



An
Bord
Pleanála

Inspector's Report

ABP-321251-24

Development	Erection of a 24m lattice telecommunications structure with all associated site works.
Location	Eir Exchange, Circular Road, Ballaghaderreen, Co. Roscommon.
Planning Authority	Roscommon County Council
Planning Authority Reg. Ref.	2460403
Applicant(s)	Towercom Limited
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Friends of the Irish Environment CLG
Observer(s)	None
Date of Site Inspection	24 th March 2025
Inspector	Ian Boyle

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Appendix 1 – Form 1: EIA Pre-Screening

1.0 Site Location and Description

- 1.1. The appeal site is in the centre of Ballaghaderreen town in County Roscommon (Eir Code: F45 AW66). It accommodates an existing Eir exchange facility and related infrastructure.
- 1.2. The exchange facility is an established utilities property comprising a 15m high telecommunication tower, a brick pitched roof utilities building and small grassed area at the front of the site. The facility sits behind a gated access which faces southwards, and directly onto the public road. The telecommunications tower is positioned to the rear of the site behind the utilities building.
- 1.3. The surrounding context is urban with a mix of uses, including mainly residential, commercial, education, retail and community type facilities. There is an existing used car dealership directly south of the site, on the far side of the road, and several houses are in the immediate surrounding vicinity. There is also a newsagents a short distance to the east, and a coach hire business to the west, respectively. Saint Nathy's College (Secondary School) is in the north part of town away from the site.
- 1.4. The site has a stated area of approximately 0.008ha.

2.0 Proposed Development

- 2.1. The proposed development is for the construction of a 24m lattice telecommunications support tower sitting on a 1m high raised foundation (overall height 25m, when including the lightning finial / rod), antennas, dishes and associated equipment and ground-level equipment, such as cabinets and security fencing.
- 2.2. The application states that the intention is to replace existing 15m high telecommunications tower. It is also stated that it would be built instead of a 20m high telecommunications structure which was permitted in October 2021. However, that structure was never constructed due to Covid, and the related lockdown period, and as technical requirements have moved on since that time.
- 2.3. The purpose of the proposed development is to provide improved telecommunications' services and network coverage in the area.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority issued a Notification of Decision (NoD) to Grant Permission on 18th October 2024, subject to 8 no. conditions, which are generally standard in nature. Notable conditions include:

Condition 2: Transmission power output, antennae type, and mounting configuration shall not be altered without a prior grant of planning permission unless they are exempted development.

Condition 3: Within 6 months of the use ceasing, the structures shall be removed at the applicant's expense and the site reinstated in accordance with a restoration plan.

Condition 4: Construction Management Plan (CMP).

Condition 7: Control of noise / noise limits.

3.2. Planning Authority Reports

3.2.1. Planning Report

- The proposal is for the replacement of the existing 15m monopole. Permission was granted for a 20m monopole, which was never activated due to Covid restrictions and as technological advances have created the need for a higher structure.
- The proposed development is supported by national and local planning policies, including NPF NPO 24, which is 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.
- Section 7.11 of the Roscommon Conty Development Plan 2022-2028 recognises 'the essential nature of mobile phone service provision, given the mainstream use of mobile technology in today's society, and the need to facilitate the provision of telecommunications services in the interests of social

and economic progress, whilst also balancing this with the protection of residential amenities and maintaining a quality environment'. Policy Objectives ITC 7.63 and 7.64 are relevant (see Section 5.1 below).

- The site is zoned 'Town Core'. The proposed development meets the description of 'Utilities and Infrastructure' set out in the Ballaghaderreen Land Use Zoning Matrix which are indicated as 'Open for Consideration' in the 'Town Core' zone. There also is an authorised lattice structure on the site.
- The replacement structure would be significantly taller than the existing 15m high structure. However, it is only 4m taller than the permitted, but not developed, 20m high lattice structure granted under Reg. Ref. PD/20/356.
- The site has capacity to accommodate the proposed structure within this urban setting. It is acknowledged that infrastructure of this nature necessitates a particular height and / or an elevated siting in order to operate effectively.
- The proposed development is outside the Ballaghaderreen Architectural Conservation Area (ACA).
- A photomontage and visual impact assessment was submitted with the application. The assessment demonstrates minimal visual impact upon the skyline and no impact upon the ACA.
- No EIA issues arise. The development proposed is not of a development type or class set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended) and will not give rise to significant environmental impacts. Therefore, the need for environmental impact assessment does not arise.
- No Appropriate Assessment issues arise.
- Recommends that permission be granted, subject to 8 no. conditions.

