



An  
Bord  
Pleanála

## Inspector's Report ABP-317270-23

### Development

To erect a 30m high telecommunications structure together with antennas, dishes and associated telecommunications equipment. The development is within the curtilage of a PROTECTED STRUCTURE.

### Location

Castlewilder, Abbeyshrule, Co.  
Longford

### Planning Authority

Longford County Council

### Planning Authority Reg. Ref.

22233

### Applicant(s)

Vantage Tower Limited

### Type of Application

Permission

### Planning Authority Decision

Grant

### Type of Appeal

Third Party

### Appellant(s)

William Glennon and Julie Shanley

### Observer(s)

None

### Date of Site Inspection

31/08/2023

**Inspector**

Lorraine Dockery

## **1.0 Site Location and Description**

- 1.1 The application site, which has a stated area of 0.0064 hectares, is located within the townland of Castlewilder, accessed off the R393 Regional Road, Abbeyshrule, Co. Longford.
- 1.2 There area number of Protected Structures within the vicinity of the site. The site is stated to be within the curtilage of a Protected Structure (house and associated outbuildings RPS No. 161 and 162 respectively). It is located approximately 1km north of Abbeyshrule aerodrome. This is a rural, agricultural area.

## **2.0 Proposed Development**

- 2.1 Permission is sought to erect a 30m high lattice telecommunications structure together with antennas, dishes and associated telecommunications equipment. The works are to be enclosed by security fencing and the works also involve the extension of an existing access track. The development is within the curtilage of a Protected Structure.
- 2.2 The application is accompanied by a letter of consent from Michael Mel Farrell (owner of the property), giving his consent to the applicants to erect a telecommunications installation on his property (dated 01/09/2022).
- 2.3 The application is also accompanied by a letter from Vodafone Ireland Ltd (dated 15/09/2022) which states that as a result of Vodafone network requirements to provide improved mobile and wireless broadband coverage to the Abbeyshrule area, Vodafone will commit to installing equipment on the tower subject to Vantage Towers obtaining planning permission.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Permission GRANTED, subject to 9 conditions.

Further Information was requested by the planning authority in relation to submission of a statement of compliance with International Radiation Protection Association and international safety guidelines on electromagnetic radiation; potential impacts on existing streams and surface water proposals; potential impacts on Abbeyshrule aerodrome and visual impact assessment on nearby sensitive receptors.

Clarification of Further Information was requested by the planning authority in relation to details of party who carried out visual impact assessment and submission of detailed landscaping plan.

## **3.2. Planning Authority Reports**

### **3.2.1. Planning Reports**

The main points of the planner's report include:

- Report reflects decision of planning authority; recommends grant of permission

### **3.2.2 Other Technical Reports**

Environment Section- Further Information requested (report dated 27/10/22)

Environmental Health Officer- Further Information requested (report dated 01/11/22)

## **3.3 Prescribed Bodies**

Irish Aviation Authority- aeronautical assessment should be conducted

## **4.0 Planning History**

None

## **5.0 Policy and Context**

### **5.1 National Policy**

- Telecommunications Antennae and Support Structures- Guidelines for Planning Authorities 1996
- Circular Letter PL07/12

## 5.2 Development Plan

The Longford County Development Plan 2021-2027 is the operative Development Plan for the area.

Zoning- the site falls outside the designated development envelopes as specified in the Longford County Development Plan 2021.

Section 16.4.17 Telecommunications and Broadband

Section 5.9 Information and Communication Infrastructure

Section 5.9.1 Telecommunications Infrastructure

### Policy CPO 5.174

Promote orderly development of telecommunications infrastructure throughout the county in accordance with the requirements of the following:

- 'Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities' (1996), except where they conflict with Circular Letter PL 07/12 which shall take precedence, and any subsequent guidelines.
- 'Guidance on the potential location of overground telecommunications infrastructure on public roads', (Dept of Communications, Energy & Natural Resources, 2015).

### Policy CPO 5.175

Ensure that the location of telecommunications structures should minimise and /or mitigate any adverse impacts on communities, public rights of way and the built or natural environment.

### Policy CPO 5.176

Encourage co-location of antennae on existing support structures and to require documentary evidence as to the non-availability of this option in proposals for new 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

There are a number of policies and objectives relating to built heritage and Protected and Section 16.4.20.1 relates to same.

