



An
Bord
Pleanála

Inspector's Addendum Report ABP-315529-23

Development	Erection of a 36m high lattice support structure carrying antennas and dishes.
Location	Seefin, Craughwell, Co. Galway.
Type of Appeal	Third Party.
Planning Authority	Galway County Council.
Planning Authority Reg. Ref	2261021.
Appellant(s)	Hibernian Cellular Networks Ltd.
Planning Authority Decision	Grant Permission.
Inspector	Stephen Rhys Thomas.

1.0 Preliminary

- 1.1. This report has been prepared pursuant to two Board Directions, reference numbers BD-015338-23 and BD-016496-24 refer. BD-015338-23 invited the applicant to provide a visual impact assessment to include CGIs/photomontages with specific reference to visual impact from nearby residential properties. In addition, the applicant was requested to give a justification for the height of the proposed mast.
- 1.2. BD-016496-24 required the circulation of the material received from the applicant to all parties to the appeal and seek further comments and subsequent to this, the order seeks an addendum report to be prepared in response to any additional material.
- 1.3. Information has been received from the applicant, it was referred to all parties and submissions were received from:
 1. Ruth Hegarty, including three appendices as follows:
 - Correspondence from Councillor Geraldine Donohue
 - Visual Impact Images
 - A report prepared by Galway Community Archaeology
 2. John and Marion Keating
- 1.3.1. The Board decided that the file be referred back to the Inspector for an updated report and recommendation having regard to all submissions received.

2.0 Further Responses

2.1. Summary of Responses

- 2.1.1. All received further responses as they relate to the appeal referred to ABP-315529-23, are summarised below.

2.2. The Applicant

- 2.2.1. Response dated 29 April 2024
- 2.2.2. The applicant has prepared a Coverage Predication Report to address the rationale for the 36 metre height of the proposed telecoms mast. In addition, photomontage images taken from four viewpoints has been prepared.

2.2.3. The Coverage Predication Report sets out the technical justification for the location, design and height of the proposed mast. The location and design of two other masts in the vicinity are set out, figures 1 and 4 refer. The current coverage in relation to 3G, 4G and 5G are illustrated, figures 1-3 refer, and the resultant coverage predications are set out by section 3 of the report. The site selected is stated as being one the highest points in the area, atop a 77 metre high spot, together with a 36 metre mast, the optimisation of the site is ensured. This is as a result of ensuring the mast's lowest portion works effectively, transect drawings illustrate the elimination of no coverage shadows due to intervening landscape features. A comparison is made between a 30 metre and a 36 metre tower, the table on page 19 refers. The report concludes that with coverage zones identified, existing mast sites will not address lower network band deficiencies. The proposed site will achieve optimum long term evolution (LTE) or 4G services and optimise 5G coverage. The site will also meet local population and transport routes in the area. The 36 metre tower height will help with line of site connections and provide infrastructure for adapting to new technologies; improved coverage, accommodating other operators and better microwave links.

2.2.4. The photomontage report provides four viewpoints from around the area, of the proposed mast and without the proposed mast.

2.3. The Appellant

2.3.1. Ruth Hegarty

2.3.2. Response dated 17 July 2024.

2.3.3. In terms of visual impact, significant impacts to nearby residences are envisaged. A detrimental impact to local heritage items is a concern and the wider visual impact in the rural area is also noted. Associated lighting is also raised as an issue that has not been addressed.

2.3.4. With reference to the justification for the proposed mast it is noted that the local community opposed the development, including the Tae Kwon Do School and tourism is not exploited in the area other than the views that can be had from the monument. There is already fibre broadband in the area and this is superior to 5G, the technology offered by the mast is not needed and not up to standard (National Broadband Plan). There are other locations set back from the road and away from residences that have a higher elevation than the site proposed.