3.2.2. Other Technical Reports

Roads Department: No objection, subject to conditions.

3.3. Third Party Observations

- 3.3.1. The Planning Authority received two submissions. The main issues raised were in relation to environmental impact assessment, the location and setting of the proposed development in an urban area, and proximity of residential housing.

4.0 Planning History

Reg. Ref. 20/356: The Planning Authority **granted permission** on 6th November 2020 for a 20m high lattice telecommunications support structure together with associated antennas, dishes and ground-based equipment all enclosed in security fencing and remove the existing 15m lattice telecommunications structure.

The support structure has not been constructed, however. The Applicant states that the intention is for the current proposal to be installed instead as it better suited to address current technological requirements.

5.0 Policy Context

5.1. Guidelines for Planning Authorities on Telecommunications Antennae and Support Structures, 1996

- 5.1.1. The 'Guidelines for Planning Authorities on Telecommunications Antennae and Support Structures' (1996) set out government policy for the assessment of proposed new telecommunications structures ('the 1996 Guidelines'). The Guidelines state that the rapid expansion of mobile telephone services in Ireland has required the construction of base station towers in urban and rural areas across the country. They are an essential feature of all modern telecommunications networks. In many suburban situations, because of the low rise nature of buildings and structures, a supporting mast or tower is needed.
- 5.1.2. Section 4.3 of the Guidelines refers to visual impact and states 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 locations 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 a monopole (or poles) rather than a latticed tripod or square structure.

5.1.3. The Guidelines also state that visual impact is among the more important considerations that should be considered in arriving at a decision for a particular application. In most cases, the Applicant will only have limited flexibility as regards location, given the constraints arising from radio planning parameters, etc. Visual impact will, by definition, vary with the general context of the proposed development.

5.1.4. The Guidelines state that the approach will vary depending on whether a proposed development is in:

- a rural/agricultural area;
- an upland/hilly, mountainous area;
- a smaller settlement/village;
- an industrial area/industrially zoned land; or
- a suburban area of a larger town or city.

5.1.5. The Guidelines state that some masts will remain quite noticeable despite best precautions. For example, there will be local factors which have to be taken into account in determining the extent to which an object is noticeable or intrusive. This may include intermediate objects (buildings or trees), topography, the scale of the object in the wider landscape, the multiplicity of other objects in the wider panorama, the position of the object with respect to the skyline, weather, lighting conditions, etc. Softening of the visual impact can be achieved through a judicious choice of colour scheme and through the planting of shrubs, trees etc as a screen or backdrop.

5.2. Circular Letter PL07/12

Circular Letter PL07/12 revised elements of the 1996 Guidelines under Section 2.2 to 2.7. It advises Planning Authorities to:

- Cease attaching time limiting conditions or issuing temporary durations to telecommunications masts, except in exceptional circumstances.
- Avoid including minimum separation distances between masts or schools and houses in Development Plans.

- Omit conditions on permissions requiring security (i.e. bond/cash deposits).
- Not include monitoring arrangements on health and safety or to determine planning applications on health grounds.
- Include waivers on future development contribution schemes for the provision of broadband infrastructure.

5.3. Roscommon County Development Plan 2022-2028

- 5.3.1. The Roscommon County Development Plan 2022-2028 ('County Development Plan' / 'CDP') was adopted at a Special Planning Meeting on the 8th March 2022. The Plan has been in effect since 19th April 2022.
- 5.3.2. The following chapters and sections are considered particularly relevant in the assessment of this appeal case.

Zoning

- 5.3.3. The appeal site is zoned Town Core.
- 5.3.4. The proposed development is for a telecommunications support tower and associated works and equipment which falls within the description of 'Utilities and Infrastructure' as per the Ballaghaderreen Land Use Zoning Matrix. Utilities and Infrastructure uses are listed as 'Open for Consideration' in the 'Town Core' zone.

Ballaghaderreen ACA

- 5.3.5. The Ballaghaderreen Architectural Conservation Area (ACA) is recognised of interest due to its early nineteenth-century town planning origins. The ACA applies to the town centre, to the north of the appeal site.

