



An
Bord
Pleanála

Inspector's Report ABP-315126-22

Development

Erection of a 24m lattice telecommunications structure together with antennas, dishes and associated telecommunications equipment, all enclosed by security fencing.

Location

Rausakeera South, Kilmaine, Co. Mayo

Planning Authority

Mayo County Council

Planning Authority Reg. Ref.

22/763

Applicant(s)

Vantage Towers Ltd

Type of Application

Permission

Planning Authority Decision

Grant, subject to 6 conditions

Type of Appeal

Third Parties -v- Decision

Appellant(s)

Fran Horkan
Kilmaine Residents and Business Owners

Observer(s)

Kilmaine GAA Club & Kilmaine Community Games

Date of Site Inspection

6th March 2023

Inspector

Hugh D. Morrison

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1.0 Site Location and Description

- 1.1. The site is located to the north north-west of Kilmaine, some 0.5km from the village centre. The main body of the site lies on locally elevated land. The route of the proposed means of access lies on land that rises at a moderate gradient from the east. Further to the east, this route connects with an existing farm track, which runs between a cattle shed and an agricultural gateway off the L1609. In turn the local road runs on a north/south axis from its junction with the N84, which passes through Kilmaine.
- 1.2. The site is set within open countryside. Immediately to the south-west lies the local GAA ground, and, to the east, along the local road lie several one-off dwelling houses. The site itself is continuous with its host field, and it has an area of 0.0036 hectares.

2.0 Proposed Development

- 2.1. The proposal would entail the erection of a 24m high lattice tower, to which would be attached antennae and dishes that would serve Vodafone and potentially similar antennae and dishes that would serve two other operators in the future.
- 2.2. The proposal would also entail the construction of a concrete base and the installation of freestanding cabinets within a compound, which would be enclosed by means of palisade fencing and a pair of gates. Access would be by means of an existing farm track, which would be extended as far as the site and provided with a turning area.

3.0 Planning Authority Decision

3.1. Decision

Planning permission was granted, subject to 6 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The case planner accepted that there is a need for the proposal in the general area, and its visual impact would be limited and localised.

3.2.2. Other Technical Reports

Mayo County Council

Area Engineer: Further information requested with respect to sightlines, road and boundary construction, and drainage arrangements.

4.0 Planning History

Site: None

Site to the south of Kilmaine off N84: 19/354 similar proposal to the current one: Refused at appeal (PL16.305050) for the following reason:

It is considered that, on the basis of the documentation submitted with the application and appeal, the applicant has not provided evidence for the need for the proposed telecommunications structure at this location, and that possible opportunities for co-location do not exist in the surrounding area. Accordingly, the proposed development would lead to an unnecessary proliferation of telecommunications structures, which would be contrary to the Guidelines for Planning Authorities relating to Telecommunications Antennae and Support Structures, issued by the Department of the Environment and Local Government in July 1996. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

5.0 Policy and Context

5.1. National planning policy

- National Development Plan 2018 – 2027
- National Planning Framework 2020 – 2040
- Telecommunications Antennae and Support Structures Guidelines as revised by Circular Letters PL 07/12.

5.2. Regional Spatial & Economic Strategy

Under the Regional Spatial & Economic Strategy for the Northern and Western Region 2020 – 2032, Regional Policy Objective (RPO) 6.36 states: “Support the roll-out of the National Broadband Plan within the lifetime of this strategy and grow the regional digital economy.”

5.3. Development Plan

Under the Mayo County Development Plan 2022 – 2028 (CDP), Kilmaine is identified as a Tier 4 town and the site is shown as lying to the north of the settlement consolidation zone.

Under the Landscape Appraisal for County Mayo, the site lies within the landscape character area L known as the South-East Mayo Plains and in the Policy Area 4 known as Drumlins and Inland Lowland.

