



An  
Bord  
Pleanála

## Inspector's Report

### ABP-319088-24

<b>Development</b>	Erection of 15m high monopole telecommunications support structure together with antennas, dishes, and associated telecommunications equipment, all enclosed in security fencing.		
<b>Location</b>	Eir Exchange, Castletown, Easkey, Co. Sligo.		
<b>Planning Authority Ref.</b>	2360324.		
<b>Applicant(s)</b>	Eircom Ltd.		
<b>Type of Application</b>	Permission	<b>PA Decision</b>	Refuse permission.
<b>I</b>			
<b>Type of Appeal</b>	First Party	<b>Appellant</b>	Eircom Ltd.
<b>Observer(s)</b>	None		
<b>Date of Site Inspection</b>	21 <sup>st</sup> May 2024.	<b>Inspector</b>	Des Johnson

#### Context

##### 1. Site Location/ and Description.

1.1 The site is located at the western outskirts of Easkey Village in Co. Sligo, fronting on to a minor road leading from the R297 northwards towards the coast.

1.2 There is an existing exchange building and 12m high wooden pole on the site. Approximately 70m to the south, there is an existing 27m high telecommunications lattice tower with antennae and dishes. Adjoining lands to the west are agricultural fields. A short distance to the east is a primary school and St. James's Church.

There are existing dwellings a short distance to the north and the east of the appeal site. The surrounding landscape outside the village is relatively flat.

## **2. Description of development.**

2.1 The proposal is for the erection of 15m high monopole telecommunications support structure together with antennas, dishes, and associated telecommunications equipment, all enclosed in security fencing. A lightening finial 1.5m high is proposed at the top of the monopole, giving an overall height of 16.5m.

2.2 The site area is stated to be 0.099ha.

## **3. Planning History.**

3.1 No relevant planning history relating to the appeal site on file.

## **4. Planning Policy**

4.1 The National Planning Framework includes National Policy Framework Objective 24 – to support and facilitate delivery of the National Broadband Plan as a means of developing further opportunities for enterprise, employment, education, innovation, and skills development for those who live and work in rural areas.

4.2 Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities. 1996. The Guidelines are generally supportive of the development and maintenance of a high-quality telecommunications service. Visual impact is identified as among the more important considerations which must be taken into account. Visual impact will vary with the general visual context of the proposed development. Great care is needed when dealing with fragile or sensitive landscapes, and with other areas designated or scheduled under planning or other legislation. In most cases the applicant will only have limited flexibility as regards location, given the constraints arising from radio planning parameters. Only as a last resort should free-standing masts be located within or in the immediate surrounds of smaller towns or villages. If such location should become necessary, sites already developed for utilities should be considered and masts and antennae should be designed and adapted for the specific location. The support structure should be kept to the minimum height consistent with effective operation and

should be monopole (or poles) rather than a latticed tripod or square structure. Sharing of facilities is to be encouraged and applicants should satisfy the authority that they have made a reasonable effort to share. Only as a last resort, and if alternatives are unavailable or unsuitable, should free standing masts be located in a residential area or beside schools.

4.3 Circular Letter PL07/12, issued on 19<sup>th</sup> October 2012, revises sections of the 1996 Guidelines. The Circular Letter refers to a growing trend for Development Plans to specify minimum distances between telecommunications structures and houses and schools. This does not allow for flexibility on a case by case basis, and can make the identification of new infrastructure very difficult. Separation distances should not be specified in Development Plans. Section 2.6 of the Circular letter refers to Health and Safety Aspects and reiterates the advice of the 1996 Guidelines that planning authorities should not include monitoring arrangements as part of planning permission conditions nor determine planning applications on health grounds. Planning authorities should be primarily concerned with the appropriate location and design of telecommunications structures. Health issues are regulated by other codes and such matters should not be additionally regulated by the planning process.

#### 4.4 Regional Social and Economic Strategy (RSES) for the North & Western Regional Assembly 2020-2032.

RPO 6.36 – Support the roll out of the National Broadband Plan within the lifetime of this strategy and grow the regional digital economy.

RPO 6.52 – Understand, advocate for, and facilitate the existing and future infrastructure needs of our urban areas, the wider region and beyond – immediate priorities include access to ultra-fast and rural broadband initiatives.

