered the contents of the appeal in detail, I consider the main planning issues to be considered are: -

- Principle of development;
- Landscape and visual impact;

- Drainage;
- Access and traffic;
- Other issues; and
- Appropriate assessment.

7.2. Principle of development

- 7.2.1. The site is located in a rural, unzoned part of County Roscommon. The Roscommon County Development Plan 2022-2028 is generally supportive of telecommunications infrastructure development, with reference to policies ICT 7.63 and 7.64 which together support the delivery of high-capacity ICT infrastructure in accordance with the requirements of the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities.
- 7.2.2. Policies ICT 7.65 and 7.66 are also relevant to the appeal. ICT 7.65 encourages co-location of antennae on existing telecommunications structures. ICT 7.66 requires that telecommunications structures should be located to minimise and /or mitigate any adverse impacts on communities, public rights of way and the built or natural environment.
- 7.2.3. The appellants each question the need for the proposed development and benefits that would accrue to the surrounding communities and have also expressed concerns regarding landscape and visual impacts and the potential for impacts on natural hydrological processes in the area.
- 7.2.4. As part of the application, a Justification Report prepared by Vilicom was provided. It states that due to the location of existing ICT sites in the area, together with other factors such as terrain, coverage in this area is poor or non-existent for all mobile operators. Section 3 of the Justification Report contains predicted existing and post-development coverage maps and it states that services are predicted to greatly improve following delivery of the development. The report states that the proposal will enable the delivery of high-quality voice and data services on a structure that will be accessible to all mobile and broadband service providers.
- 7.2.5. Regarding the potential for co-location on an existing structure, the Justification Report states that the closest existing site is 760m from the site, which is too far away and does not have line of sight to the target areas of the proposal, so cannot

be considered for co-location. Other existing structures are stated to be a minimum of 6km from the site and are too far from the site to provide adequate services to all of the target areas.

- 7.2.6. As part of the AI response, correspondence from service providers Imagine and Vodafone was provided, which indicates that both commercial providers are interested in locating equipment at the proposed development in order to provide improved services to the area surrounding the application site.
- 7.2.7. The Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996) provides technical and planning guidance on telecommunications structures. In respect of cell size and coverage area in rural locations, it states that the nature of the surrounding terrain affects the size of a given cell and that, in order to fit into the wider national network, there may not always be great flexibility regarding a given location.
- 7.2.8. I have given consideration to the information provided with the application and I have also considered available service coverage mapping¹ provided by the Commission for Communications Regulation. It can be seen from the mobile coverage map that there is pattern of primarily ‘very good’ or ‘good’ 2G coverage in the area of the subject site, but that the quality reduces to primarily ‘fair’ or ‘fringe’ coverage for 4G/5G services. On this basis, I am satisfied that there appears to be a need for higher quality services in the area and I note that the Justification Report demonstrates the geographic spread of service improvements arising from the development.
- 7.2.9. Therefore, and from the information available to me, I am satisfied that the development accords with the provisions of the CDP and is acceptable in principle, subject to consideration of other factors below.
- 7.2.10. The Board will note that in the period since this application was submitted, an application for another 36m lattice tower telecommunications structure was submitted to the Planning Authority (Reg. Ref 22114 and ABP-314614-22 refer), by Hibernian Cellular Networks Limited, for a site at Lugboy, Taughmaconnell, approx. 750m south of the subject site. In responding to the current appeal, the applicant

¹ <https://coveragemap.comreg.ie/map>

states that the structure proposed under Reg. Ref. 22114 is proposed to meet the requirements of one local broadband provider, but this does not appear to be the case as the application documents submitted with Reg. Ref. 22114 indicate that the structure is capable of accommodating additional service providers. The Board may wish to clarify whether that current proposed structure and that proposed under Reg. Ref. 22114 are intended to serve the same geographic area and are therefore in competition, or whether they are intended to serve separate areas.

- 7.2.11. In any case, to ensure consistency, I recommend that the Board consider the current proposal in conjunction with the appeal on the adjoining site to the south (ABP-314614-22).