Under Section 8.10 of the CDP’s development management volume, telecommunications are addressed as follows:

The Council recognises the importance of telecommunication infrastructure which is important in removing the peripheral barrier that the county experiences. It is also recognised that the location of telecommunication infrastructure is dictated by service provision and hence each application will be determined on its own merits. Planning applications relating to the erection of antennae and support structures shall be accompanied by:

- *A reasoned justification as to the need for the particular development at the proposed location in the context of the operator’s overall plans for the county having regard to coverage.*
- *Details of what other sites or locations in the county were considered, and reasons why these sites or locations are not feasible.*
- *Written evidence of site-specific consultations with other operators with regard to the sharing of sites and support structures. The applicants must satisfy the Council that a reasonable effort has been made to share installations. In situations where it is not possible to share a support structure, the applicants will be encouraged to share a site or to locate adjacently so that masts and antennae may be clustered; and*

- *Detailed proposals to mitigate the visual impact of the proposed development, including the construction of access roads, additional poles and structures. Where possible they should be located so as to benefit from the screening afforded by existing tree belts, topography or buildings. On more exposed open sites, the Council may require an alternative design or colour finish to be employed, unless where its use is prohibited by reasonable technical reasons.*

5.4. Natural Heritage Designations

n/a

5.5. EIA Screening

The proposal is for a telecommunications structure with antennae and dishes. As such, it does not come within the scope of any of the Classes of development that are potentially the subject of EIA.

6.0 The Appeal

6.1. Grounds of Appeal

(a) Fran Horkan

- Content of application

The siting of the proposed mast is unclear: notation on submitted plans is contradictory and the applicant and case planner cite different estimates as to the distance between the site and the L1609.

- Access

The description of the proposal does not refer to the extension of the laneway to the site. Details of the construction of the same have not been submitted, and so a full assessment of the proposal cannot be undertaken.

- Visual impact

The proposed mast would be sited on land 7m higher than the L1609 and so, if its lighting conductors are included, this mast would have a height of 33m when viewed from the local road. The resulting visual impact would not be

“limited and localised”, but extensive over the surrounding low-lying lands and the nearby village.

While the applicant refers to how the proposed mast would be capable of being assimilated into the landscape, the items identified in this respect are either scant, e.g., trees and hedgerows, or sited at lower levels, e.g., poles and netting at the adjacent GAA grounds.

The resulting landscape and visual impacts would devalue residential properties in the vicinity of the site. They would also adversely affect a walkway between the village and the GAA grounds.

The scope for landscape screening of the site, as envisaged by the Planning Authority’s Condition No. 5 is questioned.

- The Mayo County Development Plan 2022 – 2028

The applicant refers to the CDP as being for 2021 – 2027 and it also refers to a LAP that does not exist.

The application should have been the subject of a request for further information concerning surface water drainage and the potential impact of the proposed mast upon birds.

The provisions of the CDP have not been met insofar as the proposal would not increase the quality of residents’ lives.

- Co-sharing

The applicant has only submitted details of its agreement with Vodafone. Similar agreements with other operators do not exist. Consequently, the height of the proposed mast cannot be justified, and other sites for it may exist, which would be less impactful.

The Board’s decision on ABP-305050-19 is referenced.

(b) Kilmaine Residents and Business Owners

- Planner’s report

Photos were not taken from the site.

Site visits pre-dated the closing date for submissions.

Requested further information was not acted upon.

Drafted conditions would not address local concerns.

- Unnecessary proliferation of telecommunications structures

Other existing telecommunications structures exist in the locality. Under 19/354 and ABP-305050-19, a telecommunications structure was refused permission on the grounds that it would risk proliferation.

- Opportunities for co-locating on existing structures

While Vodafone supports the proposal, this operator has an existing structure in Kilmaine: why can it not be upgraded?

The case planner's view that the proposal is justified contradicts the above cited reason for refusing 19/354. By contrast, local residents and businesses have no issues with coverage from multiple operators.

- Proximity to residential dwellings

Exception is taken to the applicant's statement that a scattering of dwelling houses would be affected. Sixteen dwelling houses are within 260m of the site. From these dwelling houses, the proposal would be visually obtrusive.