#### 4.5 The Sligo County Development Plan 2017-2023 was extended to July 2024.

Section 11.2.2 relates to Mobile Telephony Infrastructure. The Plan states that Sligo County Council recognises the importance of high-quality telecommunication infrastructure as a prerequisite for a successful economy. It is the aim of the Council to achieve a balance between facilitating the provision of

telecommunications services in the interests of social and economic progress, and protecting residential amenity and environmental quality. Due to their design and large scale, telecommunication structures can have a significant visual impact on the landscape, both urban and rural. The deregulation of the industry has brought both choice and competition, sometimes associated with duplication and over-provision of facilities. The Guidelines encourage mobile telecommunications operators to share sites. The Council will ensure that all new support structures meet the co-location or clustering requirements of the guidelines. Shared use of existing structures will be necessary in order to avoid excessive numbers of masts within any given area.

Telecommunications policy may be summarised as follows:

P-TEL-1 to protect areas of significant landscape importance from the visual intrusion of large-scale telecommunications infrastructure.

P-TEL-2 ensure telecommunications infrastructure is subject to compliance with the Habitats Directive, and minimise any adverse visual impacts on the environment.

P-TEL-3 support the implementation of the National Broadband Plan for Ireland (2012)

P-TEL-5 ensure that satellite dishes do not materially affect the character and appearance of any ... rural area, and in particular Protected Structures or Architectural Conservation Areas.

Section 13.9.4 refers to development management standards for telecommunications. It states that telecommunication masts, access roads and associated power lines will be assessed with regard to siting and design, safety and the mitigation of intrusive impacts. The following standards shall apply:

- masts will not generally be permitted in designated Sensitive Rural Landscapes, Visually Vulnerable Areas, pNHAs, SPAs, SACs or adjacent to Scenic Routes;
- masts shall be designed and located so as to cause minimum impact on the landscape and, where possible, should be screened by forest plantations.

- operators should seek to co-locate their services by sharing a single mast or, if necessary, locating additional masts in cluster form.
- in the event of the discontinuance of any mast installations, the mast and associated equipment shall be removed from the site and the land restored to its original condition

4.6 Easky Mini-Plan. The site is zoned for Public Utilities. Adjoining lands to the south are zoned Mixed Uses. Adjacent lands to the east are zoned Community Facilities.

The coastline to the north is designated a Visually Vulnerable Area. There are scenic routes designated to the east and along the main road to the south. Sensitive Rural Landscapes are designated to the south west, and to the east of the site.

## **5. Natural Heritage Designations**

5.1 Ox Mountain Bogs SAC – c. 10km to the south, south east.

Qualifying interests – Oligotrophic waters, Natural dystrophic lakes and ponds, North Atlantic Wet Heaths, European Dry Heaths, Blanket Bogs, Transition mires and quaking bogs, Depressions on peat substrates, Geyer's Whorl Snail, Marsh Saxifrage.

5.2 Killala Bay/Moy Estuary SPA – c.11.7km to the south west.

Qualifying interests – Plover (various), Sanderling, Dunlin, Bar-tailed Godwit, Curlew, Redshank, Wetland & waterbirds.

5.3 Killala Bay/Moy Estuary SAC – c.11.7km to the south west.

Qualifying interests – Mudflats & Sandflats not covered by seawater at low tide, Annual vegetation of drift lines, Vegetated sea cliffs of the Atlantic and Baltic coasts, Salicornia and other annuals colonising mud and sand, Atlantic salt meadows, Embryonic shifting dunes, Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes), Fixed coastal dunes with herbaceous vegetation (grey dunes), Humid dune slacks, Narrow-mouthed Whorl Snail, Sea Lamprey), Harbour Seal.

## **Development, Decision and Grounds of Appeal**

## **6. PA Decision.**

6.1 Refuse permission for two reasons summarised as follows:

1. *It is CDP policy to protect areas of significant landscape importance from the visual intrusion of large-scale telecommunications infrastructure (policy P-TEL-1). Obtrusive and discordant feature, seriously injurious to the visual amenities of the area. Contrary to the proper planning and sustainable development of the area.*
2. *It is policy to achieve a balance between facilitating the provision of telecommunications equipment and sustaining residential amenity and environmental quality. The proposed development, given its scale, siting and design, would have an adverse impact on the visual and residential amenities of the area, and set an undesirable precedent. Contrary to the proper planning and sustainable development of the area.*

6.2 The Planner's Report notes that this is the site of an existing exchange, housing an exchange building and a 12m wooden pole. To the south is a telecommunications mast, and to the north and east there are dwellings. There is no relevant planning history relating to the site. Twenty submissions were received raising issues including:

- There is already a large mast in Easkey only 100m away. There should be co-location on that mast.
- The proposal would be an eyesore in views from the coastline from various locations.
- Proposal would be overbearing, out of scale and out of character.
- Breaks skyline along a Protected Scenic Route. No Visual Impact Appraisal.
- Inadequate access.
- Injury to residential amenities.
- Absence of screening and security fencing.
- Proximity to overhead wires.
- Site liable to flooding.