7.3. Landscape and Visual Impacts

- 7.3.1. Appellants have expressed concern regarding the landscape and visual impacts of the development.
- 7.3.2. The development involves the construction of a 3m wide access track with a stated length of 423m and a site compound 11m wide x 11m long, within which the proposed structure and associated elements are located. The proposed structure measures 30m high. The site layout drawing indicates that the majority of the compound area would be covered in a concrete surface.
- 7.3.3. A series of 10 No. CGIs were submitted with the application, which depict the appearance of the proposed development in a series of primarily close-range views (VP1-7). Some more distant views to the east (VP8-10) are also provided. I am satisfied that the CGIs provided are representative of the likely visual impact of the development and are adequate to inform my assessment of the proposal.
- 7.3.4. The site is in an isolated rural area, which has experienced limited development. According to the CDP Landscape Character Assessment, it is located in the *Lough Funshinagh, Stone Wall Grasslands and Esker Ridges* landscape character type, which is identified as being of 'Moderate' landscape value. Section 1.2.5 of the LCA discusses landscape classification values and it states that landscapes of moderate value tend to be less sensitive and more tolerant of change.
- 7.3.5. I observed when on the site that it is elevated and is somewhat exposed in views from the surrounding countryside. The proposed structure is likely to be a visible

addition particularly in close-range views, but I do not consider that it would have undue or unacceptable visual impact. It also has a relatively small footprint and will not, in my view, have any significant impact on the landscape. I note, in this context, that there is no designation for the preservation of the landscape or protected views or scenic routes in the vicinity of the site.

- 7.3.6. I consider that any limited landscape and visual impacts are outweighed by service enhancements to the wider community accruing from the development.

7.4. Drainage

- 7.4.1. Appellants express concerns regarding surface water drainage and it is contended that the requirements of condition No. 5 are inadequate.
- 7.4.2. The Planning Authority attached condition No. 5 to its decision, which required that surface water generated within the site shall be collected and disposed of within the curtilage of the site and that such water should not discharge onto the public road.
- 7.4.3. Details of proposed surface water drainage arrangements are not outlined within the application. Notwithstanding the absence of proposals for surface water drainage, the proposed development is smallscale and involves the provision of a small impermeable surface area. I am satisfied that a condition can be attached, should the Board decide to grant permission, requiring the applicant to submit and agree proposals for the treatment of surface water within the site.

7.5. Access and Traffic

- 7.5.1. The site is accessed from a narrow local road that I estimate measures c.4m wide in the area of the site access. The applicant proposes to use an existing agricultural access, thereafter constructing an internal access track that routes parallel to the road before turning upland to route toward the location of the proposed compound and structure. The applicant states that the proposed track measures 423m in length.
- 7.5.2. The appellant, Orla Gannon, expresses concern that the development would endanger public safety by reason of a traffic hazard.
- 7.5.3. The Planning Authority's MD Engineer commented on the application, recommending that a sightline drawing should be provided and that an autotrack

drawing should be provided, to demonstrate that the site access is adequate to facilitate vehicle movements during construction.

- 7.5.4. Regarding concerns that the development would result in the creation of a traffic hazard, I accept that the road network leading to the site is incapable of accommodating large traffic volumes, but the proposed development involves limited traffic during construction traffic and will be largely unmanned during the operational phase. As part of the AI response the applicant provided details of traffic movements for the construction and operational phases, indicating that the construction phase, which is expected to last 2 months, will involve low levels of traffic. The operational phase will involve access for maintenance purposes approx. 2-8 times per year.
- 7.5.5. In view of the foregoing, I am satisfied that the development will not give rise to the creation of a traffic hazard. In order to avoid disturbance of local residents during construction, I recommend that should the Board decide to grant permission, a condition be attached requiring the applicant to submit and agree a proposed construction management plan, which should include traffic management measures.
- 7.5.6. Regarding the proposed access, the applicant provided an auto track drawing within the AI response document, which indicates that the access track is wide enough to accommodate construction vehicles. I note that the MD Engineer did not express any further concerns regarding this aspect of the development, following receipt of the AI response.
- 7.5.7. Achievable sightlines were not demonstrated by the applicant, but I note that the Planning Authority's AI request did not require the applicant to provide this drawing. I observed on my site visit that there is limited visibility in both directions from the site access, in the region of c.40m in both directions.
- 7.5.8. Having regard to the limited amount of traffic and low vehicle speeds on the road, together with the very low amount of traffic associated with the proposed development, I am satisfied that visibility from the access is adequate.