- Proximity to village

The site is only 335m from the edge of Kilmaine. The proposal would contravene the Telecommunications Antennae and Support Structure (TASS) Guidelines, which state that telecommunication structures should only be located close to villages "as a last resort".

- Proximity to school

The site is only 301m from the site entrance to a pre-school and primary school. The proposal would contravene the TASS Guidelines, which advise that locating telecommunications structures beside schools may be something that planning authorities would not favour.

- Proximity to local community pitch and community walkway

The dominant presence of the proposal would adversely affect the visual amenity of these recreational facilities.

- Devaluation of property

Attention is drawn to the advice of a local auctioneer, which was submitted under 19/354, on the effect of telecommunications structures on property values.

- Traffic hazard

Concern is expressed that the proposal would be a distraction to road users in the vicinity of the site.

- Proximity to ringforts

Rausakeera ringfort is 459m from the site and yet the archaeological impact of the proposal upon this ringfort has not been assessed.

- Environmental impacts and wildlife

Wetlands near to the site are identified, as are wetlands in the wider surrounding area. Wild birds associated with these wetlands maybe adversely affected by the proposal, which should have been the subject of a Stage 2 appropriate assessment.

- Visual impacts

The CDP seeks to ensure that the visual impacts of telecommunications structures are avoided or mitigated wherever possible. By contrast, the proposal would be sited on an elevated and exposed ridgeline (c. 44m ASL) with no opportunity for landscaping to afford any screening. It would be highly visible from within the surrounding area, i.e., Kilmaine and its environs.

The proposal was not accompanied by a thorough going landscape and visual impact assessment. References to tall structures in the neighbouring GAA club omit to mention that they are sited on land c. 6m lower than the site.

- Implications for use of community pitch as emergency landing site for helicopters by National Ambulance Service

The community pitch has been used on multiple occasions by emergency helicopters. The proposal would introduce an obstacle in its vicinity, which would impact upon such usage.

- Demonstration of need

The existing Vodafone mast is 564m away from the site. It is unclear how the proposal would improve this operator's coverage.

Kilmaine and its environs are already served by wireless 5G provided by Imagine, and they are further served by 1GB fibre optic broadband.

Accordingly, the need for the proposal is not self-evident.

6.2. Applicant Response

- The applicant begins by providing an overview of the mobile network telecommunications market. This network is provided by the operators Three, Eir, and Vodafone. It has grown from 2G, through 3G, to 4G and 5G. Generally, 3G is being phased out, and so the relative importance of 4G and 5G is increasing. Accordingly, it is important that in locations, such as Kilmaine, existing infrastructure is upgraded to ensure the provision of high-speed and high-quality 4G and 5G.
- The applicant proceeds to provide a justification for the site. It submits an aerial photograph of Kilmaine and its environs with contours superimposed. The presence of localised elevated lands to the north and east of the village are thereby illustrated. The former lands include the site, while the latter lands are closer to the village and its amenities. Under the ComReg coverage map, each of the three operators have weak 4G and 5G coverage, and so the proposal would be designed to accommodate them, thereby avoiding the proliferation of infrastructure.
- The proposal would entail the construction of a 6m x 6m x 1m foundation and so only a small amount of soil would need to be removed. The access track would have a porous lining, and so no change to water flow would occur. Once operational, the proposal would generate 4 to 6 vehicular trips per annum. An existing agricultural gateway with adequate sightlines would be used in this respect.

- The applicant addresses alternative sites as follows:
 - The existing Vodafone 3G antenna is sited on the roof of a farm machinery building in the centre of Kilmaine. As noted above, 3G is being phased out. This site is incapable of supporting the heavier equipment required for 4G and 5G, and so it is discounted.
 - Four other existing sites were considered, which would lie between c. 3 and c. 6km from the selected site. These sites would be too far away from the village to allow for effective transmission and the meeting of technical objectives for the target area.
- An earlier similar proposal for a site to the south of Kilmaine is referred to, i.e., 19/345 and ABP-305050-19. Whereas the Planning Authority refused this application, it has permitted the current one. The existence of the current application is itself evidence of the on-going need for the proposal.
- The applicant draws attention to the TASS Guidelines and the Circular Letter PL07/12, which advises that health concerns are not a material planning consideration and planning authorities are not to specify minimum separation distances between masts and dwelling houses. Nevertheless, the appellant cites such distances, and yet the alternative, of siting the proposal in the village itself, would have a greater impact.
- The applicant draws attention to previous appeal cases in which the question of any effect upon property values is discussed. It contends that, where coverage is lacking, this can have a negative effect on values.
- The applicant draws attention to the absence of technical information from the appellant's photomontages, which debars verification of them. It has submitted its own photomontages, which show that from certain vantage points, the proposal would be visible, but that, insofar as it would be seen in conjunction with tall structures in the GAA grounds, this proposal would be capable of being assimilated.