Chapter 7: Infrastructure, Transport and Communications

- 5.3.6. Section 7.12 is 'Information and Communication Infrastructure' and states that:

'The physical infrastructure needed to provide mobile phone network services must be developed in a strategic way that minimizes the impact where possible on the environment. The Council recognises the essential nature of mobile phone service provision, given the mainstream use of mobile technology in today's society, and recognises the need to facilitate the provision of telecommunications services in the interests of social and

economic progress whilst also balancing this with the protection of residential amenities and maintaining a quality environment.

The telecommunications policy for the county is based on the Guidelines for Planning Authorities with regard to Telecommunications Antennae and Support Structures and any revisions. The policy encourages co-sharing and clustering of masts, rather than single user infrastructure in widely dispersed locations.'

- Policy Objective ITC 7.63 is 'to promote and facilitate the sustainable development of a high-quality ICT network throughout the county, in accordance with the requirements of the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, in order to achieve balanced social and economic development, whilst protecting the amenities of urban and rural areas'.
- Policy Objective ITC 7.64 is 'to support the delivery of high capacity Information Communications Technology Infrastructure, broadband connectivity and digital broadcasting, throughout the county, in order to ensure economic competitiveness for the enterprise and commercial sectors and in enabling more flexible work practices'.
- Policy Objective ITC 7.65 is 'to encourage co-location of antennae on existing telecommunications 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'.
- Policy Objective ITC 7.66 is 'to ensure that telecommunications structures are located to minimise and /or mitigate any adverse impacts on communities, public rights of way and the built or natural environment'.

Chapter 12: Development Management Standards

- 5.3.7. Section 12.22 is in relation to 'Telecommunications. It states that 'the Council recognises the importance of telecommunication infrastructure as a means of removing the peripheral barrier that the county experiences' and sets out the requirements for planning applications relating to the erection of antennae and support structures.

5.4. Natural Heritage Designations

5.4.1. No designations apply to the subject site.

5.4.2. The closest European Site is Tullaghanrock Bog SAC (Site Code: 002354), which is roughly 2.5km to the northeast.

6.0 The Appeal

6.1. Grounds of Appeal

The Board has received a single third party appeal (14th November 2024). The main grounds of appeal are as follows:

Inadequate Assessment by the Planning Authority

- The Planner's Report is inadequate.
- The Planning Authority did not properly engage with the third party submission as required.
- The Council's Decision to grant permission is a material contravention of Objective ICT 7.63 of the County Development Plan as and is contrary to the 'Antennae Guidelines'.
- Appends the original submission and requests that the Board consider the issues raised *de novo* as part of their assessment of the appeal.

Lack of Technical Justification / Assessment of Alternative Sites

- The location of the proposed development has been predetermined by a commercial arrangement and not by a technical justification for masts relative to their location.
- There is no assessment of alternative locations for sharing existing structures which is a key policy requirement.
- There is an existing higher mast in the immediate vicinity of the subject site from which some of the main telecoms operators are operating. There is no explanation as to why Vodafone cannot similar provide 5G services from here.
- The required technical explanation / assessment has not been undertaken.

- The Site Justification Report submitted with the application does not address how Vodafone cannot achieve the required line of sight from the existing higher existing ESB Telecoms mast from which it currently operates, or why a fibre connection cannot be made to the existing antenna on the ESB mast.
- The Applicant intends to bring forward applications for a large portfolio of telecommunications masts across the country. These masts, while small in individual spatial extent, have a considerable impact when considered in their totality, including on the environment and cultural heritage.
- Refers to previous planning decisions and court proceedings, citing an application for a mast in Glenealy, Co. Wicklow. Reiterates that the proposed development is part of a large portfolio of mast sites across the country.

Environmental Impact Assessment

- The development of this portfolio of masts constitutes a 'project' for the purposes of the EIA Directive, albeit that the project is comprised of separate development consents.
- It is not possible to assess whether the portfolio exceeds the threshold of Category 10(iv) of Part 2, Schedule V of the Planning and Development Regulations, 2001 (as amended) ('the Regs'), which is regarding 'Urban Development' as no EIA Screening with the required Schedule 7 information has been submitted regarding the spatial extent of the overall Towercom portfolio.
- Therefore, the Council is not in a position to deal with the application in light of the requirements of Article 4(4) of the EIA Directive which requires a developer to provide information on the characteristics of the project and its likely significant effects on the environment.
- The full extent of the 'project' was required to be made available to the Planning Authority in the planning application, but it has not been, and it was not disclosed that the proposed development is part of a wider project for developing a network of telecom masts simultaneously across the State.
- Schedule 7 of the Regs requires assessment of development in an area classified or protected under legislation which includes architectural

conservation areas (ACA's) as well as 'landscapes and sites of historical, cultural or archaeological significance', which includes the proposed development as it is close to several Protected Structures in Ballaghaderreen town centre.