- 2.3.5. The archaeological and heritage significance of the area is highlighted and a report submitted, in which it is explained that the souterrain is damaged and requires repair.
- 2.3.6. The appellant calls for an Oral Hearing, a fee has not been submitted. A list of local residents is attached.
- 2.3.7. Within the appendices to the response the appellant has submitted an observation from Councillor Geraldine Donohue that outlines concerns with regard to the height of the mast and impacts to Recorded Monument Number GA104-269001 (Souterrain) and GA104-265 (Tower House). The observation calls for an Oral Hearing, no fee has been submitted.
- 2.3.8. The submission also includes photomontages (eight viewpoints, not mapped) prepared by Ruth Hegarty, the images show the proposed mast in relation to houses and heritage items.
- 2.3.9. Lastly, a report prepared by Galway Community Archaeology sets out the heritage importance of the area with respect to a souterrain, the Daly monument and Seefin Castle to the north east of the site. The condition of the souterrain is noted and photographed as well as Seefin Castle a distance to the north east. Recorded Monument details are set out for GA104-269 Ringfort cashel, GA104-269001 Souterrain, GA104-269002 House-indeterminate date and GA104-265 Castle-tower house. Further assessment of each site is set out, repairs are required, and funding opportunities are outlined.

2.4. Observer

- 2.4.1. Response dated 15 July 2024
- 2.4.2. John and Marion Keating prepared a submission that reiterates their previous concerns and responds to the reports prepared by the applicant to which the observers disagree. In addition, the observation raises issues to do with the amenity impacts and visual impacts that are incorrectly set out. Supporting evidence details an issue about distance to boundaries and access to a right of way, three photographs refer. Finally, I note a hyperlink is included with the observation that is password protected and to which I have no access. No other material is available on the file either electronically or in hard copy format.

3.0 Assessment

3.1. Introduction

3.1.1. In this, my addendum report, I have confined myself to all new matters raised by the applicant, the appellant and observers to the appeal. The issues to be dealt with include:

- Mast Height Rationale
- Visual Impact
- Other Matters
- Conclusion

3.2. Mast Height Rationale

3.2.1. The applicant has submitted material to support the proposed location and height of the proposed mast and this information builds on the information submitted with the initial planning application. Section 2.6 of my previous report refers and the information submitted by the applicant does not change my view on the matter of location. According to the applicant, if permitted the location of the proposed mast would improve digital communications and provide support for rural areas as outlined by objectives set out in the national, regional and local policy environment.

3.2.2. The applicant has also provided a comparison between a 30 metre and 36 metre high mast and unsurprisingly the taller mast performs better and provides an optimal coverage solution over a wider area. However, I note that the performance of the 30 metre mast still improves matters across all parameters. The applicant has not detailed what overlap there is between a 30 metre mast and the prevailing situation provided by existing masts in the area as set out in section 2.2 of their report. Only the 36 metre high tower was used for inputs and assumptions, section 3 of their report refers. The appellant and observers disagree with the applicant's assertions regarding the need for a 36 metre mast and moreover third parties do not see a requirement for a mast at this location at all.

3.2.3. A fuller account of alternatives in terms of mast height and probably design, should have been prepared by the applicant but it was not. According to the material on file, I can see that a 30 metre mast has been considered and matters are improved in terms of coverage. It is disappointing that comparisons were not made in the visual

assessments for both a 30 metre and a 36 metre mast. In any case I anticipate that matters to do with visual impact would have been improved if a mast of lesser height had been selected. With regard to rationale for the selection of a 36 metre mast, I am not convinced that it is entirely appropriate at this location, specifically when it turns out that a 30 metre mast would achieve some improvements, albeit not to the optimal standards that the applicant desires. I note that mast height is dictated by achieving optimal coverage results combined with mast location. In this instance, the mast is to be located at a particular high point within the surrounding landscape. I see that coverage data is provided for both a 30 and 36 metre mast and it is not uncommon for either height of mast to be located throughout the country and operate within design parameters. Given the particular issues raised by neighbouring residents and the sensitivities around particular heritage issues in the immediate vicinity, I am satisfied that the Board should consider a condition that restricts the height of the mast to 30 metres in total.