7.6. Other Issues

- 7.6.1. The Board will note that the Department of Housing, Local Government and Heritage (DAU) made a submission on the application recommending that a requirement for archaeological monitoring should be a condition of a decision to grant permission.

7.7. Appropriate Assessment

Appropriate Assessment Screening

Compliance with Article 6(3) of the Habitats Directive

- 7.7.1. The requirements of Article 6(3) as related to screening the need for appropriate assessment of a project under part XAB, section 177U of the Planning and Development Act 2000 (as amended) are considered fully in this section.

Background on the Application

- 7.7.2. A screening report for Appropriate Assessment was not submitted with this appeal case. Therefore, this screening assessment has been carried de-novo.

Screening for Appropriate Assessment- Test of likely significant effects

- 7.7.3. The project is not directly connected with or necessary to the management of a European Site and therefore it needs to be determined if the development is likely to have significant effects on a European site(s).
- 7.7.4. The proposed development is examined in relation to any possible interaction with European sites designated Special Conservation Areas (SAC) and Special Protection Areas (SPA) to assess whether it may give rise to significant effects on any European Site.

Brief description of the development

- 7.7.5. The development is described at Section 2 of this Report. In summary, permission is sought for the construction of a 30m high multi-user lattice tower telecommunications structure with headframe, together with associated elements and site works and also including a new access track. The site has a stated area of 0.004ha and is situated in the townland of Skyvalley in a rural part of County Roscommon.

Submissions and Observations

- 7.7.6. The submissions from the appellants and applicant are summarised as Section 6 of my Report.

European Sites

- 7.7.7. The subject site is not located within or adjacent to any designated European site. The closest such site is Killeglan Grassland SAC (Site Code 002214), which is c.2km

west. There are a large number of other European sites within a 15km search zone, as follows: -

- Castlesampson Esker SAC (Site Code 001625), c.3.6km south-east.
- Ballynamona Bog and Corkip Lough SAC (Site Code 002339), c.3.7km east.
- River Suck Callows SPA (Site Code 004097), c.3.7km west.
- Lough Croan Turlough SPA (Site Code 004139), c. 5.6km north
- Lough Croan Turlough SAC (Site Code 000610), c. 5.6km north
- Lough Funshinagh SAC (Site Code 000611), c.8.3km north-east
- Four Roads Turlough SPA (Site Code 004140), c.9km south.
- Lisduff Turlough SAC (Site Code 000609), c.12.7km south.
- Lough Ree SPA (Site Code 004064), c.13.2km east.
- Lough Ree SAC (Site Code 000440), c.13.2km east.
- Middle Shannon Callows SPA (Site Code 004096), c.14.3km east.
- River Shannon Callows SAC (Site Code 000216), c.14.3km east.

7.7.8. I did not encounter any drains or open watercourses on the site during my inspection. Available EPA drainage mapping² indicates that the closest waterbody to the site is a tributary of the Killeglan River, which is c.1.6km south. The EPA mapping indicates that the Killeglan River flows into the River Suck c.6.1km west of the site and thus provides a hydrological connection between the subject site and the River Suck Callows SPA.

7.7.9. In addition, the site is located in a karst landscape, which allows for groundwater recharge via surface waters. The EPA drainage mapping indicates that surface waters in the area of the site drain westward. Taking a precautionary approach, this may therefore provide for connectivity to Killeglan Grassland SAC. I have therefore given consideration to this site in my assessment.

² <https://gis.epa.ie/EPAMaps/>

7.7.10. I am satisfied that other European sites within the search zone are sufficiently distant from the site or are not hydrologically connected to it and that there is possibility of significant effects arising from the proposed development.