Material Contravention of the County Development Plan

- Policy Objective ITC 7.63 of the CDP requires that all proposed telecommunications masts in County Roscommon be in accordance with the 'Antennae Guidelines'.
- The Guidelines recognise there is a danger of an unnecessary proliferation of telecommunications infrastructure, if left unregulated. Therefore, the guidelines set out certain principles for the location of telecom masts, depending on their geographic context and potential for visual impact.
- The application fails the 'last resort' test and no assessment has been completed of other feasible sites, including pre-existing locations, such as the nearby ESB structure. This is because the Applicant has no interest in developing alternative sites as they require to recoup their commercial investment in the Eir Exchange site.
- Policy Objective ITC 7.65 of the CDP encourages the co-location of antennae on existing telecommunications structures. No information has been provided as to why the existing ESB telecommunications must could not meet any technical requirements of operators.
- The proposed development has not addressed the requirements of the Development Management Standards (Section 12.22).
- The Council is requested to refuse permission.

6.2. Applicant Response

The Board has received a response from the Applicant (dated 12th December 2024). The main issues raised are as follows:

Inadequate Assessment by the Planning Authority

- The Board is not required to assess the decision of the Planning Authority. However, the Planner's Report is a detailed assessment of the proposal, which is effectively an application to increase the overall height of a recently permitted 20m lattice tower by 4.5m. The existing 15m tall telecoms structure is also an established feature in the town.
- The technical justification provided in the application is assessed in the Planner's Report. It is recognised that it would provide the required 5G coverage, that the applicable zoning ('Town Core') can facilitate the proposed development, and the site has the capacity to accommodate the proposed structure within its urban setting.
- Vodafone has provided support for the application noting the need for increased height to obtain the required line of sight for radio link connection purposes.
- The photomontages accompanying the application demonstrate minimal visual impact on the skyline and no impact on the ACA. The site is outside the ACA.

Lack of Technical Justification / Assessment of Alternative Sites

- The application is in line with the sequential approach to locating telecoms infrastructure and provides adequate justification (see Section 6.0 of Cover Letter accompanying the original application).
- The increased height is required to meet the required technical requirements and achieve a viable line of site to surrounding areas in order to provide a high capacity fibre network.
- The existing permitted structure is no longer fit for purpose to meet the current demand in service levels.
- It is not disputed that there are other existing telecom sites in the area. However, these other sites have been ruled out by Vodafone as they do not offer the same locational and technological advantages that the exchange site can provide.

- The 1996 Guidelines refer to the sequential approach in finding a site stating that 'in urban and suburban areas the use of tall buildings or other existing structures is always preferable to the construction of an independent antenna support structure'.
- The subject site is the optimal location for the proposed development as it is within an established utilities compound, has a history of telecommunications use, has an existing telecom mast already in-situ and has an existing connection to the national fibre network operated by Vodafone.
- The site also had existing means of access for maintenance purposes and power supply, is an established utilities setting (on a brownfield site), is in proximity to the demand area and meets the specific service requirements required to link in with other surrounding sites.

Environmental Impact Assessment

- 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).
- The Planner's Report also states that the development would not give rise to significant environmental impacts.
- For the purposes of EIA, urban development can be interpreted as bus garages, train depots, housing developments, hospital, universities, sports stadia, cinemas, theaters, concert halls and other cultural centers which are developments that have, by their nature, similar urban characteristics as a shopping centre or car park. A Telecom mast is a very different category of development and is not 'urban development' for EIA purposes.
- Even if the proposal were considered 'urban development', it would not be meet the threshold under Schedule 5 of the Regs. No likely significant effects on the environment will arise, including in relation to the ACA.
- The Appellant argues that all of the masts in the Applicant's portfolio constitute a single project for EIA purposes and that the Planning Authority is obligated to assess the cumulative effect of these masts for EIA. They are effectively stating that assessing each of the masts individually amounts to

‘project splitting’. However, the masts do not constitute a single project and can function independently. They can provide a level of coverage separately without connecting to any other telecoms masts.

