



An
Bord
Pleanála

Inspector's Report ABP-322314-25

Development	Installation of a 36 metre lattice telecommunications support structure and all associated site works.
Location	Bellavary, Atticahill, Co. Mayo.
Planning Authority	Mayo County Council.
Planning Authority Reg. Ref.	2460703.
Applicant(s)	On Tower Ireland Limited.
Type of Application	Permission.
Planning Authority Decision	Grant Permission.
Type of Appeal	Third Party.
Appellant(s)	Robert Scoble and Letrisia Gridley.
Observer(s)	None.
Date of Site Inspection	19 th June 2025.
Inspector	C. Daly

1.0 Site Location and Description

- 1.1. The subject site, of area 0.075ha., is located within a grassland field and there is a line of mature trees adjacent to the site to the west. The closest residence is c.380m to the west of the site and there are three further dwellings within a short distance along the road north of this and one dwelling a short distance along the road to the south. There are also a small number of dwellings along a local road to the east over 400m away. There are a number of mature tree lines in the vicinity of the site as well as a small woodland close to the public road to the north-west.
- 1.2. The site is in a rural area c. 1km southwest of Bellavary village (a tier 4 rural settlement) and the N5 national route. The site is accessed over a local road, the L1712 Balla Road, and via a private laneway of c.400m in length which passes over the Danganmore River c.260m to the west.
- 1.3. Most of the site is wet grassland and other grassland and there is an adjacent hedgerow to the north and at the east end of the site. The access way would be over part of an existing field with a gravel track to be provided.

2.0 Proposed Development

- 2.1. The proposed development, in summary, consists of the following:
 - The installation of a 36m lattice telecommunications support structure for the provision of high-speed wireless data and broadband services.
 - The structure will include a headframe carrying antennas, dishes, remote radio units, associated equipment and ground-based cabinets, site lamp, concrete plinths and associated works.
 - Accessed over a permeable gravel access track.

3.0 Planning Authority Decision

3.1. Decision

Mayo County Council initially decided to request further information in relation to the submission of an assessment under Article 6 of the EU Habitats Directive, a more

comprehensive visual impact assessment within 1km and details of the new access road to be constructed with a permeable gravel /slate surface sought.

Following F.I. the P.A. decided to grant permission subject to 5 no. conditions.

Notable conditions include:

- Condition no. 2 required no changes to the transmitted power output, antenna type and mounting configuration without a prior grant of permission.
- Condition no. 3 required a low intensity fixed red obstacle light on top of the mast.
- Condition no. 4 required reinstatement of the site on removal of the structures.
- Condition no. 5 required the developer to facilitate co-location with other telecoms and broadband operators.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The initial Planner's Report recommended further assessment of the site location and design. It advised that F.I. be requested in relation to AA screening, visual impact and surface details for the access route.

Following F.I. the second Planner's Report noted the Stage 1 AA screening submitted. It considered that the visual impact and access road issues were adequately responded to. Noting Circular Letter PL07/12 it considered the development acceptable.

3.2.2. Other Technical Reports

- Municipal Architects: F.I. request for a more comprehensive visual impact assessment and consideration to be given for reduced height.
- Area Engineer: No response received.

3.3. Prescribed Bodies

- Health and Safety Authority: Advised outside the scope of regulations.
- The Heritage Council: No response received.

3.4. Third Party Observations

4 no. third party observations were received by the P.A.. These can be summarised as follows:

- Concerns in relation to impact on property values and future development of adjacent properties including a farm
- Concerns regarding impact on agri-forestry development.
- Concerns in relation to visual impact due to height and prominence of the tower and the lights on the tower.
- A thorough photomontage report is required.
- Concerns in relation to lack of community consultation.
- Concerns in relation to the poor condition of the access laneway.
- Traffic hazard concerns related to the access location on a dangerous bend.
- Concerns relating to health impacts particularly long-term exposure to EMR.
- Concerns at failure to follow government guidelines particularly given that there is already a telecoms mast in the area which could be used.
- Concerns regarding threat to bees and honey production from EMR.
- Concerns in relation to impacts on wildlife and farm animals.
- Concerns in relation to water pollution given location close to a water course.
- The local landscape has changed due to storm Eowyn which reveal and open the site with a new assessment required. Photos attached.

