



An
Coimisiún
Pleanála

Inspector's Report ABP-322761-25

Development	A section 254 license. 20m smart street pole and associated equipment.
Location	Doughiska Road, Doughiska, Galway, Co Galway.
Planning Authority	Galway City Council
Planning Authority Reg. Ref.	TI 1/25
Applicant(s)	On Tower Ireland Ltd.
Type of Application	Section 254 licence.
Planning Authority Decision	Refuse licence
Type of Appeal	First Party against Refusal of Licence
Appellant(s)	On Tower Ireland Ltd.
Observer(s)	None.
Date of Site Inspection	25 th August 2025.
Inspector	Peadar McQuaid

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	4
3.1. Decision.....	4
3.2. Planning Authority Reports.....	4
4.0 Planning History.....	5
5.0 Policy Context.....	5
5.1. Development Plan	5
5.3. National Guidance	7
5.4. Natural Heritage Designations.....	10
5.5. EIA Screening	10
6.0 The Appeal	11
6.1. Grounds of Appeal.....	11
6.2. Planning Authority Response	12
6.3. Observations	12
7.0 Assessment.....	12
8.0 AA Screening.....	20
9.0 Water Framework Directive Screening	20
10.0 Recommendation	21
11.0 Reasons and Considerations.....	21
12.0 Conditions	22
Appendix 1 – Form 1: EIA Pre-Screening	

1.0 Site Location and Description

- 1.1. The appeal site is located on the western side of the Doughiska Road within the district of Doughiska, an outer eastern suburb of Galway city. The area is predominantly residential in character with some concentrated areas of commercial and light industrial sites. Merlin Park Woods provides a large recreation/amenity space on the western side of suburb.
- 1.2. The site is situated on a wide grass verge on the northern side of the access road that's serves both Merlin College secondary school and Merlin Woods primary school. The site is close to the junction with the Doughiska Road.
- 1.3. A footpath with accompanying cycle lane and lighting poles are located on the southern side of the access road and affords pedestrian/cyclist access to the educational facilities. To the north and west of the access road is the open expanse of the playing pitches of Merlin Woods Football Club, Doughiska playground and the wider amenity lands of Merlin Woods Park. A band of semi mature trees are sited on a strip of land between the southern side of the access road and the entrance of the Túr Uisce residential estate.

2.0 Proposed Development

- 2.1. The proposed development would comprise the installation of telecommunications infrastructure as detailed below:
 - 20m high streetpole solution (diameter 460mm), which would contain 3 no 1.8m long panel antennas, 3 no 0.6m long antennas, 1 no 0.3m RT link dish and 6 no RRUs (remote radio unit).
 - Installation of 2 no ground-based equipment cabinets. (TFL 0.6m wide x 1.62m high x 0.6m deep and RFE 0.62m wide x 1.25m high x 0.25m deep)
 - All associated site development works. (Three Ireland is the intended operator).

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Galway City Council (The Planning Authority) issued a notification of decision to refuse the section 254 licence for the above-described proposed development on the 25th February 2025, for the following reason:

1. *Having regard to the height, design and bulkiness of the proposed development 20m high telecommunications monopole street solution at this location adjoining primary and secondary schools, pre-school and aftercare childcare facilities, residences and recreational and amenity lands within the Outer Suburb neighbourhood area of Doughiska, it is considered that the proposed development would be visually incongruous and obtrusive, would seriously injure the visual and residential amenities of the area and would be contrary to Policy 9.9 Telecommunications of the current Galway City Development Plan 2023-2029 which provides that the development and expansion of telecommunications infrastructure within the city will only be supported where appropriate subject to environmental, visual and residential amenity considerations and would, therefore be contrary to the proper planning and sustainable development of the area.*

3.2. Planning Authority Reports

- 3.2.1. Planning Reports
- 3.2.2. The Planner's Report is dated 5th February 2025 and sets out the policy context with respect to Policy 9.9 of the City Development Plan and Telecommunications Guidelines, 1996. The Planning Authority raises concerns in relation to the proximity of the appeal site to the DRA preschool and afterschool buildings and other sensitive land uses (educational / residential/ recreational) in the surrounding area. The proposed streetpole is considered to be in a highly visible location and would have a negative visual impact on the quality of the public realm. The Planning Authority notes the submitted VIA and accompanying photomontages. Furthermore, the design of the streetpole, particularly the unsheathed top section with the attached antenna and RRUs exposed would render the mast bulky and obstructive.