- The applicant interacts with the TASS Guidelines as follows:
 - They acknowledge that operators have only limited flexibility as regards location. In this respect, the topography of Kilmaine and its environs is a factor.
 - They advise that “great care will have to be taken when dealing with fragile or sensitive landscapes”. The site does not overlap with any scenic or ecologically designated lands, and the wetlands and ringfort cited by the appellant would be too far away to be affected by the proposal.
 - They state that “only as a last resort” should freestanding masts be sited in the immediate surrounds of villages. Since the TASS Guidelines were adopted in 1996, technology now necessitates that infrastructure be closer to its target to ensure the needed coverage. Examples of freestanding masts, therefore, exist within villages: in this case, the proposal would be 395m from Kilmaine and so removed from its school and community centre.
- The appellant provides no evidence to illustrate its concern over the emergency helicopter service. Clearly, this service operates in the presence of floodlights and power lines either in or beside the GAA grounds. If deemed necessary, then a red light could be installed at the top of the proposed mast.
- The ringfort identified by the appellant would be 459m from the site and so the proposal would not impact upon it.

6.3. Planning Authority Response

None

6.4. Observations

Kilmaine GAA Club & Kilmaine Community Games

- Concern is expressed that the proposal would have a significant visual impact on the Kilmaine GAA/community grounds, which are used by all ages.

- Concern is also expressed that the proposal would have a detrimental impact on the planned extension of the grounds into an adjoining field to the east.

6.5. Further Responses

None

7.0 Assessment

7.1. I have reviewed the proposal in the light of the National Development Plan 2018 – 2027 (NDP), the National Planning Framework 2020 – 2040 (NPF), the Telecommunications Antennae and Support Structures (TASS) Guidelines as revised by Circular Letter PL 07/12, the Regional Economic & Spatial Strategy for the Northern and Western Region (RESS), the Mayo County Development Plan 2022 – 2028 (CDP), the submissions of the parties and the observer, and my own site visit. Accordingly, I consider that this application/appeal should be assessed under the following headings:

- (i) Procedural matters,
- (ii) Policy objectives, need, and planning history,
- (iii) Visual impact and property values,
- (iv) Heritage,
- (v) Access, and
- (vi) Appropriate Assessment.

(i) Procedural matters

7.2. Appellant (a) raises concern over whether the depiction of the siting of the proposed mast is adequate on the submitted plans and over the lack of detail with respect to the proposed extended lane to the site. I have reviewed the submitted plans and I consider that they establish satisfactorily where the proposed mast would be sited. Also, the red edge of the application site denotes the extent of the proposed extended lane, and, as discussed below under the heading of “access”, the applicant has submitted details of the same at the appeal stage.

- 7.3. Appellant (b) raises several procedural matters to do with how the Planning Authority handled the current application. The Planning Authority has not commented on these matters. Significantly, at the appeal stage, the application is considered again *de novo*.
- 7.4. In the light of the foregoing considerations, I conclude that there is no impediment to the Board assessing/determining this application/appeal in the normal manner.