4.0 Planning History

None located.

5.0 Policy Context

5.1. Mayo County Development Plan 2022-2028 (the CDP)

The subject site is located within Landscape Policy Area 4 – Drumlins and inland lowland (Map 10.1)

Volume 1

Chapter 2 – Core and Settlement Strategy

Section 2.3 Strategic Aims

Infrastructural Development - To protect, improve and provide water, wastewater, surface water and flood alleviation services throughout the county, and to facilitate the provision of high-quality information communication technology, broadband, telecommunication information and electricity network required to support and enhance the key aims of best place to live, work, visit and invest.

Chapter 7 – Infrastructure

Section 7.1 Strategic Aim

The strategic aim of this chapter is to protect, improve and provide water, wastewater, surface water and flood alleviation services throughout the county, and to facilitate the provision of high-quality information communication technology, broadband, telecommunication information and electricity network required to support and enhance the key aims of best place to live, work, visit and invest and facilitate the transition to a low carbon and climate resilient society.

Section 7.4.4.4 Telecommunications

Mayo County Council recognises the essential need for high quality communications and information technology networks in assuring the competitiveness of the county's economy and increasing the quality of life of its people. The Council also recognises the need to balance the requirement to facilitate mobile telecommunications infrastructure in the county to address existing coverage blackspots and the need to protect residential, visual amenity, the natural environment and built environment. In considering proposals for telecommunications infrastructure, the Council will have regard to the Department of the Environment, Heritage and Local Government's "Telecommunications Antennae and Support Structures, Guidelines for Planning

Authorities” 1996 and Circular Letter PL07/12 ‘Telecommunication Antennae and Support Structures’ and any amendments thereof.

Telecommunications Policies

INP 19 To support the delivery of telecommunication infrastructure in the county, having regard to the Government Guidelines ‘Telecommunications Antennae and Support Structures- Guidelines for Planning Authorities’ 1996 (DoEHLG), the ‘Guidance on the potential location of overground telecommunications infrastructure on public roads’, (Dept of Communications, Energy & Natural Resources, 2015) and Circular Letter PL 07/12 (as updated) and where it can be demonstrated that the development will not have significant adverse impacts on communities, public rights of way and on the built or natural environment, including the integrity of the Natura 2000 network.

INP 20 To promote Mayo as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities, at appropriate locations.

Telecommunications Objectives

INO 32 To maximise and widely promote connectivity of Mayo based on building on existing ICT infrastructure and sub-sea fibre optic cables where possible.

INO 33 To encourage the location of any telecommunications structure, have regard to the Landscape Appraisal of County Mayo, and where possible, advise on a less intrusive location in areas where they are unlikely to intrude on the setting of, or views of/from national monuments or protected structures.

INO 34 To maintain and update the council’s register of approved ducting and telecommunication structures in the county, to assist in the assessment of future telecommunication developments. The Council will encourage co-location of antennae on existing support structures and require documentary evidence as to the non-availability of this option in proposals for new structures. The shared use of existing structures will be required where the numbers of masts located in any single area is considered to have an excessive concentration.

Volume 2 – Development Management

Section 8.10 Telecommunications

The Council recognises the importance of telecommunication infrastructure which is important in removing the peripheral barrier that the county experiences. It is also recognised that the location of telecommunication infrastructure is dictated by service provision and hence each application will be determined on its own merits. Planning applications relating to the erection of antennae and support structures shall be accompanied by:

- A reasoned justification as to the need for the particular development at the proposed location in the context of the operator's overall plans for the county having regard to coverage.*
- Details of what other sites or locations in the county were considered, and reasons why these sites or locations are not feasible.*
- Written evidence of site-specific consultations with other operators with regard to the sharing of sites and support structures. The applicants must satisfy the Council that a reasonable effort has been made to share installations. In situations where it not possible to share a support structure, the applicants will be encouraged to share a site or to locate adjacently so that masts and antennae may be clustered; and*
- Detailed proposals to mitigate the visual impact of the proposed development, including the construction of access roads, additional poles and structures. Where possible they should be located so as to benefit from the screening afforded by existing tree belts, topography or buildings. On more exposed open sites, the Council may require an alternative design or colour finish to be employed, unless where its use is prohibited by reasonable technical reasons.*

5.2. National and Regional Guidance

Climate Action Plan (CAP) 2025

- CAP 2025 to be read in conjunction with CAP 2024, the relevant part being Section 11.2.4.
- Section 10.1.8: Digital Transformation. The CAP supports the national digital transformation framework and recognises the importance of this transformation to achieve Ireland's climate targets.