Section 11.7 Record of Protected Structures

### **5.3 Natural Heritage Designations**

The appeal site is not located in or immediately adjacent to a designated European Site, a Natural Heritage Area (NHA) or a proposed NHA.

### **5.4 EIA Screening**

Having regard to the nature and scale of the development proposed, the site location within an established built-up urban area which is served by public infrastructure and outside of any protected site or heritage designation, the nature of the receiving environment and the existing pattern of residential development in the vicinity, and the separation distance from the nearest sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## **6.0 The Appeal**

### **6.1 Grounds of Appeal**

A third party appeal was received, which may be broadly summarised as follows:

- Impacts on landscape character; proposal is out of character in this rural landscape
- Appellants property is a Protected Structure (Reference No. 13402320) and has a 'Regional' rating on the NIAH; two additional Protected Structures within the nearby vicinity (Reference No. 13402321 and 13402322); area rich in historical value; proposal out of character and will have significant detrimental effect on historical and scenic value of the area. In curtilage of Protected Structure and proposal cannot be considered to enhance or retain its character; more appropriate locations available; lacks a Heritage Council report
- Proposal contravenes Development Plan objectives

- Overdevelopment of masts in the area
- Other Matters- health risks; impacts on property values

## **6.2 Planning Authority Response**

None

## **6.3 Observations**

None

## **6.4 Further Responses**

A response to the appeal was received on behalf of the first party, which refutes the grounds of appeal. In summary,

- Outlines need for proposed development and justification for same
- Proposal meets with the requirements of the Development Plan and assimilates well into the landscape
- Is away from any Protected Structures and does not negatively impact on their character or infringe their curtilage

## **7.0 Assessment**

7.1 I have read all the documentation attached to this file including inter alia, the appeal submission, the reports of the Planning Authority and response received, in addition to having visited the site.

7.2 The primary planning issues, as I consider them, impacts on the visual amenity of the area, including impacts on the built heritage, together with other matters.

7.3 At the outset, I acknowledge the need for telecommunication infrastructure, in accordance with national government policy and the need to place such infrastructure on appropriate sites in appropriate locations. I also acknowledge policy contained within the operative County Development Plan in support of the facilitation of telecommunications infrastructure in appropriate locations. I note the justification put forward within the documentation for the need for the subject telecommunications structure at this location.

- 7.4 I have had regard to the appellant's submitted documentation. In terms of impacts on the visual amenity of this rural area, I concur with the opinion of the planning authority that this is an area of low landscape sensitivity. The area is listed as 'open agricultural', as set out in section 14.6.7 of the operative County Development Plan. As per section 14.7 of the operative County Development Plan, there appears to be no Protected Views within the vicinity of the site. I have examined all of the information before me in this regard including the series of photomontages submitted as part of the Further Information request to the planning authority and I have undertaken a visit of the site and its surrounds. I acknowledge that the proposed development will be visible from some vantage points in the area, particularly in the near distance. However, I consider that any impacts would not be so great as to warrant a refusal of permission. I consider that the landscape has capacity to absorb a development of the nature and scale proposed, without detriment to the visual amenities of the area. The proposed colour scheme could be adequately dealt with by means of condition, which would aid in its further assimilation. I recommend that if the Board is disposed towards a grant of permission, that a condition be attached to any such grant, stipulating that site be reinstated upon the removal of the telecommunication structure and ancillary structures.
- 7.5 In terms of impacts on built heritage, I acknowledge that this is an area rich in historical value. I note the location of the proposed works, stated to be within the curtilage of a Protected Structure and the proximity of these proposed works to the dwelling and its associated outbuildings (RPS No. 161 and 162 respectively). These structures are also listed on the NIAH as being of 'Regional' importance (NIAH Ref. 13402321 and 13402322). I also note the proximity of the site to other Protected Structures in the vicinity, including the appellants property (The Old Forge, RPS No. 164; NIAH Regional rating, Ref. 13402320), located to the south-west of the subject site. Again this property is stated to be of 'Regional' importance on the NIAH. The presence of a mound, listed on the Record of Monuments and Places (Ref. LF023-105) is also acknowledged.
- 7.6 I note the policies in the operative County Development Plan to protect and enhance these structures, including Policy CPO11.17 which seeks to ensure the protection of structures included in the Record of Protected Structures by by controlling development which would alter the character of Protected Structures and proposed