(ii) Policy objectives, need, and planning history

- 7.5. The NDP has, as a fundamental underlying objective, the need to prioritise the provision of high-speed broadband. Objective 48 of the NPF undertakes to “develop a stable, innovative and secure digital communications and services infrastructure on an all-island basis.” Likewise, Objective RPO 6.36 of the RESS echoes these national objectives at the regional level. Locally, under Section 8.10 of the CDP, the Planning Authority “recognises the importance of telecommunication infrastructure which is important in removing the peripheral barrier that the county experiences. It is also recognised that the location of telecommunication infrastructure is dictated by service provision and hence each application will be determined on its own merits.” The applicant states that its proposal would promote the rollout of high-speed broadband services in line with the above cited objectives.
- 7.6. The applicant has addressed why it considers that the proposal is needed. It states that, while Vodafone is the prospective operator from the proposed lattice tower telecommunications structure, Eir and Three would be likely to make use of this structure, too, in the future. Mast sharing would thereby be secured and its corollary, the avoidance of a proliferation of infrastructure, secured. The need on the part of each of these operators to upgrade is apparent from the Communications Regulator’s website, the coverage map on which indicates that levels range from nil, through fringe, to fair for 4G and 5G, in Kilmaine. This need is underscored by the phasing out of 3G, which the coverage map indicates operates at fair or very good levels in the village.
- 7.7. Appellant (b) draws attention to existing wireless 5G coverage provided by Imagine and a 1GB fibre optic broadband which serves Kilmaine. Residents and businesses report satisfaction with the ensuing levels of connectivity. The “need” for the proposal

is therefore questioned, especially as it would involve the erection of a new telecommunication structure rather than an upgrade of existing infrastructure.

- 7.8. Both appellants draw attention to the planning history of a site to the south of the village, which was the subject of 19/345 and ABP-305050-19 for a similar proposal to the current one. Permission was refused on the grounds that the applicant had neither demonstrated the need for the proposal nor that opportunities for co-location did not exist.
- 7.9. The previous applicant identified five existing sites. Each was considered. One, within Kilmaine, was deemed unsuitable to be upgraded, and the remaining four were too remote to achieve the required coverage in the target area. The current applicant has identified the same sites and reached the same conclusions. The question, therefore, arises as to whether there have been any material changes in planning circumstances between the two applications that would warrant a different decision now.
- 7.10. By way of response, the current applicant has, by reference to the coverage map, demonstrated the shortfall in 4G and 5G coverage that is provided by the three operators, and it has emphasised the new imperative arising from the projected phasing out of 3G. I consider that this information does amount to a material change in planning circumstances. Thus, while the alternative sites remain the same as those previously considered, the information with respect to need and the aforementioned imperative are now, variously, more evident and newly evident.
- 7.11. Appellant (b)'s reported satisfaction with the existing level of provision needs to be weighed against the need to ensure that multiple operators are in a position to provide a comparable level of coverage in accordance with national policy objectives.
- 7.12. I conclude that the proposal would, in principle, accord with relevant national, regional, and local policies that promote the provision of telecommunications infrastructure. I conclude, too, that the applicant has demonstrated the need for this proposal and that alternative existing sites would be unsuitable for it. Such demonstration allied with the imperative arising from the phasing out of 3G represent new factors that open the way for the current proposal to be supported, notwithstanding an earlier refusal of a similar proposal to the south of Kilmaine.

(iii) Visual impact and property values

- 7.13. Under the proposal, a 24m high lattice tower would be erected on the site, which is on locally elevated land (44m ASL) to the north of the N84 and to the west of the L1609. Kilmaine GAA grounds lies to the south-west of the main body of the site, at a lower level and c. 15m away at the narrowest point, and the national and local roads are lined by several dwelling houses, the nearest of which lie c. 270m away and c. 200m away, respectively. If the junction between these two roads is regarded as the western entrance to the village, then it lies 360m to the south south-east. The local national school, playschool, and after school lie just beyond this junction and within the village.
- 7.14. The appellants and the observer draw attention to the proximity of the site to the GAA grounds, dwelling houses, and the above cited education facilities. They express concern that, under the TASS Guidelines, the proposal would be too close to these recreational, residential, and educational uses. They also express concern that the proposal itself would be overly visible and so obtrusive within its landscape and village contexts. The appellant has submitted photomontages of the proposal to illustrate its concerns.
- 7.15. The applicant has responded by drawing attention to how, since the TASS Guidelines were adopted in 1996, the provision of telecommunications infrastructure has developed in a manner whereby it needs to be closer to its target to ensure the needed coverage. By implication the Circular Letter PL07/12 acknowledges as much in its debarring of planning authorities from setting minimum separation distances between infrastructure and sensitive land uses.
- 7.16. The applicant also draws attention to the topography of Kilmaine and its environs. The selected site is to the north-west of the village. Other locally elevated land lies to the east, but it would be closer to the village and its amenities, e.g., a recreational loop walk. While the selected site is adjacent to the GAA grounds, the proposal would be seen in conjunction with existing tall structures, e.g., floodlights, goal posts and nets, and electricity poles that run between the site and the grounds. Accordingly, the visual impact of the site would be mitigated.