- The transition towards green and digital societies is highlighted throughout the CAP 2025, as an overarching aim to achieve decarbonisation and net zero commitments.
- Section 15 of the Climate and Low Carbon Development Act 2015 as amended (the Climate Act), obliges the Board to make all decisions in a manner that is consistent with the current CAP.

Harnessing Digital. The Digital Ireland Framework.

- Section 2.1: Enable the physical telecommunication infrastructure and services delivering digital connectivity in line with the National Broadband plan.

National Planning Framework 'Project Ireland 2040'

- First Revision (April 2025)
- National Policy Objective 31: 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.
- National Policy Objective 62: In co-operation with relevant Departments in Northern Ireland, develop a stable, innovative and secure digital communications and services infrastructure on an all-island basis.

National Development Plan 2021-2030

- The government recognises that access to quality high speed broadband is essential for today's economy and society.

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.

Regional, Spatial and Economic Strategy

Northern & Western Regional Assembly 2020-2032

- Section 3.5: Telecommunication infrastructure is essential for accessing employment, education and healthcare lifelines.

5.3. Ministerial Guidelines and Circulars

The following Ministerial Guidelines and Circulars are relevant:

- Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996) (the Telecommunications guidelines)
- Circular Letter PL07/12 relates to Telecommunications Antennae and Support Structures Guidelines.
- Circular Letter PL 03/18 relates to Revision of Development Contribution Guidelines in respect of telecommunications infrastructure.

5.4. Natural Heritage Designations

In relation to designated sites, the subject site is located:

- c.1.75km south-west of River Moy Special Area of Conservation (site code 002298).
- c.4.5km north-east of Carrowmore Lough Shore Cullin Proposed Natural Heritage Area (PNHA) (site code 001492).
- c.7km south-west of Lough Conn and Lough Cullin Special Protection Area (SPA) (site code 004228).
- c.7km south-west of Lough Conn and Lough Cullin Proposed Natural Heritage Area (PNHA) (site code 000519).
- c.8.4km north-west of Balla Turlough SAC and PNHA (site code 000463).

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of the third party appeal submitted by Robert Scoble and Letrisia Gridley can be summarised as follows:

- The Telecommunications guidelines advise that only as a last resort should free standing masts be located within or in the immediate surrounds of smaller towns and villages. If such a site becomes necessary, sites already developed for utilities should be considered and masts and antennae should be designed and adapted to the location.
- In residential areas where the last resort test applies, the mast should be kept to the minimum necessary height and should be monopole.
- There would be a lower environmental impact from development of the current mast serving the area.
- The proposed mast at 36m height will be visually obtrusive and not aesthetically pleasing in a beautiful rural landscape.
- The site landscape has completely changed due to the impact of Storm Eowyn with trees having fallen and the site has been revealed much more including by cut back of hedgerows. Photos enclosed.
- All assessments were done prior to the storm and new assessments are required and the residence directly opposite should have been included in the photomontages.
- Remaining trees have been weakened and could come down in future storms revealing the mast, on an elevated and exposed site, even more.
- Inadequate screening is proposed to lessen the impact of the proposed mast.
- Concerns in relation to electromagnetic radiation (EMR) and the impact on human health and wildlife with the proposal close to their residence.
- Studies have shown adverse health effects from EMR and RF radiation in rats and more research is required.
- A study showed drastic reduction in honeybee populations from EMR from mobile phone masts and this is a warning to all living organisms.
- Concerns in relation to impacts from EMR on biodiversity, wildlife, habitats, flora and fauna, mammals, farm animals and birds including deer and migratory birds due to height of the structure.

- Concerns regarding construction impacts on hibernating nests and pollution from construction work including a nearby water course.
- Concerns regarding construction traffic on a narrow lane turning onto the Balla Road.
- Concerns regarding depreciation in the value of their property and the mast will be in sight of their property and loss of amenity.
- Concerns regarding a lack of consultation and sharing of information with residents.

