



An
Bord
Pleanála

Inspector's Report

ABP-319579-24

Development

Retention permission for a temporary period of 12 months for a 24 metre high monopole with all associated site works. Existing development reg ref 18/173, is subject to an Enforcement Notice reference UD: 15/019.

Location

Cappagh Road, Barna, Galway

Planning Authority

Galway City Council

Planning Authority Reg. Ref.

2460031

Applicant(s)

Vantage Towers Limited

Type of Application

Retention

Planning Authority Decision

Refuse

Type of Appeal

First

Appellant(s)

Vantage Towers Ltd

Observer(s)

Patrick and Anne Farrell

Date of Site Inspection

19th November 2024

Inspector

Darragh Ryan

1.0 Site Location and Description

- 1.1. The site is located in the western outskirts of Galway City on a private passage off Cappagh Road (L5025). This site lies to the east of a lane/boreen, which runs northwards and then westwards to connect with Cappagh Road, and which is enclosed by walls and hedgerows.
- 1.2. The area is generally subject to gentle gradients that rise in a northerly direction. The site is situated towards the northern end of an undulating field with mounds and rocky outcrops. There is an existing derelict farmhouse immediately in front of the telecommunications mast. This field is accessed by means of a gate in its south-western corner. An existing monopole mast, which is disguised as a tree, lies to the east of the gate. The main body of the site itself extends over an area of 0.019 hectares.

2.0 Proposed Development

- 2.1. The proposal would entail the retention of a 24m high telecommunications lattice structure with a headframe to which antennae and dishes would be attached and operated by Vantage Towers. The accompanying compound accommodates equipment cabinets, and it would be enclosed by security fencing and south-facing gates.

3.0 Planning Authority Decision

- 3.1. **The planning authority issued a decision to refuse for two reasons:**
 1. The Galway City Council Development Plan 2023 – 2029 under section 4.6 and in particular Specific Objective 4.8, Point 23, states it is the policy to “Reserve the route corridor of the N6 Galway City Ring Road (N6 GCRR) project as approved with conditions and modifications by An Bord Pleanála which accommodates the designated strategic road and the associated bridge crossing of the River Corrib”. In this instance the proposed development is positioned within the preferred and/or approved route of a national roads scheme, N6 Galway City Council Ring Road, and if permitted, the proposed

development will prejudice the plans for the delivery of this scheme and materially contravene the policy of the Galway City Council Development Plan 2023 – 2029.

2. Having regards to the scale, extent and specifications of the development, in conjunction with the information included with the planning application, it is considered that the applicant has not demonstrated to the satisfaction of the Planning Authority that the proposed development for retention is not likely to have a significant effect on European Sites, in particular the Galway Bay Complex cSAC and Inner Galway Bay SPA, either individually or in combination with other plans and projects.

3.2. Planning Authority Reports

3.2.1. Planning Reports

There is a single planning report on file. The issues raised can be summarised as follows:

- A portion of the access to site falls within the Route of the N6 Galway City Council Transport Project. Section 4.6 and Section 4.8 of the Galway City Development Plan seeks to reserve the route corridor of the N6 Galway City Ring Road
- The mast itself is positioned within the route protection corridor, both the Galway County Council who are the project leaders of the N6 Project and the TII have submitted reports clearly indicating that the mast is located within the route and it is imperative to protect this route, in this case as the site is located within the route and would prejudice plans for the delivery of this scheme permission should be refused.

3.2.2. Other Technical Reports

- Active Travel

Note the site is located in within the route corridor associated with GCRR and noted comments from other sections

- Galway National Roads Project Office

The proposed N6 GCRR is currently before An Bord Pleanála for consideration again (after being remitted by High Court order). The existing development remains in conflict with the N6 GCRR, however a further temporary permission of 12 months is possible with the earliest likely timeframe for requiring full acquisition of the site being beyond then.

3.3. Prescribed Bodies

- Transport Infrastructure Ireland

The site of the proposed development is located in close proximity to the preferred and/or approved route of a national road scheme. The proposed development could prejudice plans for the delivery of this scheme. A grant of permission, in this instance, is considered to be at variance with the provisions of the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (January, 2012), section 2.9 refers.