- The ‘project’ is therefore the proposed development which is the subject of this planning application only.

Material Contravention of the County Development Plan

- The CDP recognises the essential nature of telecommunications investment (references Policy Objectives ITC 7.62, ITC 7.63, ITC 7.64, ITC 7.65 and ITC 7.66).
- The Guidelines state that sites already developed for utilities should be considered and installations should be designed and adapted for their specific location.
- In this case, the existing infrastructure is unable to accommodate multi-operator equipment, and so it is proposed to be replaced and upgraded.
- The application documents the coverage requirements for the area, the locational advantages of the exchange unit, and technological and work practice efficiencies, such as access, power, fibre connection links with other sites, and the established telecoms use on the property.
- The Planning Authority issued a grant of permission and they, themselves, do not consider the proposal a material contravention of the Development Plan. The policies and objectives of the CDP are generally supportive of telecoms proposals as are the 1996 Guidelines.

6.3. Planning Authority Response

- None received.

7.0 Assessment

The main planning considerations relevant to this appeal case are:

- Technical Justification
- Environmental Impact Assessment

7.1. Technical Justification

- 7.1.1. The Appellant raises a concern that the required level of technical justification, including an assessment of alternative sites, has not been completed as part of the application. They state there is an existing ESB facility in the immediate vicinity of the appeal site which could potentially be used by the intended telecoms operator (Vodafone) and that it has not been sufficiently demonstrated that this structure cannot provide the required 5G services sought by the developer.
- 7.1.2. I note that the County Development Plan (CDP) under Section 7.12 recognises the essential nature of mobile phone service provision and the need to facilitate the provision of telecommunications services in the interests of social and economic progress, whilst balancing this against the protection of residential amenities and maintaining a quality environment. Policy Objectives ITC 7.63 and ITC 7.64 seek to promote and facilitate a high-quality ICT network and the delivery of high-capacity ICT infrastructure, broadband connectivity, and digital broadcasting throughout the county, respectively.
- 7.1.3. The Applicant states that that the proposed (replacement) telecoms support structure would expand the current level of coverage for the area and that there would be a marked improvement in Vodafone's service capacity for the target area. In this regard, I note that a Justification Report is included as part of the application under Appendix 1. The report shows that an improved line of sight via site-to-site radio link dishes would be able to be achieved at five different locations in the region. This would lead to better 4G and future 5G service provision, which is consistent with Objectives ITC 7.63 and ITC 7.64 cited above.
- 7.1.4. I have viewed the ComReg Outdoor Coverage Map for the appeal site and its surrounding vicinity. Vodafone's 4G coverage for the town centre is shown as 'very good', but there is a sharp drop-off in the quality of service a short distance outward

from the town. The coverage quickly falls to 'good', and then 'fair', with some locations recorded as having a 'fringe' service only. A 'fair' signal means reliable data speeds may be attained, but disconnections and data dropouts may still occur, whilst 'fringe' coverage is marginal / poor where connections and data speeds are slower and disconnections likely to occur. [In terms of Vodafone 5G coverage, I note that the intention of the Applicant is to introduce this service to the area for the first time and that at present there is no such network available in this part of the country.]

- 7.1.5. Therefore, and in having had regard to the online coverage mapping tool provided by ComReg, it is clear that 4G and 5G network coverage is relatively poor. I consider that the proposed upgrade would significantly improve 4G service levels and allow 5G coverage levels to be obtained in the town, and surrounding areas, where there is currently none. The application has therefore successfully demonstrated a need for the proposed telecoms mast in this location, in my opinion. This is a clear policy mandate under Section 12.22 of the Development Plan where it is stated that the Council recognises the importance of telecommunication infrastructure as a means of removing the peripheral barrier that the county experiences.
- 7.1.6. The CDP also states however that the Planning Authority's telecommunications policy for the county is based on the 'Guidelines for Planning Authorities on Telecommunications Antennae and Support Structures' (1996) and that the Guidelines encourage 'co-sharing and clustering of masts, rather than single user infrastructure in widely dispersed locations'. Therefore, the need for new and improved telecommunications abilities needs to be balanced against potential impacts. The CDP has an objective to encourage the co-location of antennae on existing telecommunications structures and that the shared use of existing structures will be required where the numbers of masts located in any single area is considered excessive (Policy Objective ITC 7.65 refers).
- 7.1.7. The proposed development is not a 'new structure' per se. In effect, it seeks to replace an existing support structure with a new better-equipped facility. Importantly, I note that there is an existing permission on the site for a 20m high telecoms structure (permitted in October 2021), but that it was never constructed due to Covid and its related lockdown period. Furthermore, as there have been technological advances since this time which has created the need for a slightly higher structure –