6.2. **Applicant Response**

A response to the third party appeal on behalf of the applicant was received and it can be summarised as follows:

- Property devaluation is not an issue without evidence of where depreciation has occurred. Enhanced broadband may increase property values.
- In relation to health issues, the proposal will be compliant with emission limits which are regulated, an ICNIRP declaration is provided, a Circular provides that health is not a relevant consideration and the Board has consistently maintained that health effects are not a material consideration.
- Site selection accords with the guidelines such that the location is a last resort with no other viable alternative options found.
- In relation to biodiversity, the submitted AA screening report found no significant impacts.
- In relation to visual impact, per the F.I. submission, VP1 shows a negligible visual impact from the applicant's property.
- The lattice type design is see-through which is appropriate in a rural landscape.
- The proposal would be screened by trees at a higher elevation to the appellant's property and together with the drop in ground levels after the trees and the natural screening, the proposal would be fully screened.

- The more comprehensive visual assessment was carried out in February 2025 after Storm Eowyn and photomontage VP1 shows the development would not be visible at all.
- Further photomontages were taken in April 2025 with two new viewpoints with the development not visible at both locations.
- A Telecommunications Development Photomontage Report dated 12/05/2025 and a Telecommunications Development Photomontage Report dated 10/02/2025 is submitted and no significant visual effects were found.
- An AA Screening Report prepared by Veon Ecology dated 21/02/2025 was submitted.

6.3. **Appellant Response**

A response to the applicant's appeal response was received from Robert Scoble. This response can be summarised as follows:

- Issues with the way the applicant's response was presented.
- If the P.A. are qualified to determine health issues, what guarantee is there that Comreg will be brought in to monitor and regulate the frequency bands?
- Issues with absence of photos online from the original application.
- The position of VP1 and VP2 is convenient in that it hides the structure behind the trees.
- The claim in relation to the elevation of the land between the appellant's property and the structure is undermined by VP1 and VP2 which show that the tower would be visible behind the elevation of the land and is only hidden by a few trees.
- The land behind the appellant's house rises such that the structure will be visible from the garden.

7.0 **Assessment**

- 7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the

local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Development Plan Policy
- National Policy
- Ecology
- Public Health
- Access and Construction
- Other Matters

7.2. Development Plan Policy

- 7.2.1. While the appellant has not directly referenced a specific Development Plan, I note the requirement for the proposed development to accord with the relevant CDP policies and issues in relation to visual impact and amenity have been raised. I propose to now assess the proposed development by reference to Section 8.10 of Volume 2 of the CDP as required.

The Council recognises the importance of telecommunication infrastructure which is important in removing the peripheral barrier that the county experiences. It is also recognised that the location of telecommunication infrastructure is dictated by service provision and hence each application will be determined on its own merits. Planning applications relating to the erection of antennae and support structures shall be accompanied by:

A reasoned justification as to the need for the particular development at the proposed location in the context of the operator's overall plans for the county having regard to coverage.

- 7.2.2. I note the submitted Planning Statement includes a technical justification from Three Radio Network. The stated purpose of the proposal is to provide mobile and broadband services in and around Bellavary and surrounding wider area. It notes that a 4G coverage blackspot will remain should the proposal not go ahead. A service overlap will enhance service quality during peak times. Maps have been

submitted to show the coverage proposed. I consider these show significant improvements in 3G and 4G coverage for the area in and around the subject site.

- 7.2.3. I consider the provision of such services to be generally justified having regard to the above part of Section 8.10 of the CDP and noting other CDP policies which encourage such provision such as Section 7.4.4.4 (Telecommunications) and Objective INO 36. I will examine the appropriateness of the subject site for this purpose below.

Details of what other sites or locations in the county were considered, and reasons why these sites or locations are not feasible.

Written evidence of site-specific consultations with other operators with regard to the sharing of sites and support structures. The applicants must satisfy the Council that a reasonable effort has been made to share installations. In situations where it not possible to share a support structure, the applicants will be encouraged to share a site or to locate adjacently so that masts and antennae may be clustered; and

- 7.2.4. The applicant's Planning Statement details the site selection process. It states that a sequential process was followed for the area with alternative sites required to be within a short distance of the search area. It notes a requirement for relatively high points for transmission purposes. Three alternative sites were ruled out with the closest site 1.7km away unable to meet required coverage objectives. The other two sites were considered to be too far away.