3.4. Third Party Observations

There are four third party submissions on file, the issues raised can be summarised as follows:

- The current mast is unauthorised and permission should not be allowed for it to be retained.
- No environmental assessment, AA or hydrological assessments have been carried out on the site for this development.

4.0 Planning History

Current Site

PA reg ref 18/173: Granted permission for retention (Previous Planning Application 15/145) for an existing development which consists of an existing 24 metre high telecommunications support structure, antennas, equipment container and associated equipment within a fenced compound. The development forms part of

Vodafone Ireland Limited's existing GSM and 3G Broadband telecommunications network

PA reg ref 15/145: ABP Granted retention permission (Ref. No. 09/488) for an existing development. The development consists of an existing 24 metre high telecommunications support structure, antennas, equipment container and associated equipment within a fenced compound. The development forms part of Vodafone Ireland Limited's existing GSM and 3G Broadband telecommunications network.

PA reg ref 09/488: Granted permission for retention for a 24 metre high monopole antenna support structure and mobile telephone antenna, equipment cabinet, access road and security fence around the site. The development forms part of Vodafone (Irl) Ltd's existing GSM and 3G Broadband telecommunications network.

PA reg ref 04/458: Granted by An Bord Pleanála, for permission for development which will consist of 24M high Monopole Antennas Support Structure and Mobile Telephone Antennae, Equipment Cabinet, Access Road and Security fence around site.

Adjacent Site

APB 318217-23 – N6 Galway City Ring Road Motorway Scheme 2018 and Protected Road Scheme 2018 Local Authority Road Scheme CPO

APB 302848-18 - N6 Galway City Ring Road Motorway Scheme 2018 – SID. In December 2021, An Bord Pleanála approved the N6 GCRR project (subject to conditions and modifications). However, subsequent legal challenges resulted in the High Court quashing An Bord Pleanála's approval in January 2023, remitting the application for reconsideration.

5.0 Policy Context

5.1.1. National Planning Framework

5.1.2. National Policy Objective 24 - support and facilitate delivery of the National Broadband Plan.

5.1.2 Regional, Spatial and Economic Strategy for the Northern and Western Regional Assembly (RSES):

The weakness/absence of high-quality telecommunications infrastructure is identified as being an important issue for the region (see page 232 RSES).

5.1.3 National Broadband Plan 2020:

The National Broadband Plan (NBP) is the Government's initiative to improve digital connectivity by delivering high speed broadband services to all premises in Ireland, through investment by commercial enterprises coupled with intervention by the State in those parts of the country where private companies have no plans to invest.

5.1.4 Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities, 1996 (Department of the Environment and Local Government):

The Guidelines provide relevant technical information in relation to installations and offer guidance on planning issues so that environmental impact is minimised and a consistent approach is adopted by Planning Authorities. Visual impact is noted as among the most important considerations in assessing applications for telecommunications structures but the Guidelines also note that generally, applicants have limited locational flexibility, given the constraints arising from radio planning parameters. The Guidelines place an emphasis on the principle of co-location.

Section 4.3 'Visual Impact', provides that, *'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'. Section 4.3 also states, 'only as a last resort, and if the alternatives are either unavailable or unsuitable, should free-standing masts be located in a residential area or beside schools. If such a 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 structures 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'.

Section 4.3 also notes that some masts will remain quite noticeable in spite of the best precautions and that the following considerations may need to be taken into account, specifically, whether a mast terminates a view; whether views of the mast are intermittent and incidental, and the presence of intermediate objects in the wider panorama (buildings, trees etc).

5.1.5 Circular Letter PL 03/2018

Circular Letter PL 03/2018, dated 3rd July 2018 provides a revision to Chapter 2 of the Development Contribution, Guidelines for Planning Authorities, 2013, and specifically states that the waiver provided in the Development Contribution, Guidelines for Planning Authorities, 2013 should apply not only to the provision of broadband services but also to mobile services.