- Contravention of County and National policy.
- Impact on tourism.

A Radio Engineering Site Justification report is submitted claiming the need for infrastructure at this location, which is chosen to ensure performance levels. Alternative options are detailed. Visual impact is assessed but there is no Visual Impact Appraisal or similar type report. On inspection, it is noted that the existing wooden pole on site is very visible from different viewpoints, and there is no natural landscape to reduce this impact given the increase in height and width of the proposed mast and ancillary structures. The site is located along a local road north of Scenic Route 22-R297, and the proposed development will have significant impact by its visibility from this route, the views of the Atlantic Ocean, and will be prominent on the skyline. The planning authority accepts increased coverage in the area is needed, but is not satisfied that it has been demonstrated that there is a need to locate in close proximity to residential development when there is a structure in the vicinity which the 1<sup>st</sup> Party is already using. The proposed development does not comply with National Guidelines in terms of siting, and the potential to impact on the visual and residential amenities of the area. The visual impact would not be within acceptable limits.

6.3 Report from the Area Engineer raises no objection subject to recommended conditions.

## **7. First Party Appeal.**

7.1 The grounds of appeal may be summarised as follows:

- Permission should be granted having regard to the RSES for the area, Section 28 Guidelines, Policy Directives under Section 29, the statutory obligations of the local authority in the area, and any relevant policy of the Government, the Minister, or any Minister of the Government.
- It is accepted that there are areas listed as sensitive rural landscape nearby, the scenic route runs along the Easkey coastal road L2401 and the R297 through the centre of Easkey, and that the coast is listed as visually vulnerable. However, the site is within the village boundary, within an established exchange zoned for public utility in the CDP. There is no conflict with CDP policy or objectives.

- The proposed structure is c.70m from an existing lattice structure off the R297. An existing 12m wooden pole on the site would be removed. Visual impact would be minimal. The proposed structure could be used with the taller existing structure, and would not set an undesirable precedent.
- The communications market has, and will continue to change and grow, and impact on the economic growth of an area. The demand for mobile and broadband networks continues to grow at an exponential pace. Existing infrastructure must be expanded and upgraded to ensure high-quality, high-speed service.
- The proposed structure is capable of supporting multiple users. Technical support for the development is provided by Vodafone. The catchment area for Easkey will benefit from a 5-fold increase in bandwidth and resultant data speeds.
- The Easkey Mini Plan, part of the CDP 2017-2023, states that this is a Rural Area in Need of Regeneration. It is widely recognised for its coastal tourism role and as a surf centre. Without high quality communications the village will experience stagnation and decline in its social and economic progress, particularly tourism.

## **8. PA Response**

8.1 The response refers to the Planners Report. No new information is submitted to warrant a change of decision. The proposed development would be an obtrusive and discordant feature, and seriously injurious to the visual amenities of the area. There would be an adverse impact on the visual and residential amenities of the area. The proposed development would set an undesirable precedent.

## **Environmental Screening**

### **9. EIA Screening**

Having regard to the nature and scale of development on a site zoned for public utilities within the village boundary, 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.

#### **10. AA Screening**

Having regard to the nature and scale of development, the village location, and separation from, and absence of connectivity to European sites, it is concluded that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## **2.0 Assessment**

2.1. The proposal is for the erection of a 15m high monopole telecommunications support structure together with antennas, dishes, and associated telecommunications equipment, all enclosed in security fencing. A lightening finial 1.5m high is proposed at the top of the monopole, giving an overall height of 16.5m. The site area is stated to be 0.099ha. An existing 12m high wooden pole is to be removed. The site currently houses an existing exchange building, and there is a compound pedestrian access route to the exchange from the minor public road adjoining to the east. The site frontage is a stone wall, and there is fencing to the other three sides.