- 7.2.5. The report notes that "*During the alternative sites assessment, there were no suitable structures or existing masts identified which would be capable of providing both the required transmission links and the level of 3G and 4G coverage required in this instance. Only as a last resort have Three Ireland considered the installation of a new telecommunications tower at the proposed location*". I note this provides details of what other sites or locations were considered. I note the third party refers to an existing mast serving the area. However noting the Comreg maps and based on the information before me, I note no other suitable existing other telecoms structures in the vicinity where co-location would be possible, I do not consider written evidence of site-specific consultations to be required. I note this also accords with INO 34 of the CDP in relation to co-location.

- Detailed proposals to mitigate the visual impact of the proposed development, including the construction of access roads, additional poles and structures. Where possible they should be located so as to benefit from the screening afforded by existing tree belts, topography or buildings. On more exposed open sites, the Council may require an alternative design or colour finish to be employed, unless where its use is prohibited by reasonable technical reasons.

7.2.6. The final part of Section 8.10 (above) relates to visual impact of the proposed development. In this regard, I note the submitted two new photomontages submitted as part of the Telecommunications Development Photomontage Report dated 12/05/2025 with the appeal and the Telecommunications Development Photomontage Report dated 10/02/2025 submitted at F.I. stage and with the appeal. I note both of these reports are dated after Storm Eowyn which took place in January 2025.

7.2.7. I note the viewpoints for VP1 and VP2 in the most recent photomontage report were taken from the vicinity of the appellant's dwelling to the west of the subject site and I note the concerns raised in the appeal in relation to visual impact in close proximity to the appellants' dwelling. The appellants' noted that some trees between their dwelling and the subject site were removed by Storm Eowyn. I have visited the site and observed it from the public road in front of the appellant's dwelling. I have observed the site from the public roads in the vicinity. I note the submitted photomontages including from the north, the west, south-west, south and north-west, and I am satisfied that to the extent that the structure would be visible that its impact would be negligible and not significant from the appellants residence due to the screening provided by the trees and the scale of the structure when viewed from this significant distance. I also note that the photomontage report notes, in the main low or negligible levels of effect with two moderate to low effects and one minor effect noted.

7.2.8. I also note that if the trees were removed, that the applicant has demonstrated that only the top section of the mast would be visible as the ground level rises between the appellants' dwelling and the subject site. In this regard, due to the rising land to the east and the distance to the mast, and noting the provision of a light, I consider that it would not have an overbearing or unduly visually obtrusive impact in the rural

landscape or in terms of the residential amenity of the appellants' dwelling which is located at a significant remove from the subject site.

- 7.2.9. I also note that I am satisfied that there would be no significant impacts based on the other viewpoints presented in the photomontages given the views would be largely screened by the landscape and that the distance from the mast would be such that views of it would appear distant and intermittent where visible from the public realm. I also note that the site is not located in a protected landscape area or in proximity to sensitive receptors. Accordingly, I am satisfied that Section 8.10 of Volume 2 of the CDP has been satisfied in relation to the proposed development. Should permission be granted, as a precaution I recommend that a low intensity light be required at the top of the mast by way of condition.

7.3. National Policy

- 7.3.1. I note the appellant has referenced the last resort test and the need to consider alternative locations for the proposed development in accordance with the Telecommunications guidelines. I note that the last resort test refers to locations within settlements only. Policy INP 19 of the CDP supports telecommunications developments while having regard to the 1996 guidelines and Circular 07/12 (updated) "*where it can be demonstrated that the development will not have significant adverse impacts on communities, public rights of way and on the built or natural environment, including the integrity of the Natura 2000 network*". For the reasons outlined in this report above and below, including in relation to the natural environment, I have noted no significant adverse impacts on communities, public rights of way or on the built or natural environment.
- 7.3.2. I have previously noted in Section 7.2 above that the applicant has demonstrated that co-location on an existing telecoms site is not practical or possible given the objective to improve coverage in the area. I have viewed Comreg maps in this regard and I note the current deficit in coverage in this area which would be enhanced by the proposed development in accordance with national and local policy for telecoms.
- 7.3.3. In relation to the design of the structure, I consider the lattice structure to be a reasonable design and noting the form of the structure, I do not consider that the design would be bulky or visually obtrusive in the landscape with available views

