



An
Bord
Pleanála

Addendum to Inspector's Report ABP-319503A-24

Development	Erection of a 24m high lattice tower together with antennas, dishes, associated telecommunications equipment and a proposed access track, all enclosed in security fencing.
Location	Willow Park Football Club, Bonavalley, Athlone, Co. Westmeath.
Planning Authority	Westmeath County Council
Planning Authority Reg. Ref.	2460018
Applicant(s)	Vantage Towers Ltd.
Type of Application	Permission
Planning Authority Decision	Grant permission with conditions
Type of Appeal	Third Party
Appellant(s)	Willow Park Residents Association
Observer(s)	None
Date of Site Inspection	22/8/2024
Inspector	Bébhinn O'Shea

1.0 Introduction

1.1. This report is prepared on foot of a Board Direction.

The Inspector's report dated 17th September 2024 recommended refusal of permission for the proposed development for the following reason:

“Having regard to the Guidelines on Telecommunications Antennae and Support Structures, issued by the Department of the Environment and Local Government in July 1996 (as revised by Circular PL07/12) which state that ‘In the vicinity of larger towns and in city suburbs operators should endeavour to locate in industrial estates or in industrially zoned land,’

it is considered that the applicant has not submitted adequate justification for the proposed site, having particular regard to

- the absence of details of specific alternative locations considered, and
- the above provision of the S28 Guidelines and the presence of industrial uses and appropriately zoned lands to the south-east.

The proposed development would therefore be contrary to the Guidelines relating to Telecommunications Antennae and Support Structures issued to planning authorities under Section 28 of the Planning and Development Act, 2000 (as amended).”

1.2. The Board deferred consideration of the case and issued a Section 132 notice requesting the applicant to submit:

Full details of any investigations carried out, in advance of submission of the subject application, of potential alternative sites in industrial estates or on industrially zoned lands in the vicinity of the subject site, and to fully address the feasibility of such alternative locations having regard to the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, issued by the Department of the Environment and Local Government in July 1996 (as revised by Circular PL07/12) which state that: “In the vicinity of larger towns and in city suburbs operators should endeavour to locate in industrial estates or in industrially zoned land”.

- 1.3. The response to the notice was circulated to the planning authority and 3rd party appellants and an Addendum report requested from the inspectorate.

2.0 Response to S132/S131 Notices

- 2.1. In response to the Section 132 Notice, the applicant states that full regard was had to Section 4.3 of the Guidelines in its site searching strategy.

- Informal inquiries were made through IDA Ireland in relation to a potential structure within the IDA Business and Technology Park, north of the R446; this proposal was informally rejected.
- The applicant made contact with several landowners within Athlone Business Park, one option progressed but fell through. It is anticipated from experience of the applicant that supermarket chains including Lidl wish to reserve their property for their own business-critical purposes, so these were not approached. Informal approaches were made to the owners of land in the vicinity of An Post but was rejected on these basis that it would be premature pending the development of the site for [other] development.
- There is insufficient space in Shannon Business Park and Kilmartin N6 Business Centre, and the latter would not be a suitable location.
- Creggan Industrial Estate would be suitable generally but is unsuitable as it is *“1.8km southeast of the proposed application structure and is blocked by an intervening hill”*. Creggan Industrial Estate is “not suitable to Vantage in this situation where the Vantage coverage target is in Kilmacaugh (Cooke), Kilmacugh (Mechum), Creggan Lower, Garrycastle, Cartontroy and Bonavalley.
- In its conclusion the applicant states that one of the key objectives it to provide Vodafone cover to the Dublin Westport/Galway rail line. Other locations cannot fulfil this objective.

- 2.2. In response to the Section 131 Notice the appellant states:

- The informal inquiries lack procedural weight, integrity and legitimacy for decision-making

- The ownership of the lands in question has been mis-represented; the actual owners were not approached and lack of proper authorisation for the legal entity controlling the grounds
- The Sports Grounds are not suitable for telecommunications mast due to zoning restrictions, health and safety concerns, visual impact
- The applicant made assumptions that their proposals would be refused in some cases. There was lack of due diligence. There is no substantiation of the claims that the applicant engaged with landowners. Absence of documented efforts and reliance on unverified claims indicates procedural deficiencies. No evidence or explanation of why certain locations are unsuitable has been provided.
- Applicant has not provided any evidence demonstrating a deficiency in the coverage of the rail line or specified the area of new coverage the proposed tower would provide. Without this information it is not possible to determine if other locations are unsuitable or whether the proposed mast would address the objective.

2.3. In response to the Section 131 Notice the planning authority re-sent the initial planning report from the application.