- 7.17. The applicant critiques the photomontages that appellant (b) has submitted insofar as they are not accompanied by any technical details that would allow their accuracy to be verified. By contrast, its own photomontages are accompanied by such details.
- 7.18. Under the Landscape Appraisal for County Mayo, the site lies within the landscape character area L known as the South-East Mayo Plains and in Policy Area 4 known as Drumlins and Inland Lowland. During my site visit, I observed that the locally elevated site forms part of an extensive area of mildly undulating open countryside, which “reads” as relatively flat and expansive. Within this context, while the proposal would be visible as a tall structure, it would be capable of being absorbed visually and so, apart from within its immediate vicinity, it would not be visually dominant or obtrusive.
- 7.19. Both the appellant and the applicant have submitted photomontages to assist with a visual assessment of the proposal from the vantage points of the above sited sensitive land uses. These photomontages are taken from different vantage points and so they are not directly comparable. Unusually, appellant (b)’s depiction of the proposal is highlighted in a manner that “draws the eye”, making any “reading” of it difficult. Nevertheless, I consider it is clear from both submissions that the proposal would be highly visible from the GAA grounds and the nearest dwelling houses along the N84 and the L1609. I concur with the applicant that the visual impact of the proposal would be mitigated by existing tall structures either in or adjacent to the GAA grounds. I also consider that the intervening distances between the proposal and the nearest dwelling houses would serve to reduce the visual impact upon residents and so, while their views would be affected, I do not consider that the proposal would appear unduly dominant or obtrusive.
- 7.20. Appellant (b) cites the advice of a local auctioneer concerning the likely effect of the proposal upon property values. This advice was given in connection with the earlier application 19/354, but it is still considered to be relevant. The applicant responds by drawing attention to how, in the absence of connectivity, property values can fall or at least not be optimised. In the light of my conclusion that the proposal would be compatible with the visual amenities of the area, I do not anticipate that property values would be adversely affected, and the possibility exists that they may be enhanced by greater connectivity from a wider range of service providers.

7.21. I conclude that the proposal would be compatible with the visual amenities of the area and so it would not adversely affect property values.

(iv) Heritage

7.22. Appellant (b) draws attention to the Rausakeera ringfort, which is 459m to the north of the site. It expresses concern that the applicant did not undertake an archaeological impact assessment of the proposal upon this ringfort. The applicant responds by stating that its proposal would, due to the intervening separation distance, have no impact upon the ringfort.

7.23. Under the National Monuments Service's (NMS) historic environment viewer, the Rausakeera ringfort is identified (MA118-114001 & 2), and it is scheduled for inclusion in the NMS's Records of Monuments and Places when they are next revised. I concur with the applicant's view that the separation distance between this ringfort and the application site is sufficient to ensure that the proposal would not affect it, and so an archaeological impact assessment is not necessary.

7.24. I conclude that the proposal would be compatible with the heritage of the surrounding area.

(v) Access

7.25. Under the proposal, an agricultural track from the L1609 to an existing cattle shed would be extended westwards to the site. This track is served by an existing agricultural gateway, which affords access from the local road. Sightlines from this gateway and forward visibility along the local road would be satisfactory.