from the public realm likely to be intermittent given the mature tree lines and woodland in the vicinity and at a significant distance such that it would appear insignificant in the landscape. I note the 1996 guidelines states “*in rural areas towers and masts can be placed in forestry plantations provided of course that the antennae are clear of obstructions*”. I note that in accordance with the guidelines the proposed development would not be located along major roads or tourist routes and would not be terminating a view. I note views of it would be, at most, intermittent and incidental in accordance with the guidelines. I also note no particular local factors of concern.

- 7.3.4. I note the applicant has demonstrated that a reasonable effort has been made to find an alternative site to share and no such site is available for co-location. Should permission be granted, I recommend that the developer be required by condition to facilitate co-location with other telecom and broadband operators. In relation to the access road, having regard to the limited changes proposed and that these would only be visible in the immediate vicinity, I consider there would be negligible impact on the visual amenities of the area in this regard.

7.4. Ecology

- 7.4.1. The appeal has raised concerns in relation to impacts on biodiversity, wildlife, habitats, flora and fauna, mammals, farm animals and birds including deer and migratory birds related to the scale of the structure. EMR issues have also been raised in relation to impacts on bees and farm animals which are addressed in Section 7.5 below.
- 7.4.2. Noting the submitted AA Screening Report prepared by Ilan Farrell, Environmental Scientist, of Veon Ecology. The site was surveyed by an environmental scientist on the 14th of January 2025. I note the site consists of wet grassland and surrounding vegetation includes common rush, common grass species and other common vegetation. It is currently part of an agricultural field including agricultural grassland. The report notes species recorded include Dandelion, Rye grasses, Plantains and Yorkshire fog. It notes that the most significant hydrological feature is the Danganmore River c.260m to the west. I note the treeline to the west which includes Hawthorn and underneath is Bramble and Ivy.

7.4.3. In relation to impacts on biodiversity and ecology in the area, the appellant has not specifically addressed any mechanisms by which significant impacts would arise to the environment in this regard other than stating the height and access to the development would create issues. I note that migratory birds deal with tall features in the landscape which are not uncommon by flying around them and that deer interact with laneways as a matter of course with no significant intensification of use of the laneway expected.

7.4.4. Noting my EIA screening, WFD screening and AA screening below and the submitted AA Screening Report prepared by Veon Ecology which included a field study of the site, I am not persuaded that there would be any mechanism from the proposed development for significant impacts on the environment to arise. Should permission be granted, I recommend that by condition a requirement be made for site reinstatement should operations cease, consistent with the P.A. approach.

7.5. Public Health

7.5.1. I note the appeal raises issues in relation to prolonged exposure to electromagnetic radiation (EMR) in terms of adverse effects on human health and animal health, bees and farm animals, with cattle noted to be located in the area. I also note the consequent potential issue raised for other species from adverse impacts on bee populations. I note the submission of an ICNIRP declaration which notes compliance with the International Commission on Non-Ionising Radiation Protection Guidelines per the relevant limits.

7.5.2. Overall in relation to health considerations, Circular Letter 07/12, issued by the then DoECLG, reiterates the advice contained in the Telecommunication Guidelines, specifically that planning authorities should not determine planning applications on health grounds, that planning authorities should be primarily concerned with the appropriate location and design of telecommunications structures and do not have competence for health and safety matters in respect of telecommunications infrastructure. These matters are regulated by other codes and such matters should not be additionally regulated by the planning process and I consider this principle applies in relation to impacts on animal health. Accordingly, I do not consider that the appellants have raised any significant health related issues that would merit a

refusal of permission or application of health related conditions should permission be granted.