3.0 **Assessment**

- 3.1. This assessment relates to the adequacy of the justification for the proposed site, which is questioned, given the absence of details of specific alternative locations considered and the presence of industrial uses and appropriately zoned lands to the south-east.
- 3.2. The other matters raised by the appellant have been dealt with satisfactorily previously.
- 3.3. The S132 Notice requested the applicant to submit **full details of any investigations carried out** of potential alternative sites in industrial estates or on industrially zoned lands , and.....**to fully address the feasibility** of such alternative locations

- 3.4. In my view, in considering the need for new telecommunications structures, to address a perceived deficiency, it is logical to expect that a thorough technical investigation would occur. This would identify deficiencies, identify target areas for improved coverage, and assessing the potential for various locations/options to meet those requirements. This would usually incorporate an assessment of constraints e.g. topography, lines of sight/obstacles, sensitive landscapes/sites, etc and would be represented graphically, and generally modelled, to support the business case.
- 3.5. The applicant has not submitted any technical output of their investigations to support their case. This is despite the request for full details of investigations into other potential sites and for the feasibility of such alternative locations to be fully addressed.
- 3.6. From the outset, the target area has not been clearly indicated. A written description has been provided. I do not accept that a business case or technical assessment would be undertaken based on this alone. A map showing target coverage area did not form part of the planning application, or appeal response, or the S132 response. The narrative now states that the coverage target is Kilmacaugh (Cooke), Kilcacaugh (Mechum) Creggan Lower, Cartontroy. I have identified this target area in Appendix 1, based on these named Townlands. The applicant then, at the conclusion stage of the report, states that the railway line is a key factor in the target area. Overall there is a lack of clarity which a technical drawing would have provided.
- 3.7. In so far as the target area can be identified, the coverage is Good to Very Good for 4G and Fair to Good for 5G based on Comreg maps. The applicant has not indicated how the proposed development will improve coverage by submission of a drawing of modelled coverage, which I would expect has been produced. Therefore, the coverage benefit of the proposed development at this location is unclear. Furthermore, the coverage benefit of other locations has not been shown for comparison.
- 3.8. The applicant refers to other sites considered, and attempts made to progress these options with landowners. There is no documentary evidence of these attempts. However, this information may to an extent be sensitive/confidential in nature. Some attempts to progress sites are also described as 'informal'. Overall, on the basis of what has been submitted, it is difficult to conclude whether these investigations have been thorough, or meaningful.

- 3.9. The applicant refers to the potential of Creggan Industrial Estate as being suitable generally for a telecom structure, and identifies a potential location. It does not appear that any attempt has been made to progress the site. There is no evidence of a study of feasibility having been carried out, as set out above. The location is then ruled out as it is 1.8km from the proposed application structure, and blocked by an intervening hill. It is unclear why the obstruction between two potential sites is referenced (as an obstruction between site and target area would be the issue). Again, there is no mapping of topographical constraints in, or coverage benefits to, the area to support a conclusion in terms of feasibility.
- 3.10. The 1996 Guidelines state that the fullest attention [must be] paid to the location of masts by operators and planning authorities, and that *"In the vicinity of larger towns and in city suburbs operators should endeavour to locate in industrial estates or in industrially zoned land"*. The application does not demonstrate sufficient compliance with the above requirements of the Guidelines.

4.0 Conclusion:

- 4.1. I am unable to conclude that the proposed site has been selected based on a full technical assessment of alternative sites which may be available on more appropriately zoned lands. A shortfall remains in terms of information provided on alternative new locations considered, in particular industrial lands to the southeast. This information would help satisfy the policy of the Section 28 Guidelines which states *"In the vicinity of larger towns and in city suburbs operators should endeavour to locate in industrial estates or in industrially zoned land"*. I therefore recommend permission be refused, in line with my previous report dated 17/09/2024.

5.0 Reasons and Considerations

Having regard to the Guidelines on Telecommunications Antennae and Support Structures, issued by the Department of the Environment and Local Government in July 1996 (as revised by Circular PL07/12) which state that

'In the vicinity of larger towns and in city suburbs operators should endeavour to locate in industrial estates or in industrially zoned land,'

it is considered that the applicant has not submitted adequate justification for the proposed site, having particular regard to

- the absence of full details of investigations of alternative sites and a robust assessment of the feasibility of same, and
- the above provision of the S28 Guidelines and the presence of industrial uses and appropriately zoned lands to the south-east.

The proposed development would therefore be contrary to the Guidelines relating to Telecommunications Antennae and Support Structures issued to planning authorities under Section 28 of the Planning and Development Act, 2000 (as amended).

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.

Bébhinn O'Shea
Senior Planning Inspector

14/02/2025