3.2.3. Other Technical Reports

- No reports received from the Parks or Transportation sections.

3.3. Prescribed Bodies

- No reports received

3.4. Third Party Observations

- None received.

4.0 Planning History

4.1. Appeal Site

- No planning history for the appeal site.

4.2. Adjoining site - DRA Preschool and Afterschool (formerly Merlin Woods temporary Primary School).

- PA. Ref. 22/138 / ABP Ref. 314339-22 - Permission GRANTED (5-year temporary permission – expires 19th June 2028) by An Bord Pleanála for the following development. Retention for development that consist of retention as relevant planning permission has lapsed (Pl. Ref. No. 10/105 & Pl. Ref. No. 11/171) for 5 no. single storey prefabricated classrooms, hard landscaped courtyard area, bicycle shelter (Area 576. 50m²) along with all associated site works and services.

5.0 Policy Context

5.1. Development Plan

5.2. Galway City Development Plan 2022 – 2028 (as amended 19th May 2025)

- 5.2.1. The appeal site has a land zoning of 'RA – Recreation and Amenity' with the objective *'To provide for and protect recreational uses, open space, amenity uses, natural heritage and biodiversity'*.
- 5.2.2. The following is specific development objective for this RA zoned land: *RA lands at Doughiska North of Túr Uisce. The Council will consider the development of part of*

these lands for a swimming pool/leisure centre with concessionary public use and a childcare facility, where a community facility is proposed as part of the development. This development shall not compromise the provision of a pedestrian and cycleway in this area.

- 5.2.3. Uses which may contribute to the zoning objectives, dependent on the RA location and scale of development - Development of buildings of a recreational, cultural or educational nature or car parking areas related to and secondary to the primary use of land/water body for outdoor recreation, public utilities, burial grounds and associated services.
- 5.2.4. Chapter 5 refers to Environment and Infrastructure.
- 5.2.5. Section 9.11 states that the availability of a high quality, efficient telecommunications network is an essential enabler of social and economic activity in the city. The continued development of telecommunications and digital infrastructure is critical to the ongoing development of the knowledge economy, digital innovation, the development of digital enterprises and to ensure the security of systems. Galway City Council is committed to supporting the delivery of world class communications infrastructure and the implementation of the Digital Strategy for Galway City (2020-2024), once adopted. The advantages of a high-quality telecommunications network must, however, be balanced against the need to safeguard the environment and amenity of the city, particularly in sensitive areas where the impacts on residential amenity and visual amenity of areas will be required to be adequately assessed. The Council will have regard to the guidelines issued by the Department of Telecommunications Antennae and Support Structures (DECLG, 1996) and Circular Letter PL07/12.
- 5.2.6. Policy 9.9 'Telecommunications and Smart Technology' states that it is policy to
- Support the development and expansion of telecommunication infrastructure (including the broadband network) within the city where appropriate, subject to environmental, visual and residential amenity considerations.
 - Ensure that developers of masts facilitate the co-location of antennae with other operators in order to avoid an unnecessary proliferation of masts. Where this is not possible operators will be encouraged to co-locate so that masts and antennae may be clustered.

- Ensure that development for telecommunication and mobile phone installations take cognisance of the Planning Guidelines for Telecommunications Antennae and Support (DECLG, Circular Letter PL07/12) and in relation specifically to new free standing masts and antennae, locations in the immediate proximity to residential areas, schools and other community facilities will only be considered where all other more suitable options, including opportunities to locate on tall buildings, rooftops and co-location with existing masts, have been exhausted following an evidenced based evaluation of potential sites.
- Facilitate the rollout of digital infrastructure to implement a world class digital infrastructure and sensor network that will provide real time data and smart city solutions.
- Support the actions of the draft Galway City Digital Strategy (2020-2024).