7.26. The proposal would generate traffic during the construction (temporary) and operational (4 – 6 visits annually) phases. Its compound would be laid out to provide a turning area for visiting vehicles. The extension to the existing agricultural track would incorporate a porous lining, and so it would not affect the existing pattern of surface water flows.

7.27. The appellants express concern that the proposal would be a distraction to road users along the N84 and the L1609. However, as the siting of this proposal would be set back significant distances from both these national and local roads, I do not consider that it would be a distraction to road users.

- 7.28. Appellant (b) also expresses concern an ambulance helicopter service, which uses the GAA grounds adjacent to the site, may be affected by the proposal. The applicant responds by drawing attention to the absence of any technical information in this respect. It also draws attention to the existence of tall structures at these Grounds, which any helicopter would need to negotiate as it is. Nevertheless, it suggests that, if deemed necessary, a red light could be attached to the top of the proposed lattice tower.
- 7.29. I conclude that the proposed access arrangements for the site would be satisfactory. I conclude, too, that the installation of a red light on the proposal would allay air traffic concerns.

(vi) Appropriate Assessment

- 7.30. The site is neither in nor beside any European site. The proposal is for the erection of a lattice tower to support antennae and dishes. I am not aware of any hydrological or other source/pathway/receptor route between this site and any European site in the wider area.
- 7.31. The appellant draws attention to wetlands and wildfowl in the surrounding area, and it expresses the view that the proposal should, therefore, have been the subject of a Stage 2 appropriate assessment.
- 7.32. The appellant has not identified the wetlands that it is referring to. The NPWS's designations viewer identifies turloughs and fens, variously, to the north and the west of the site and these are designated as SACs. However, their qualifying interests do not include wildfowl. Accordingly, in the absence of any hydrological link and in the absence of wildfowl, which are qualifying interests, the need for appropriate assessment does not arise.
- 7.33. Having regard to the nature, scale, and location of the proposal, the nature of the receiving environment, and the proximity to the nearest European site, it is concluded that no appropriate assessment issue arise as the proposal would not be likely to have a significant effect individually or in combination with other plans and projects on a European site.

8.0 Recommendation

8.1. That permission be granted.

9.0 Reasons and Considerations

Having regard to:

- The National Development Plan 2018 – 2027,
- Objective 48 of the National Planning Framework 2020 – 2040,
- Objective 6.36 of the Regional Spatial & Economic Strategy for the Northern and Western Region 2020 – 2032
- The Telecommunications Antennae and Support Structures Guidelines as revised by Circular Letter PL 07/12, and
- Section 8.10 of the Mayo County Development Plan 2022 – 2028,

it is considered that, subject to conditions, the proposal would contribute to the roll out of broadband services, especially 4G and 5G services against the backdrop of the planned phasing out of 3G services, in accordance with national, regional, and local objectives. The visual impacts of this proposal would be compatible with the amenities of the area. Existing access arrangements would be capable of being utilised satisfactorily. No water or Appropriate Assessment issues would arise. The proposal would, therefore, accord 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, as amended by the further plans and particulars received by An Bord Pleanála on the 12 th day of December 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
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	<p>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>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>
3.	<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>
4.	<p>Details of a red aeronautical warning light to be installed on top of the proposed lattice tower shall be submitted to and agreed in writing with the planning authority prior to commencement of development.</p> <p>Reason: In the interest of public safety.</p>
5.	<p>The developer shall allow, subject to reasonable terms, other licensed mobile telecommunications operators to co-locate their antennae onto the telecommunications structure, subject to the provisions of Class 31 of Part 1 of Schedule 2 to Article 6 of the Planning and Development Regulations, 2001 (as amended).</p> <p>Reason: In order to avoid the proliferation of telecommunications structures in the interest of visual amenity.</p>
6.	<p>On decommissioning of the telecommunications structure, the structure and all ancillary structures shall be removed, and the site reinstated within 3 months of decommissioning.</p> <p>Reason: In the interest of the proper planning and sustainable development of the area.</p>

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Hugh D. Morrison
Planning Inspector

30th March 2023