5.1.6 Circular Letter PL 07/12

Circular Letter PL 07/12, dated 19th October 2012, sets out to revise Sections 2.2. to 2.7 of the 1996 Guidelines. The Circular was issued in the context of the rollout of the next generation of broadband (4G). It advises Planning Authorities to:

- Cease attaching time limiting conditions to telecommunications masts, except in exceptional circumstances;
- Avoid inclusion in development plans of minimum separation distances between masts and schools and houses;
- Omit conditions on planning permission requiring security in the form of a bond/cash deposit;
- Reiterates advice not to include monitoring arrangements on health and safety or to determine planning applications on health grounds;
- Future development contribution schemes to include waivers for broadband infrastructure provision

5.1.3. The Galway City Council Development Plan 2023-2029

Section 9.13 'Telecommunications', Policy No. 9.9

- Support the development and expansion of telecommunication infrastructure (including the broadband network) within the city where appropriate, subject to environmental, visual and residential amenity considerations.
- Ensure that developers of masts facilitate the co-location of antennae with other operators in order to avoid an unnecessary proliferation of masts. Where this is not possible operators will be encouraged to co-locate so that masts and antennae may be clustered.
- Ensure that development for telecommunication and mobile phone installations take cognisance of the Planning Guidelines for Telecommunications Antennae and Support (DECLG, Circular Letter PL07/12) and in relation specifically to new free standing masts and antennae, locations in the immediate proximity to

residential areas, schools and other community facilities will only be considered where all other more suitable options, including opportunities to locate on tall buildings, rooftops and co-location with existing masts, have been exhausted following an evidenced based evaluation of potential sites.

- Facilitate the rollout of digital infrastructure to implement a world class digital infrastructure and sensor network that will provide real time data and smart city solutions.

Section 11.18 'Telecommunications', states:

"In considering applications for proposed telecommunication infrastructure and installations, the Council will have regard to the Planning Guidelines for Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities, DECLG 1996 and Circular Letter PL07/12 2012 updating sections of these guidelines. Proposed installations shall have cognisance of any existing aircraft flight paths, where appropriate".

Policy 4.1 – 6

Continue to progress a sustainable transport solution for the city through the implementation of measures included in the GTS and required supporting projects in particular the N6 GCRR project.

Policy 4.6 Road and Street Network and Accessibility

1. Support the N6 Galway City Ring Road project in conjunction with Galway County Council and Transport Infrastructure Ireland (TII) in order to develop a transportation solution to address the existing congestion on the national and regional road network.
2. Enhance the delivery of an overall integrated transport solution for the city and environs by supporting the reservation of the designated strategic road corridor to accommodate the N6 GCRR project.

Section 4.6 – N6 Galway City Ring Road

The GTS recognises this need for an integrated transport solution which includes for the provision for sustainable and reliable alternatives to travel by private car and also to deliver the strategic orbital route – the N6 GCRR incorporating a new river

crossing. Although some elements of the GTS can be implemented independently from the delivery of such a road, the full extent of measures and the success of the GTS needs the provision of this new orbital route which is also an identified strategic addition to the EU TEN-T Comprehensive Network. In addition, to support efficient movement within the city the GTS also outlines additional traffic management measures which are needed, which include new improved roads and links and the management of car parking. The NPF, in acknowledgement of the rationale for a strategic orbital route, has identified the delivery of the N6 GCRR as a key growth enabler for the city. This route is further supported in the RSES which identifies the road network in general as an investment priority. It recognises that the accessibility from the Northern and Western regions of Ireland and between centres of scale separate from Dublin needs to be significantly improved with a focus on cities and larger regionally distributed centres and key east to west and north to south routes. The MASP also sees the need to continue to improve the road network around the city and in particular to support the delivery of all measures in the GTS including the N6 GCRR.

Section 4.8 Point 23

Reserve the route corridor of the N6 Galway City Ring Road (N6 GCRR) project as approved with conditions and modifications by An Bord Pleanála which accommodates the designated strategic road and the associated bridge crossing of the River Corrib

5.2. Natural Heritage Designations

Galway Bay Complex SAC .67km to the southwest of the site

Inner Galway Bay SPA 1.34km southwest of the site

5.3. EIA Screening

The proposed development does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations, 2001, (as amended), and therefore is not subject to EIA requirements.

6.0 The Appeal

6.1. Grounds of Appeal

This is a first party appeal against the decision of Galway City Council to refuse permission for the retention of development for a period of 12 months.