25m (including the 1m high raised foundation) vrs the 20m permitted mast. This would equate to an overall increase of 5m between the two facilities.

- 7.1.8. The 1996 Guidelines encourage telecommunication facilities to primarily locate within existing industrial estates, or industrially zoned land, in the vicinity of suburban areas or towns, insofar as this is possible. I find that there are no industrial estates in the vicinity of the appeal site, or the area surrounding Ballaghaderreen. There are also limited taller structures in the vicinity of the existing Eir Exchange, which could potentially be used to accommodate the new (replacement) telecoms structure. This was evident during my physical inspection of the site and its surrounds.
- 7.1.9. The Justification Report includes a specific section on Alternative Sites and other existing communications sites in the area (Section 6.1). One such site was identified using the ComReg site viewer. This is the ESB compound situated roughly 180m to the northwest of the existing Eir exchange property. However, the ESB site was discounted as a viable option due to the amount of space required to house the various equipment and apparatuses needed to provide 5G service.
- 7.1.10. I note that the application could have examined and included other candidate sites as part of a more involved site selection exercise. However, it is unlikely, in my opinion, from inspecting the general vicinity around the site that another location could provide the same inherent advantages as the appeal site. The site is already within an established utilities compound and has access to the required infrastructure and connections. I note that it also has a history of telecommunications use with an existing telecoms tower already in-situ. There is a general absence of sensitive uses in the vicinity and vehicular access is readily available for maintenance and repair purposes. There is also an existing connection to the national fibre network currently operated by Vodafone.
- 7.1.11. There would be no significant additional visual impacts on the skyline, townscape or Ballaghaderreen Architectural Conservation Area (ACA) – the latter does not directly affect the subject property and is roughly 70m to the north. The new (replacement) telecoms structure would be visible from various locations in the town, including potentially from certain vantage points in the ACA. However, it is my view that the additional proposed height of 4m, compared with that of the permitted facility, would not be so impactful that it would warrant a refusal decision on visual impact grounds.

- 7.1.12. The application includes a series of photomontages for the purposes of assessing visual impact. The images comprise several closeup and longer distance views of the proposed development. They provide a visual depiction of the proposal against its immediate environs, but also of the wider surrounding environment, including from both inside and outside the ACA. Having physically inspected the site and walked through the ACA and town centre, I consider that the photomontages represent an accurate description of how the proposed development would appear as though in situ and constructed.
- 7.1.13. In this regard, I note that the Guidelines confirm that some masts will remain quite noticeable despite best precautions. The proposed telecoms tower adopts an appearance that is similar in size, scale, bulk and massing as that of the existing facility. It is not unusually bulky or tall and would largely replicate the visual appearance of the existing tower as it stands today, albeit it is taller by approximately 5m. Whilst the proposed development would be broadly visible from several locations, both up close and from further afield, I do not consider that it would be so visually inharmonious with its receiving context that it would seriously injure the visual amenity of the surrounding area, or the character of the adjacent ACA. It is my opinion that despite the additional height being proposed, which is required for effective network operational reasons, would be acceptable in this context and on balance overall.
- 7.1.14. I note that the 1996 Guidelines state under Section 4.3 that only as a last resort should free-standing masts be located within or in the immediate surrounds of smaller towns or villages and 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 (emphasis added). The Guidelines also state that the support structure should be kept to the minimum height consistent with effective operation. Having regard to this, I consider that the proposed development is in accordance with this approach and would reiterate that the existing exchange compound is a site that has already been developed for the purposes of accommodating a telecommunication utility, and that the height of the proposed structure has been tailored to meet the required operational needs for this area.