3.3. Visual Impact

- 3.3.1. The applicant was asked to prepare a visual assessment to show the proposed mast and what impacts it has on the area. The applicant submitted photomontages prepared by innovision.ie and has selected four viewpoints that show trees and vegetation in a winter state, i.e. without leaves. The mast is shown in images as carrying a minimal amount of communication drums and antennas, a situation that might change if co-location opportunities are pursued and permitted as relevant. The appellant has also prepared a series of photomontage images, reproduced during the summer season with vegetation in full leaf and with a lattice frame mast structure that carries a greater number of drums and antennas with associated ducting. The comparison to be made between both sets of photomontage images is predictable. The applicant's images show a light weight structure that is barely visible from some viewpoints and the appellant's images show a heavy weight structure that dominates its surroundings.
- 3.3.2. In my experience, photomontage images only provide an indication of visual impact and serve to inform assessment rather than to lead. In this instance, it is fair to say that a tall structure of any kind will be a new addition to a landscape that heretofore has only been populated by housing, forestry and telegraph poles. The proposed mast will be a new addition to the landscape and that is not in doubt. I find the

appellant's images to be too complimentary to the surroundings and the appellant's images too far in the other direction.

3.3.3. A 36 metre lattice frame mast will be a new addition to the landscape and will result in an impact that will likely be viewed from a variety of locations both near and far. However, as I have already pointed out in my initial report, the landscape is designated as having a low sensitivity, section 2.4 of that report refers. Specifically, I note that Policy objective ICT 5 of the current development plan requires best practice in both siting and design in relation to the erection of communication antennae and support infrastructure, in the interests of visual amenity and the protection of sensitive landscapes and that Development Management Standard 42 states the current state of technology requires the construction of masts and antennae in the countryside the following standards will apply:

a) Landscape Sensitivity - In instances where telecommunications masts are essentially required in landscape sensitivity Class 3(Special) or Class 4 (Iconic), a Visual Impact Assessment shall be required with all planning applications for these locations. In this instance, the landscape sensitivity is set at Class 1 Low, however, the Board required the submission of Visual Impact Assessment and I note its contents and have assessed same.

b) Amenity Impacts - Masts and associated base station facilities should be located away from existing residences and schools. There are no nearby schools and the closest residence is 70 metres to the north.

c) Landscape Impacts - Masts should be designed and located so as to cause minimum impact on the landscape. If possible, sites should be located within forest plantations. Access roads shall be permitted only where essential. Where provided, they should not scar the landscape on which they are located. Roads should follow the natural contours of the site in order to minimise their visual intrusion, and should be bordered with shrubs after construction. Masts should be sited to avoid the location of such structures in sensitive landscapes, in nature conservation areas, in highly sensitive landscapes and where views are to be preserved. In this case, the landscape is designated as having a low sensitivity, there are no nearby nature conservation areas, highly sensitive landscapes or views to be protected. A maturing forestry plantation is located immediately to the south and east of the proposed site.

Access will be gained from an existing Uisce Éireann compound and a short farm track.

d) Co-Location – can be addressed by condition.

e) Security – fencing is proposed

f) Redundancy - can be addressed by condition.

3.3.4. Given the forgoing, the proposed mast broadly meets all of the development management standards set out and would therefore comply with policy objective ICT 5 of the current development plan.

3.3.5. I observe that there are a number of heritage features in the vicinity and wider landscape and these are well documented by the appellant and observers. However, the body with responsibility for commenting in relation to archaeology in particular, do not raise similar concerns. Instead, the Development Applications Unit (DAU) of the Department of Housing, Local Government and Heritage, with responsibility for archaeology recommend the attachment of condition that requires archaeological monitoring prior to the commencement of development. This matter can be addressed by a suitably worded condition.