- The existing mast is an extremely important installation for all three operators and has been in place since 2005.
- Permission is for a period of 12 months to allow for Vantage Towers to obtain another site to place this mast. A recent alternative site was refused under ABP – 314050-22. A revised application is currently being made on this site to address technical concerns raised as part of the refusal reason.
- The N6 Project Development Team did not object to the refusal but stated a temporary permission for a further 12 months is possible.
- In order to address the second reason for refusal the applicant has submitted an Appropriate Assessment Screening Report.

6.2. Planning Authority Response

- None

6.3. Observations

There is a single observation on file received within the statutory time frame:

- The current planning permission for the existing structure expired on the 18/07/2021, the applicant has not complied with condition 2 & 3 of the conditions which required the structure to be dismantled. It is three years since the mast should have been removed.
- Vantage Towers has continually ignored planning conditions and enforcement proceedings and if granted permission will do so again.

6.4. Further Responses

- None

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including the appeal, and having inspected the site and having regard to the relevant national and local policy guidance, I consider the main issues in relation to this appeal are as follows:

- Principle of Development
- Other Issues
- Appropriate Assessment

7.2. Principle of Development

7.2.1. The primary reason for refusal cited by Galway City Council relates to the location of the existing communications antenna within the preferred route corridor of the N6 Galway City Ring Road (GCRR). The council asserts that permitting the retention of the telecommunications structure would prejudice the delivery of the N6 GCRR and materially contravene the Galway City Development Plan 2023–2029. The applicant contends that the telecommunications mast is a critical piece of infrastructure aligned with National Policy. Furthermore, the applicant seeks permission for a temporary period of 12 months to facilitate the identification and securing of an alternative site.

In December 2021, An Bord Pleanála approved the N6 GCRR project (subject to conditions and modifications). However, subsequent legal challenges resulted in the High Court quashing An Bord Pleanála's approval in January 2023, remitting the application for reconsideration. The process remains ongoing, with a final decision anticipated in 2025.

7.2.2. The applicant's previous retention permission (PA Reg Ref: 18/173) for the communications antenna expired in July 2021. Consequently, the development has operated without the benefit of planning permission for approximately three and a half years. Given the duration of this lapse, I consider that sufficient time has been available for the applicant to identify and secure an alternative site for the

telecommunications structure. The current application has been under appeal since April 2024, with permission sought for an additional 12 months.

By the time a decision is made, the extended presence of the mast at this location would effectively exceed the 12-month period sought by the applicant, further undermining the rationale for granting temporary retention.

7.2.3. While I acknowledge that both National and Local Policy support the provision of telecommunications infrastructure, these policies must be balanced against competing strategic objectives. Sections 4.6 and 4.8 of the Galway City Development Plan 2023–2029 emphasise the critical importance of delivering the N6 GCRR as a key growth enabler for Galway City. The plan prioritises the ring road’s delivery to support economic development and achieve transportation objectives set out in the Galway Transportation Study.

7.2.4. I conclude that permitting the retention of the telecommunications structure for a further 12 months is neither warranted nor justified in this instance. I consider the extended period during which the communications structure has operated without planning permission, has resulted in a substantial timeframe within which an alternative proposal could be progressed. Furthermore, the strategic importance of the N6 GCRR project and the necessity to safeguard its delivery is clearly outlined in the Galway City Development Plan. The proposal would not align with Policy 4.6 and 4.8 of the Galway City Development Plan 2023–2029 and would conflict with the strategic planning objectives of Galway City.

7.3. Other Issues

Material Contravention

The refusal reason as set out states that the proposal if permitted would result in materially contravening Section 4.6 and Section 4.8 of the Galway City Development Plan 2023 to 2029.

Having regard to Section 37 (2) of the Planning and Development Act

The Board may in determining an appeal under this section decide to grant a permission even if the proposed development contravenes materially the

development plan relating to the area of the planning authority to whose decision the appeal relates.

- i. the proposed development is of strategic or national importance,
- ii. there are conflicting objectives in the development plan or the objectives are not clearly stated, insofar as the proposed development is concerned, or
- iii. permission for the proposed development should be granted having regard to regional planning guidelines for the area, guidelines under section 28 , policy directives under section 29 , the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government, or
- iv. permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan.