7.6. Access and Construction

- 7.6.1. I note the appellant has raised potential pollution from construction work to a nearby water course and I note the submitted AA Screening report identified a drainage ditch adjacent to the site. I note that a watercourse crosses the access way to the site at a point located towards the public road. However, I also note that the proposed works would be located to the east of the watercourse which crosses the access lane such that there would be no direct connection to this watercourse. Noting this, and my Appendix 3 screening below in relation to the Water Framework Directive, having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.
- 7.6.2. I note the proposed development would be accessed via an existing access from a local road on to a laneway and no significant works are proposed to this laneway. At operational stage, I do not consider that this would result in a significant intensification of use of the site or access from a transportation perspective as there would only be a need for workers vehicles to access the site from time to time for maintenance etc. In relation to construction impacts raised by the appellant, I note there would be minimal ground movements associated with the development. I consider that these can be managed by standard condition requiring best practice construction management measures to be agreed in advance with the P.A. should permission be granted such that I am satisfied there would be no traffic hazards from the development.

7.7. Other Matters

- 7.7.1. In relation to development contributions, I note that there is a waiver for broadband masts and antennae as well as mobile phone masts and antennae in the Mayo County Development Contribution Scheme 2022. This is supported by Circular 03/2018 such that should the Board consider a grant of permission to be merited, I note development contributions under Section 48 would not apply.

8.0 EIA Screening

- 8.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

9.0 Appropriate Assessment (AA) Screening

- 9.1. Please see Appendix 2 for AA Screening. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located c.1.75km south-west of River Moy SAC (site code 002298), c.7km south-west of Lough Conn and Lough Cullin SPA (site code 004228) and c.8.4km north-west of Balla Turlough SAC (site code 000463).
- 9.2. The proposed development comprises a 36m telecommunications latticed mast and associated structures.
- 9.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows:
- The scale and nature of the development with a small footprint.
 - The distance from the nearest European site and absence of any pathways.
 - Taking into account the screening report/determination by the P.A.
 - Taking into account the AA Screening report prepared by Veon Ecology.
- 9.4. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Recommendation

Following the assessments above, I recommend that planning permission for the proposed development should be granted, subject to conditions, for the reasons and considerations set out below.

11.0 Reasons and Considerations

Having regard to the provisions of the Mayo County Development Plan 2022 – 2028, the location within a rural area, to the nature and scale of the proposed development and its relationship with the surrounding area, it is considered that subject to compliance with the conditions set out below, the proposed development would be acceptable and would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would be acceptable in terms of design, visual impact, public health, ecological impact and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1. The development shall be carried out in accordance with the plans and particulars submitted with the planning application as amended by the further plans and particulars received by the planning authority on the 3rd day of March 2025 except as may be otherwise required by the following conditions.
Reason: To clarify the plans and particulars for which permission is granted.

2. The transmitter power output, antenna type and mounting configuration shall be in accordance with the details submitted with this application and, notwithstanding the provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, shall not be altered without a prior grant of planning permission.
Reason: To clarify the nature and extent of the permitted development to which this permission relates and to facilitate a full assessment of any future alterations.

3. 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.

Reason: In the interest of public safety.

4. In the event of the telecommunications structure and ancillary structures provided to serve the telecommunications structure and ancillary structures hereby permitted ceasing to operate for a period of 6 months, the structures shall be removed and the site shall be reinstated within 12 months of their removal. Details regarding the removal of the structures and the reinstatement of the site shall be submitted to, and agreed in writing, within 6 months of the structures ceasing to operate, and the site shall be reinstated in accordance with the agreed details at the operators

expense.

Reason: In the interest of the visual amenities of the area.

5. The developer shall facilitate co-location with other telecommunication and broadband operators.

Reason: To limit the need for additional telecom structures.

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.

Ciarán Daly

Planning Inspector

23rd July 2025

Appendix 1

Form 1 - EIA Pre-Screening

Case Reference	ABP-322314-25
Proposed Development Summary	Installation of a 36 metre lattice telecommunications support structure and all associated site works.
Development Address	Bellavary, Atticahill, Co. Mayo.
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed	

<p>type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	<p>State the Class and state the relevant threshold</p>
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>State the Class and state the relevant threshold</p>

<p>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</p>	
<p>Yes <input type="checkbox"/></p>	<p>Screening Determination required (Complete Form 3)</p>
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____ Date: _____