3.3.6. With respect to visual amenity in general and the potential for adverse impacts to local archaeology and heritage, based on the material on file it is my view that the impacts will not be so great. The site for the proposed mast is close to maturing forestry, an existing Uisce Éireann compound and housing. The wider landscape has not been identified as an archaeological landscape of significance and as already mentioned, the landscape sensitivity of the area is classed as low. Taking all these matters into account in terms of height rationale and visual impact, I maintain the view that a mast at this location will be acceptable and in addition to a reduction of height by 6 metres, a mast of 30 metres in total height would be appropriate and result in a lesser visual impact than that initially envisaged.

3.4. Other Matters

3.4.1. Right of Way - An issue has been raised by an observer regarding a right of way. In terms of the legal interest, I am satisfied that the applicants have provided sufficient evidence of their legal interest for the purposes of the planning application and decision. Any further consents that may have to be obtained are essentially a subsequent matter, and are outside the scope of the planning appeal. In any case,

this is a matter to be resolved between the parties, having regard to the provisions of s.34(13) of the 2000 Planning and Development Act.

- 3.4.2. Construction Damage – A theory is advanced by the appellant that the construction of the mast would lead to further damage to the nearby souterrain that has already sustained damage some time in the past. In this regard, I note that the proposed baseplate for the mast is located more than 70 metres away and beyond a public road. I also note that other building projects have taken place in the past including rural houses and Uisce Éireann infrastructure. The DAU did not raise similar concerns and nor do I. Drawings indicate a foundation level of 800mm below ground level for fencing. Though I note that no similar detail is on file for the mast itself. In any case, I do not anticipate that the construction techniques deployed for the proposed development would be significantly different from adjacent development already built.

3.5. Conclusion

- 3.5.1. I have had regard to all of the documentation now on file and made available to me. I maintain my initial recommendation to grant permission subject to conditions. However, in light of the material prepared by the applicant, appellant and observers, I am of the view that visual impact is a matter of relevance at this location and one that can be addressed by a reduction in overall mast height without significant loss of coverage performance. In addition, I note that concerns with regard to archaeological matters and these too can be addressed by condition. In that regard, all of the conditions recommended in my initial report stand, in addition to those recommended below.

4.0 Recommendation

- 4.1. I recommend that planning permission should be granted subject to conditions, for the reasons and considerations as set out in the Inspector's Report dated 15th August 2023. In addition to the eight conditions already recommended, an additional two conditions are required:

5.0 Reasons and Considerations

Having regard to:

- (a) The DOEHLG Section 28 Statutory Guidelines; Telecommunications Antennae and Support Structures: Guidelines for Planning Authorities, 1996, as updated by circular letter PL 07/12 in 2012,
- (b) The Galway County Development Plan 2022 – 2028,
- (c) The low landscape sensitivity of the area,
- (d) The nature and scale of the proposed telecommunication structure,
- (e) The existing use of the site, and the pattern of development in the area,
- (f) The demonstrated need for the telecommunications infrastructure at this location,
- (g) The visual impact assessments submitted by the applicant and the appellant, the mast height rationale submitted by the applicant and other matters raised by the appellant and observers,

it is considered that subject to compliance with the conditions set out below, the proposed development would not be visually intrusive or seriously injurious to the amenities of the area or the residential amenities of properties in the vicinity, would not be prejudicial to public health and, would be in accordance with the proper planning and sustainable development of the area. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

6.0 Conditions

9. The proposed development shall be amended as follows:

- (a) The overall height of the proposal lattice frame telecommunications mast shall be reduced by 6 metres and the overall height shall not exceed 30 metres inclusive of drums and antennas.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual and residential amenity.

10. 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:

- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation including hydrological and geotechnical investigations relating to the proposed development, and
- (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:

- (i) the nature and location of archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall 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.

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.

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.

Stephen Rhys Thomas
Senior Planning Inspector

15 August 2024