2.2. I submit that the proposed development should be assessed under the following headings:

- The receiving environment
- Policy issues
- Justification for proposed development
- Visual and Residential amenities
- Other issues
- Environmental assessments

#### **The receiving environment**

2.3. The appeal site currently houses an existing exchange building, and a 12m high wooden pole. The site is approximately 100m north of the R297, which is designated

in the Development Plan as a scenic route; the appeal site is visible at an oblique angle from that route. There is an existing large lattice mast with antennae and dishes located approximately 70m to the south of the appeal site. This is a visually prominent feature clearly seen from the R297 from both directions.

- 2.4. There are two houses in close proximity to the north and east of the site, and a primary school and St. James's Church are a short distance to the east. Further modern residential development is to the east of the church and school. Other than the built-up section of the village, the surrounding landscape is relatively flat and predominantly in agricultural use. The level of the site is indicated as 0.6m below the level of the adjoining road, which leads northwards towards the coast.
- 2.5. Easkey village is to the east and south east of the appeal site. The Easky River flows from south to the coast, to the east side of the village. Easky Castle is located adjacent to the coast at the mouth of the river.

### **Policy Issues**

- 2.6. The National Planning Framework was approved in 2018, and includes a national policy objective to support and facilitate the delivery of the National Broadband Plan as a means of developing further opportunities for enterprise, employment, education, innovation, and skills development for those who live and work in rural areas. The RSES 2020-2032 (North & Western Regional Assembly) is supportive of the roll-out of the National Broadband Plan, and includes, as immediate priorities, access to ultra-fast and rural broadband initiatives.
- 2.7. The 1996 Telecommunications Antennae and Support Structures Guidelines are generally supportive of the development and maintenance of a high-quality telecommunications service. Visual impact is identified as an important consideration when assessing proposed developments, with great care needed when dealing with fragile or sensitive landscapes. The Guidelines state that in most cases there may be limited flexibility as regards location, support structures should be kept to the minimum height consistent with effective operation, and should preferably be monopole in design. The Guidelines state that, only as a last resort should free-standing masts be located within or in the immediate surrounds of smaller towns or villages, and where such locations are necessary, sites already developed for utilities should be considered and masts and antennae should be designed and adapted for

the specific location. Sharing of facilities should be encouraged, and applicants should demonstrate a reasonable effort to share. Only as a last resort, and if alternatives are unavailable or unsuitable, should free-standing masts be located in a residential area or beside schools.

The Guidelines were revised by Circular Letter PL07/12 in October 2012. The Circular Letter states that minimum distances between telecommunications structures and houses and schools should not be specified in Development Plans, to allow for flexibility on a case-by-case basis. Health issues are regulated by other codes, and should not be additionally regulated by the planning process.

- 2.8. The Sligo CDP 2017-2023 recognises the importance of high-quality telecommunication infrastructure as a prerequisite for a successful economy, and is generally supportive of the implementation of the National Broadband Plan. The aim is to achieve a balance between facilitating the provision of telecommunications services in the interests of social and economic progress, and protecting residential amenity and environmental quality. Shared use of existing structures is necessary to avoid excessive numbers of masts within a given area.
- 2.9. The Easky Mini Plan (part of the CDP) zones the site for Public Utilities, with adjoining lands to the south zoned for Mixed Uses, and adjacent lands to the east zoned for Community Facilities. The coastline to the north is designated as a Visually Vulnerable Area, and there are scenic routes designated to the east and along the main road to the south. Sensitive Rural Landscapes are designated to the south-west, and to the east of the site.
- 2.10. On this issue, I conclude that National, Regional and Local policies are generally supportive of the development and maintenance of a high-quality telecommunications service. However, this support is subject to detailed considerations relating to location of infrastructure relative to fragile and sensitive landscapes, the immediate surrounds of small villages, proximity to residential areas or beside schools, and subject to satisfactorily demonstrating that a reasonable effort has been made to share in order to avoid an excessive number of masts in a given area. The proposed development should be assessed having regard to these considerations.