5.2.7. Chapter 11 refers to Land Use Zoning Objectives and Development Standards and Guidelines.

5.2.8. Section 11.18 Telecommunication Infrastructure and Installations outlines that in considering applications for proposed telecommunication infrastructure and installations, the Council will have regard to the Planning Guidelines for Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities, DECLG 1996 and Circular Letter PL07/12 2012 updating sections of these guidelines. Proposed installations shall have cognisance of any existing aircraft flight paths, where appropriate.

5.3. **National Guidance**

5.3.1. National Planning Framework (NPF)

5.3.2. The NPF generally supports improving local connectivity in terms of broadband and enabling infrastructure that affords communities opportunities to engage with the digital economy.

5.3.3. National Strategic Outcome 6 – seeks to promote our cities as demonstrators of 5G information and communications technology.

- 5.3.4. National Development Plan 2021-2030
- 5.3.5. NSO3 – Strengthening Rural Economies and Communities – recognises the importance of rolling out the National Broadband Plan in providing consumers with access to high-speed broadband services which will promote balanced regional development. The NBP will enable citizens to benefit from advances in technology
- 5.3.6. Telecommunications Antennae and Support Structures Guidelines for Planning Authorities (1996)
- 5.3.7. The guidelines aim to provide a modern mobile telephone system as part of national development infrastructure, whilst minimising environmental impact. Amongst other things, the Guidelines advocate sharing of installations to reduce visual impact on the landscape.
- 5.3.8. 4.3 – Visual Impact - The guidelines note that visual impact is one of the more important considerations which have to be taken into account and also that some masts will remain quite noticeable in spite of the best precautions.
- 5.3.9. 4.5 – Sharing Facilities and Clustering – Applicants will be encouraged to share facilities and to allow clustering of services and will have to satisfy the Planning Authority that they have made a reasonable effort to share. In urban and suburban areas, the use of tall buildings or other existing structures is always preferable to the construction of an independent antennae support structure.
- 5.3.10. Circular Letter PL 07/12 (DECLG, October 2012) revised elements of the Telecommunications Guidelines. It provides guidance to 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 planning permissions requiring security in the form of a bond/cash deposit.
 - 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

5.3.11. Circular Letter PL11/2020 ‘Telecommunications Services – Planning Exemptions and Section 254 Licences’ was issued in December 2020. It advises Planning Authorities that:

- Section 254 of the Act outlines the provisions in relation to the licensing of appliances and cables etc on public roads. Where development of a type specified in section 254(1) of the Act is proposed to be carried out on a public road, approval for the works is required from a Planning Authority by means of the obtaining of a section 254 licence.
- A Section 254 Licence is required for overground electronic communications infrastructure, and its associated works, and that such works are exempt from planning permission.
- The exemptions for telecommunications infrastructure along public roads do not apply: a) where the proposed development is in sensitive areas where there is a requirement for Appropriate Assessment. b) (where the proposed development would endanger public safety by reason of traffic hazard or obstruction of road users.

5.3.12. Section 254(5) of the Act outlines that in considering an application for a licence under this section a planning authority, or the Board on appeal, shall have regard to:

- a) the proper planning and sustainable development of the area,
- b) any relevant provisions of the development plan, or a local area plan,
- c) the number and location of existing appliances, apparatuses or structures on, under, over or along the public road, and
- d) the convenience and safety of road users including pedestrians.

5.3.13. Guidance on the Potential Location of Overground Telecommunications Infrastructure on Public Roads, (Dept. of Communications, Energy and Natural Resources, 2015). This guidance documents provides advice to telecommunications operators as to how telecommunications infrastructure could be accommodated along all road types. Table A - Stand-alone poles are the preferred option in urban

areas as there are ongoing operational and maintenance issues relating to accommodating electronic equipment on lighting columns.