- 7.1.15. I conclude that the proposed development is in accordance with the provisions of the Roscommon County Development Plan 2022-2028, including Policy Objectives ITC 7.63, ITC 7.64, ITC 7.65 and ITC 7.66, as well as the Guidelines for Planning Authorities on Telecommunications Antennae and Support Structures' (1996).
- 7.1.16. Furthermore, the issue of a material contravention does not arise, in my view, as the proposed development is in accordance with the relevant planning policies and would not materially conflict with any policy or objective contained within the CDP.
- 7.1.17. I also do not accept that the application is driven purely by a commercial arrangement, as put forward by the Appellant, as a clear, evidence-based, technical justification for the proposal has been set out in the application which shows that the proposal is in accordance with both local and national planning policy requirements.

7.2. Environmental Impact Assessment

- 7.2.1. The proposed development is for the construction of a 24m lattice telecoms support tower, antennae and dishes, ground-level equipment and associated works. This form of development does not come within the scope of any of the classes of development which are subject to Environmental Impact Assessment (EIA).
- 7.2.2. The Appellant states that the extent of the Applicant's telecommunications network across the country is extensive with several similar such masts forming part of an interconnected network. They submit that this portfolio of masts constitutes a 'project' for the purposes of the EIA Directive – the rationale being that the true extent of the 'project' comprises the entire countrywide group of telecoms masts controlled by the Applicant, and that this cannot be confined to the subject application (a single mast) for the purposes of assessing potential effects in relation to EIA.
- 7.2.3. The third party goes on to say that as no screening report has been submitted on the entire spatial extent of these telecoms masts that it is not possible to assess whether the 'project' exceeds the threshold of Category 10(iv), Part 2, Schedule V of the Planning Regulations, which is:

10. Infrastructure Projects

(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

7.2.4. They then state that the Council – and by extension, the Board – is not in a position to deal with the application in light of the requirements of Article 4(4) of the EIA Directive, which requires a developer to provide information on the characteristics of the project and its likely significant effects on the environment (i.e., the provision of Schedule 7A Screening information).

7.2.5. Having regard to this, and in terms of considering whether the proposed development has characteristics of an ‘urban development’, as intended by the EIA Directive, I have referred to the document ‘Interpretation of definitions of project categories of Annex 1 and 2 of the EIA Directive’ (EU 2024). Here, it is stated under bullet points (i), (ii) and (iii) (Page 51) that this project category (‘urban development’) could take account of the following:

- (i) Projects with similar characteristics to car parks and shopping centres could be considered to fall under Annex II (10)(b). This could be the case, for example, of bus garages or train depots, which are not explicitly mentioned in the EIA Directive, but have similar characteristics to car parks.
- (ii) Construction projects such as housing developments, hospitals, universities, sports stadiums, cinemas, theatres, concert halls and other cultural centres could also be assumed to fall within this category. The underlying principle is that all these project categories are of an urban nature and that they may cause similar types of environmental impact.
- (iii) Projects to which the terms ‘urban’ and ‘infrastructure’ can relate, such as the construction of sewerage and water supply networks, could also be included in this category.

[emphasis added.]

7.2.6. I do not consider that the proposed development shares any of the characteristics with the above-referenced examples. A telecommunications mast and associated

equipment is a very different category of development, in my opinion, than those project types listed above. It is different in terms of its nature, appearance, size, scale, and it serves a specific purpose that bears no resemblance to the above. Its purpose is to support antennae and other telecommunications equipment for transmitting and receiving signals over distance to support and improve internet, data, and mobile phone coverage and connectivity.

- 7.2.7. I also do not consider that the collective group of masts within the ownership of the Applicant across the country constitute a 'single project' within the meaning of the EIA Directive. The proposal is for a single utility installation and should not be considered a 'sub-threshold' urban development for the purposes of EIA for this reason, in my opinion.
- 7.2.8. Furthermore, the proposed telecommunications installation can function independently and autonomously. It is not reliant on other masts to deliver its operational mandate, which is to support and expand the level of Vodafone coverage and service capacity for a defined target area. The facility would be able to provide a level of coverage separately and without physically connecting to any other telecoms masts controlled by the Applicant. The 'project' is therefore confined to the proposed development only, which is the subject of this planning application and, by extension, this appeal.
- 7.2.9. I note for the attention of the Board that the Applicant has provided certain information in their response regarding Schedule 7 of the Planning and Development Regulations 2001 (as amended). This relates to the criteria for determining whether development listed in part 2, schedule 5 of the Regs should be subject to environmental impact assessment. However, the Applicant has not provided information for the purposes of screening environmental impact assessment (Schedule 7a). Therefore, there is no requirement for the Board to undertake a formal EIA screening exercise ('Form 3') in their assessment of this appeal case, in my opinion.
- 7.2.10. I would also reiterate that the proposed development as a telecommunications installation is not a development type or class which is set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended). It would not give rise to significant environmental impacts, either in terms of visual