Appendix 2

Standard AA Screening Determination Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects				
Step 1: Description of the project and local site characteristics				
Brief description of project		Installation of a 36 metre lattice telecommunications support structure and all associated site works.		
Brief description of development site characteristics and potential impact mechanisms		The site consists of wet grasslands adjacent to hedgerow and within a large agricultural grassland field with a mature tree line to the west.		
Screening report		Y – AA Screening prepared by Veon Forestry, Ecology and Environment.		
Natura Impact Statement		N		
Relevant submissions				
The submitted AA Screening Report was prepared by Ilan Farrell, Environmental Scientist.				
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
River Moy Special Area of Conservation (site code 002298)	Conservation Objectives , NPWS, dated 3 rd August 2016. Qualifying Interests: Lowland hay meadows (Alopecurus pratensis, Sanguisorba officinalis) [6510]	c.1.75km	No connections.	N

	<p>Active raised bogs [7110]</p> <p>Degraded raised bogs still capable of natural regeneration [7120]</p> <p>Depressions on peat substrates of the Rhynchosporion [7150]</p> <p>Alkaline fens [7230]</p> <p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]</p> <p>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p>Austropotamobius pallipes (White-clawed Crayfish) [1092]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra planeri (Brook Lamprey) [1096]</p> <p>Salmo salar (Salmon) [1106]</p> <p>Lutra lutra (Otter) [1355]</p>			
Lough Conn and Lough Cullin Special Protection Area (SPA) (site code 004228).	<p>Conservation Objectives, NPWS, dated 25th April 2025</p> <p>Qualifying Interests:</p>	c.7km	No connections	N

	Tufted Duck (Aythya fuligula) [A061] Common Scoter (Melanitta nigra) [A065] Common Gull (Larus canus) [A182] Greenland White-fronted Goose (Anser albifrons flavirostris) [A395] Wetland and Waterbirds [A999]			

¹ Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species

³if no connections: N

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

There are no hydrological connections to any European sites. The small footprint of the development and limited nature of ground investigations make this unlikely as a pollution source. The habitats on the site are noted to be unsuitable for the majority of the listed qualifying interests in the locality.

The works will be small in scale and remote from any designated sites with extensive intervening buffers.

Consequently I note no likely significant effects.

Further screening is not required. Go to Step 4 below.

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 1: Name (code)		
	Likelihood of significant effects from proposed development (alone): Y/N	

	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 2: Name (code) QI list		
	Likelihood of significant effects from proposed development (alone): Y/N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
<p>* Where a restore objective applies it is necessary to consider whether the project might compromise the objective of restoration or make restoration more difficult.</p>		
Further Commentary / discussion (only where necessary)		
<p>Step 4 Conclude if the proposed development could result in likely significant effects on a European site</p> <p>I conclude that the proposed development (alone) would not result in likely significant effects on River Moy Special Area of Conservation (site code 002298) and Lough Conn and Lough Cullin Special Protection Area (SPA) (site code 004228).</p> <p>The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project. No mitigation measures are required to come to these conclusions.</p> <p>Proceed to AA.</p>		

Screening Determination

Finding of no likely significant effects

I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located c.1.75km south-west of River Moy SAC (site code 002298), c.7km south-west of Lough Conn and Lough Cullin SPA (site code 004228) and c.8.4km north-west of Balla Turlough SAC (site code 000463).

The proposed development comprises a 36m telecommunications latticed mast and associated structures.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows:

- The scale and nature of the development with a small footprint.
- The distance from the nearest European site and absence of any pathways.
- Taking into account the screening report/determination by the P.A.
- Taking into account the AA Screening report prepared by Veon Ecology.

I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

Appendix 3

Screening the need for Water Framework Directive Assessment Determination

The subject site is located in a rural area and a watercourse passes through the access road to the site and no significant works are proposed to the access road or in the vicinity of the stream, the Castlebar_040 (waterbody code IE_WE_34C010500, status of "Good").

The proposed development comprises the installation of a 36 metre lattice telecommunications support structure and all associated site works.

I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- The small-scale nature of the works, small footprint and location of the works away from the watercourse.
- The distance from the nearest water bodies and lack of hydrological connections.

Conclusion

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardize any water body in reaching its WFD objectives and consequently can be excluded from further assessment.