Having regard to the above provisions I see no validity in the appeal to material contravene the Galway City Development Plan for the following reasons:

- i. The development is for a telecommunications structure that has not had the benefit of permission since July 2021. The site development area of 0.019ha for the provision of a mast is not significant relative to route corridor for the N6 Galway City Ring Road. The applicant has had sufficient time to identify and get planning permission for an alternative site. A single mast structure is not considered to be of strategic or national importance.
- ii. The objectives in the development plan are clear regarding the requirement for the delivery of the N6 Galway City Ring Road. Section 4.8 states “Reserve the route corridor of the N6 Galway City Ring Road (N6 GCRR) project as approved with conditions and modifications by An Bord Pleanála which accommodates the designated strategic road and the associated bridge crossing of the River Corrib”
- iii. There are no Section 28 or Section 29 Guidelines which indicate that planning permission should be granted in this instance.

- iv. There is no evidence provided that other mast/ telecommunications structures have been granted on lands prioritised for the N6 Galway City Ring Road since the introduction of the Galway City Development Plan 2023 – 2029.

Based on this assessment, it is my opinion that a material contravention is not warranted in this instance.

8.0 AA Screening

- 8.1. The second reason for refusal as set out by the Planning Authority states that the applicant has not demonstrated to the satisfaction of the Planning Authority that the proposed development for retention is not likely to have a significant effect on European Sites, in particular the Galway Bay Complex cSAC and Inner Galway Bay SPA. Under the appeal to the Board the applicant has submitted an Appropriate Assessment Screening to determine that the development for retention is not likely to have a significant impact on any European Site.
 - 8.1.1. I have considered the proposed development for the retention of mast/telecommunications structure in light of the requirements of S 177S and 177U of the Planning and Development Act 2000 as amended.
 - 8.1.2. A detailed description is presented in Section 1 of my report. In summary, the retention development site is on underutilised agricultural land on the western boundary of Galway City. The proposal would entail the retention of a 24m high telecommunications lattice structure with a headframe to which antennae and dishes would be attached and operated by Vantage Towers. The accompanying compound accommodates equipment cabinets, and it would be enclosed by security fencing and south-facing gates. The site area is .019ha. The surface water treatment is existing on site.
 - 8.1.3. There is no watercourse on site and the nearest water body is the Galway Bay Complex SAC 670m southwest of the development site. Inner Galway Bay SPA is 1.34km from the development site.

There are no other ecological features of note on site or in the vicinity of the site that would connect it directly to European Sites in the wider area. It is considered that owing to the limited size of the site and existing infrastructure on site, the site does

not provide significant supporting habitat for any bird species protected under the legislation.

European Sites

The proposed development site is not located within or immediately adjacent to any site designated as a European Site, comprising a Special Area of Conservation (SAC) or Special Protection Area (SPA). Two European sites are located within 670m and 1km of the potential development site – both to the southwest.

Galway Bay Complex SAC [000268]

Inner Galway Bay SPA [004031]

Given the limited scale of the proposal, I do not consider it necessary to examine the potential for significant effects on any European Sites beyond those of Lough Corrib SAC and SPA and Galway Bay Complex SAC.

European Site	Qualifying Interests (summary)	Distance	Connections
Galway Bay Complex SAC	Habitats Mudflats and sandflats not covered by seawater at low tide [1140] Coastal lagoons* [1150] Large shallow inlets and bays [1160] Reefs [1170] Perennial vegetation of stony Banks [1220] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]	670m to the South	There is no potential for contaminated surface water to enter the groundwater at this location.

	<p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>) [1330]</p> <p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]</p> <p>Turloughs* [3180]</p> <p><i>Juniperus communis</i> formations on heaths or calcareous grasslands [5130]</p> <p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) [6210]</p> <p>Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davalliana</i> [7210]</p> <p>Alkaline fens [7230]</p> <p>Limestone pavements [8240]</p> <p>Species:</p> <p>Otter (<i>Lutra lutra</i>) [1355]</p> <p>Harbour Seal (<i>Phoca vitulina</i>) [1365]</p>		
<p>Inner Galway Bay SPA [004031]</p>	<p>Black-throated Diver (<i>Gavia arctica</i>) [A002]</p> <p>Great Northern Diver (<i>Gavia immer</i>) [A003]</p> <p>Cormorant (<i>Phalacrocorax carbo</i>) [A017]</p> <p>Grey Heron (<i>Ardea cinerea</i>) [A028]</p>	<p>1.34km to the southwest</p>	<p>There is no potential for contaminated surface water to enter the groundwater at this location.</p>