impact or upon cultural heritage (negative effects on the ACA, for example), in my opinion, as outlined above. Therefore, I do not consider that the need for environmental impact assessment arises in this case and the Board is able to assess the application without requiring specific information on the characteristics of the project or likelihood of significant effects on the environment.

8.0 AA Screening

- 8.1. Given the nature and scale of the development proposed, which is for a telecommunications support structure with ancillary works, and separation distance from the nearest Natura 2000 site, it is considered that the proposal would not be likely to have a significant effect individually or in combination with other plans and projects on a European site and there is no requirement for a Stage 2 Appropriate Assessment.

9.0 Recommendation

- 9.1. I recommend that planning permission be granted for the reasons and considerations set out below.

10.0 Reasons and Considerations

- 10.1. Having regard to the provisions of the Roscommon County Development Plan 2022-2028, in particular Policy Objectives ITC 7.63, ITC 7.64 and 7.65, and the 'Telecommunications Antennae and Support Structures - Guidelines for Planning Authorities (1996)' (as updated by Circular Letter PL 07/12), and the scale, design and nature of the proposed development, which would replace an existing telecommunications support structure and be situated within an established utilities compound (exchange facility), it is considered that, subject to compliance with the conditions set out below, the proposed development would not be visually obtrusive or seriously injurious to the visual amenity of the area, or to the Ballaghaderreen ACA, and that it would not seriously injure the amenities of the surrounding vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application 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 commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>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 prior to commencement of development.</p> <p>Reason: In the interest of the visual amenities of the area.</p>
3.	<p>Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interest of public safety and amenity.</p>
4.	<p>Landscaping of the site shall be carried out in accordance with a landscaping scheme, which shall include hedging planted inside the boundary fence, which shall be submitted to and agreed in writing with planning authority prior to commencement of development.</p> <p>Reason: In the interest of the visual amenities of the area.</p>
5.	<p>A low intensity fixed red obstacle light shall be fitted as close to the top of the mast as practicable and shall be visible from all angles in azimuth. Details of this light, its location and period of operation shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of public safety.</p>

6.	<p>a) In the event of the telecommunications structure and ancillary structures hereby permitted ceasing to operate for a period of six months, the structures shall be removed, and the site shall be reinstated within three months of their removal.</p> <p>b) The site shall be reinstated in accordance with a Restoration Plan to be submitted for the written agreement of the Planning Authority within three months of the date of the final grant of the permission.</p> <p>Reason: In the interest of the visual amenities of the area.</p>
7.	<p>Sound pressure levels generated by the development shall not exceed background levels when measured at any dwelling in the vicinity of the site. All sound measurements shall be carried out in accordance with ISO Recommendations 1996 "Assessment of noise with respect to community response" as amended by ISO Recommendations R 1996/1, 2 and 3 "Description and measurement of Environmental Noise" as appropriate.</p> <p>Reason: In the interests of general amenity.</p>

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.

Ian Boyle
Senior Planning Inspector

26th March 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-321251-24		
Proposed Development Summary	<p>The proposed development is for the construction of a 24m lattice telecommunications support tower sitting on a 1m high raised foundation (overall height 26m, when including the lightning finial / rod), antennas, dishes and associated equipment and ground-level equipment, such as cabinets and security fencing.</p> <p>The application states that the intention is to replace existing 15m high telecommunications tower. It is also stated that it would replace an existing permission granted for a 20m high telecommunications structure, permitted in October 2021, but which was never constructed due to Covid and recent advancements in technical and operational requirements.</p>		
Development Address	The appeal site is in the centre of Ballaghaderreen town in County Roscommon (Eir Code: F45 AW66). It accommodates an existing Eir exchange facility and related infrastructure.		
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	
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			
No	✓		

3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No			
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	✓	Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes		

Inspector: Ian Boyle

Date: 26th March 2025