### **Justification for the proposed development**

- 2.11. The applicants state that the proposed development is in an area that is inadequate to fulfil the current and forecast demand for new technologies and communication services. Outdoor coverage maps are submitted in support, Failure to proceed would have a negative impact on eir's network leaving customers with reduced voice and data mobile service. Current coverage disparity will be exacerbated as 3G layers are switched off in 2023 and 2024. The focus is on providing 4G and 5G services. 5G coverage surrounding the application site is substandard. The proposed development provides eir with the ability to install directional sector antennae, allowing for more advanced 4G and 5G technologies to be deployed. The proposal would substantially improve communication service in the target area of Easkey Village and surrounding area, and along road networks. The proposed 15m monopole is the lowest structure height consistent with effective operation. Alternative sites were considered.
- 2.12. The applicants state that they wish to relocate from the 27m high lattice tower at the former Garda Station (c. 100m to the south) as it owns its own utilities compound. This would give the scope to offer significantly more services and deploy a more comprehensive range of technologies for the benefit of residents, businesses, and amenity facilities. Eir has a facility sharing policy and the proposed development allows for multi-operator use able to accommodate other licensed operators.
- 2.13. Easkey Village is planned to be on Vodafone National fibre ring. A structure is required to allow backhaul transmission capacity from surrounding sites to be aggregated back to this high-capacity fibre Point of Collection. The proposed development will enable increased line of sight to surrounding sites to enable them to be connected via point-to-point radio link dishes to this high-capacity network. Connecting sites will see a significant uplift in capacity resulting in increased data speeds.
- 2.14. The planning authority accepts that there is a need for increased coverage in the area, but is not satisfied that there is a need to locate in close proximity to residential development when there is an existing structure in the vicinity which the applicants are already using.
- 2.15. Based on the information submitted, I conclude that there is justification for the provision of increased coverage in the area.

## **Visual & Residential amenities**

- 2.16. The site is at the outskirts of the village and has an existing 12m high wooden pole and exchange building on it. The level of the site is indicated as 0.6m below the level of the adjoining road. The site is zoned for Public Utilities and houses an existing exchange building. The surrounding landscape is relatively flat. The R297 to the south is a designated scenic route and the proposed development would be visible in oblique views from this route. Sensitive Rural Landscapes are designated to the east, along the course of the river, and to the south west. The coastal route to the east is designated as a Scenic Route. The coastline to the north is shown as a Visually Vulnerable Area.
- 2.17. The planning authority's first reason for refusal states that the proposed development would be an obtrusive and discordant feature, seriously injurious to the visual amenities of the area. The second reason for refusal cites adverse impact on the visual and residential amenities of the area. I submit that, due to the characteristics of the surrounding landscape, and the orientation and separation distances between the appeal site and scenic routes and designated landscapes, the visual impact of the proposed development would not be seriously injurious to those scenic routes and designated landscapes, and would be very significantly less than the visual impact of the nearby 27m high lattice mast.
- 2.18. There would, however, be a cumulative visual impact arising from the existing 27m high lattice mast and associated antennae and dishes, and the proposed 15m monopole structure with antennae and dishes, and this impact would be of greatest significance in the vicinity of the appeal site, including two nearby residential properties to the north and the east, and from adjacent areas to the east, including the school and church.
- 2.19. I submit that the key issue for the Board is to balance the need for improved telecommunications services in the area through the provision of an additional telecommunications structure in close proximity to the existing 27m high lattice mast, with the need to protect the visual and residential amenities and environmental quality of the area. On balance, I am not satisfied that the need for an additional telecommunications structure at this location in close proximity to the existing 27m high lattice telecommunications structure has been demonstrated. In these

circumstances, I conclude that the proposed development, by reason of its height, design, and location, combined with the visual impact of the existing 27m high lattice mast, would have a seriously adverse impact on the residential amenities of property in the vicinity.

#### **2.20. Other issues**

2.21. I submit that there is no convincing evidence submitted to indicate that the appeal site is subject to flooding.

2.22. The site has an existing pedestrian access from the adjoining minor public road.

#### **Environmental assessments**

2.23. Having regard to the nature and scale of development on a site zoned for public utilities within the village boundary, 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

2.24. Having regard to the nature and scale of development, the village location, and absence of connectivity to European sites, it is concluded that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

### **3.0 Recommendation**

3.1. I recommend that permission for the development be refused.

### **4.0 Reason**

Notwithstanding the zoning objective for the site, the Board is not satisfied that justification for an additional telecommunications structure and associated equipment at this location, in close proximity to an existing 27m high lattice telecommunications structure and associated equipment, has been demonstrated. In these circumstances, it is considered that the proposed free-standing mast, located at the edge of Easkey Village adjacent to existing dwellings, by reason of its height, design,

and location would have an unacceptable adverse impact on the amenities of residential property in the vicinity, and would be contrary to the proper planning and sustainable development of the area.

---

Des Johnson

Planning Inspector

25<sup>th</sup> June 2024.

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.