	<p>Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</p> <p>Wigeon (<i>Anas penelope</i>) [A050]</p> <p>Teal (<i>Anas crecca</i>) [A052]</p> <p>Red-breasted Merganser (<i>Mergus serrator</i>) [A069]</p> <p>Ringed Plover (<i>Charadrius hiaticula</i>) [A137]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Lapwing (<i>Vanellus vanellus</i>) [A142]</p> <p>Dunlin (<i>Calidris alpina</i>) [A149]</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</p> <p>Curlew (<i>Numenius arquata</i>) [A160]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Turnstone (<i>Arenaria interpres</i>) [A169]</p> <p>Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]</p> <p>Common Gull (<i>Larus canus</i>) [A182]</p> <p>Sandwich Tern (<i>Sterna sandvicensis</i>) [A191]</p> <p>Common Tern (<i>Sterna hirundo</i>) [A193]</p> <p>Wetland and Waterbirds [A999]</p>		
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8.1.4. **Likely impacts of the project (alone or in combination)**

Due to the limited nature of the development proposal on a .019ha site on Agricultural Land within Galway City and the relevant scale of construction impacts I consider that the proposed development would not be expected to generate impacts that could affect anything but the immediate area of the development site, thus having a very limited potential zone of influence on any ecological receptors. In my view the development is not likely to have significant negative impacts on any European site.

The development for retention would not have direct impacts on any European site. There is no construction works associated with the development and limited levels of access required during operation. There is no surface water body on site and the site is at a significant distance from nearest European site with a number of intervening land uses between the development and nearest European site.

The contained nature of the site and distance from receiving features and intervening land uses connected to Galway Bay Complex SAC and Inner Galway Complex SPA make it highly unlikely that the development for retention could generate impacts of a magnitude that could affect European Sites.

8.1.5. **Likely significant effects on the European sites in view of the conservation objectives**

The operation of the proposed development will not result in impacts that could affect the conservation objectives of any SAC or SPA. Due to distance, intervening land uses and lack of meaningful ecological connections there will be no changes in ecological functions due to the operation of the facility.

There will be no significant disturbance to any wintering birds (ex-situ) that may occasionally use the amenity grassland area adjacent to the proposed development site.

8.1.6. In combination effects

The proposed development will not result in any effects that could contribute to an additive effect with other developments in the area. No mitigation measures are required to come to these conclusions.

8.1.7. Overall Conclusion

Screening Determination

Having carried out Screening for Appropriate Assessment of the project in accordance with Section 177U of the Planning and Development Act 2000 (as amended), I conclude that that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites within Galway Bay Complex SAC or Inner Galway Bay SPA or any other European site, in view of the sites Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.

This determination is based on:

- The relative scale of the development on a 0.019ha site and lack of impact mechanisms that could significantly affect a European Site
- Distance from and weak indirect connections to the European sites
- No significant ex-situ impacts on wintering birds

9.0 Recommendation

I recommend that planning permission be refused for the following reasons:

10.0 Reasons and Considerations

The Galway City Council Development Plan 2023 – 2029 under Policy 4.6 states it is the policy to “Enhance the delivery of an overall integrated transport solution for the city and environs by supporting the reservation of the designated strategic road corridor to accommodate the N6 GCRR project”. In this instance the proposed development is positioned within the preferred and/or approved route of a national

roads scheme, N6 Galway City Council Ring Road, and if permitted, the proposed development will prejudice the plans for the delivery of this scheme and contravene the policy of the Galway City Council Development Plan 2023 – 2029

11.0 Conditions

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.

Darragh Ryan
Planning Inspector

15th of January 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	319579-24		
Proposed Development Summary	Retention permission for a temporary period of 12 months for a 24 metre high monopole with all associated site works.		
Development Address	Cappagh Road, Barna, Galway		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	
		No	X
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes			Proceed to Q3.
No	X		No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No	X		Proceed to Q4

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes			

5. Has Schedule 7A information been submitted?		
No	X	Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: _____ Date: _____