7.7.11. Summaries of Killeglan Grassland SAC and River Suck Callows SPA are provided in the table below.

European Site (code)	List of Qualifying interest /Special conservation Interest
<u>SAC</u>	
Killeglan Grassland SAC (Site Code 002214)	<ul style="list-style-type: none">• Semi-natural dry grasslands and scrubland facies on calcareous substrates
<u>SPA</u>	
River Suck Callows SPA (Site Code 004097)	<ul style="list-style-type: none">• Whooper Swan• Wigeon• Golden Plover• Lapwing• Greenland White-fronted Goose• Wetland and Waterbirds

Evaluation of Potential Significant Effects

7.7.12. The construction phase of the development will require soil scraping, excavation and storage, importation and deposition of aggregates, the use of concrete and other pollutants and the construction of the proposed structure and associated elements.

7.7.13. The River Suck Callows SPA is an important site for wintering waterfowl. The accompanying Natura 2000 form for the site states that it provides one of the few remaining examples in the country of a large river system of which parts still flood in a fairly natural way.

7.7.14. Killeglan Grassland SAC is designated for the presence of the habitat 'semi-natural dry grasslands and scrubland facies on calcareous substrates'. The accompanying Natura 2000 form for the site states that the site is one of the most important sites in Ireland for orchid.

7.7.15. Construction activity is likely to give rise to the presence of some suspended solid and/or pollutant content in surface water run-off, but I am satisfied that the site is adequately distant from both European sites and the hydrological connection to the

SPA, such that there is no real likelihood of significant effects on either site. I am satisfied that this issue can be excluded at this stage.

7.7.16. The construction of the access track is likely to require some excavation and the construction of the proposed structure will require excavation in order to provide foundations. The Board will note that no construction details for the access track or proposed structure have been provided.

7.7.17. Notwithstanding the absence of such details, I am satisfied that in view of the smallscale nature of the development and the low level of excavation required, the level of run-off that may discharge to groundwater would be of a low magnitude and would not be of a scale that may give rise to significant effects at a European site. I note in this respect that Killeglan Grassland SAC, the closest European site to the subject site, is not groundwater dependent. Any limited suspended solid and/or pollutant content that may arise from the construction phase of the development would thus not have any effect on the integrity of the SAC.

Screening Determination

7.7.18. The proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended. Having carried out Screening for Appropriate Assessment of the project, it has been concluded that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects for any other European site, in view of the site's Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.

7.7.19. This determination is based on the following:

- The absence of any drain or watercourse on or bounding the site that would provide a direct hydrological connection to any adjacent European site,
- The smallscale nature of the development which does not involve extensive excavation or complex construction methods.

8.0 Recommendation

8.1. I recommend that permission for the proposed development be granted, subject to conditions as set out below.

9.0 Reasons and Considerations

Having regard to the provisions of the Roscommon County Development Plan 2022-2028 and the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996), together with the nature and scale of the proposed development and the character of the surrounding area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the landscape character and visual amenity of the area or the amenities of property in the vicinity and would not result in the creation of a traffic hazard. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by additional information received on 11th April 2022, 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>Details of the proposed colour scheme for the telecommunications structure, ancillary structures and fencing shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of the visual amenities of the area.</p>
3.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall include details of intended construction practice, noise and dust management measures, traffic management,</p>

	<p>parking proposals for construction workers on the site and storage and disposal of materials and waste within the site.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
4.	<p>The layout of the proposed site access shall accord with the Planning Authority's requirements, details of which shall be agreed in writing prior to commencement of development.</p> <p>Reason: In the interests of public safety</p>
5.	<p>Within six months of the date of cessation of use, the telecommunications structure and ancillary structures shall be removed, and the site shall be reinstated at the developer's expense. Details relating to the removal and reinstatement shall be submitted to, and agreed in writing with, the planning authority prior to the date of cessation of the use of the structure.</p> <p>Reinstatement shall be deemed to include the grubbing out of and replanting of the access track created in association with the development permitted herein.</p> <p>Reason: In the interest of the visual amenities of the area.</p>
6.	<p>The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:</p> <p>(a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation relating to the proposed development, and</p> <p>(b) employ a suitably qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works. The assessment shall address the following issues:</p> <p>(i) the nature and location of archaeological material on the site, and</p> <p>(ii) the impact of the proposed development on such archaeological material.</p> <p>A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall</p>

	<p>agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works. In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.</p>
7.	<p>Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.</p> <p>Reason: In the interest of public health.</p>
8.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
9.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p>

	Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.
--	--

Barry O'Donnell
Planning Inspector

16th November 2022.