Protected Structures. I have also examined national guidance in the regard, primarily the Architectural Heritage Protection Guidelines. I note that the planning authority referred the application to the Heritage Council, as required under the legislation, however no response appears to have been received. I am satisfied that any impacts on either the appellants property or the Protected Structures within the curtilage of which the proposed works are to be located, are not so great as to warrant a refusal of permission. I am of the opinion that the proposal would not significantly adversely affect the character or setting of any Protected Structure in the vicinity of the site to such a degree as to warrant a refusal of permission. I am generally satisfied in this regard.

#### Other Matters

- 7.7 In response to health concerns raised, I note a submission from Vodafone Ireland which states that the equipment to be installed at this site is designed to be in full compliance with the requirements of the Radio Frequency (RF) public exposure guidelines of the International Commission on Non-Ionising Radiation (ICNIRP), as expressed in the EU Council recommendation of 12<sup>th</sup> July 1999 “on the limitation of exposure of the general public to electromagnetic fields (0 Hz to 300 GHz) (correspondence dated 18/11/2022). I have no information before me to refute this and I am therefore satisfied in this regard.
- 7.8 In response to concerns raised regarding devaluation of property values, I have no information before me to substantiate these claims.
- 7.9 I have no information before me to believe that there is an over-development of masts in this area and I accept the justification put forward by the first party in this regard.

#### Conclusion

- 7.10 I consider that the proposed development is in accordance with the provisions of the operative County Development Plan and is in accordance with the proper planning and sustainable development of the area.

## **8.0 Appropriate Assessment Screening**

8.1 Having regard to the nature and scale of the proposed development, the location of the site within an adequately serviced urban area, the physical separation distances to designated European Sites, and the absence of an ecological and/ or a hydrological connection, the potential of likely significant effects on European Sites arising from the proposed development, alone or in combination effects, can be reasonably excluded.

## **9.0 Recommendation**

9.1 I recommend permission be GRANTED, subject to conditions.

## **10.0 Reasons and Considerations**

Having regard to:

- (a) the National Strategy regarding the provision of mobile communication services,
- (b) the Guidelines relating to Telecommunications Antennae and Support Structures which were issued by the Department of the Environment and Local Government to Planning Authorities in July, 1996, as updated by the Circular Letter PL07/12 issued by the Department of the Environment, Community and Local Government on the 19th day of October, 2012,
- (c) the nature and scale of proposed telecommunications support structure, and
- (d) pattern of development in the area,

it is considered that subject to compliance with conditions below, the proposed development would not seriously injure the visual or residential amenities of the area or of property in the vicinity, would not be prejudicial to public health, would be in accordance with the policies set out in the Development Plan in relation to telecommunications infrastructure. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by further Information received by the planning authority on 13<sup>th</sup> March 2023 and Clarification of Further Information received by the planning authority on 28<sup>th</sup> April 2023, 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 the commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Prior to the commencement of development, 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.

**Reason:** In the interest of visual amenity.

3. Prior to the commencement of any works on site, the applicant shall ascertain and comply with all requirements of the planning authority in relation to aeronautical matters

**Reason:** In the interests of aviation safety

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

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

5. Details of the proposed landscaping scheme shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

**Reason:** In the interest of visual amenity.

6. The transmitter power output antennae type and mounting configuration shall be in accordance with the details submitted with the application and notwithstanding the provision of the Planning and Development Regulations 2001, any statutory provisions amending or replacing them shall not be altered without a prior grant of planning permission.

**Reason:** To clarify the nature and extent of the permitted development and to facilitate a full assessment of any future alterations.

7. The site shall be reinstated upon the removal of the telecommunication structure and ancillary structures. Details of the reinstatement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

8. Any change in the ownership of the site or the operator of the structure shall be communicated with the planning authority.

**Reason:** In the interest of clarity.

9. 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 provide details of intended construction practice for the development, including hours of working, noise management measures, machinery storage and off-site disposal of construction/demolition waste.

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

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.

---

Lorraine Dockery  
Senior Planning Inspector

04<sup>th</sup> September 2023