5.3.14. Climate Action Plan 2025

5.3.15. The Climate Action Plan 2025 (CAP25) is the third annual update to Ireland's Climate Action Plan.

5.3.16. The purpose of the Climate Action Plan is to lay out a roadmap of actions which will ultimately lead us to meeting our national climate objective of pursuing and achieving, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy. It aligns with the legally binding economy-wide carbon budgets and sectoral emissions ceilings that were agreed by Government in July 2022.

5.3.17. 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.

5.3.18. The transition towards green and digital societies is highlighted throughout the CAP 2025, as an overarching aim to achieve decarbonisation and net zero commitments.

5.3.19. 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.

5.4. **Natural Heritage Designations**

5.4.1. The nearest designated Natura 2000 sites are the Galway Bay Complex SAC (Site Code: 000268) and the Inner Galway Bay SPA (Site Code: 004031), which are located c. 1.52km and 1.71km respectively to the southwest of the appeal site.

5.5. **EIA Screening**

5.5.1. 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. 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.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A first party appeal has been lodged by David Mulcahy Planning Consultants Limited on behalf of On Tower Ireland Limited (OTI). The main grounds of appeal can be summarised as follows:

- The 20m height is dictated by the need to ensure the signal from the street pole is high enough to provide the necessary coverage to the blackspot area.
- There are several technical reasons for design of the streetpole. Mounting radio remote units (RRUs) close to the antennas rather than the ground-based cabinets shortens the feeder cables length which improves efficiency and outputs from the antennas. It also eliminates the need for cooling fans in the cabinets which significantly reduces power consumption.
- New 5G antennas have experienced interference issues with shrouding and as a result operators are now deploying this type of antenna configuration (unshrouded) across the UK and Europe.
- The appellant contends that the open design where the antennas and RRUs are exposed adds to the visual interest of the structure. This exposed configuration embraces the technical aesthetic, blending functionality with an aesthetic appeal. An example of this design configuration is referenced in Portlaoise, Co Laois having been granted a license by Laois County Council.
- Telecommunications street poles by their nature tall and slimline structures generally blend into urban surroundings and are seen by the public as another typical element of urban infrastructure such as pole mounted traffic cameras.
- Most views of the proposed street pole are obscured or only the very top element is visible as illustrated by the submitted visual impact assessment.
- There is no dwelling in the immediate vicinity of site. The closest dwelling is in the residential estate of Túr Uisce at c.63m. It presents a gable end towards the site. Some dwellings in the Túr Uisce and Fearann Rí residential areas will have a view towards the proposed development but will be distant and obscured.

- The appellant deems that the proposed development is not in the ‘immediate’ vicinity of a school. It is situated c.100m from the pre/after school facility to the north. There is no clear definition of ‘immediate’ in the Galway City Development Plan.
- Every effort has been made to locate on a tall building/rooftop and co locate with existing masts, but this is not possible.

6.2. Planning Authority Response

- No response was received from the Planning Authority.

6.3. Observations

- No observations were received.

7.0 Assessment

- 7.1.1. The proposed development is brought forward under section 254(1) of the Planning and Development Act 2000 (as amended).
- 7.1.2. The licensing provisions set out in section 254 of the Planning and Development Act 2000 (as amended), require persons seeking to erect overground telecommunications infrastructure to obtain a licence from a planning authority where it is intended to erect such infrastructure on, under, over or along a public road. section 2 of the Act states that “public road” has the same meaning as in the Roads Act, 1993 and section 2 of the Roads Act 1993 states that a “public road” means a road over which a public right of way exists and the responsibility for the maintenance of which lies on a road authority. In addition, the Roads Act states that ‘road’ includes (inter alia) any street, lane, footpath, square, court, alley or passage.
- 7.1.3. In this instance, the telecommunication streetpole and associated equipment cabinets are proposed on a wide grass verge ‘public lands’ contiguous to a public road. A review of the land registry folio confirms Local Authority ownership of the lands. As such, I am satisfied that the works can be considered as being ‘along a public road’ and that the provisions of section 254 of the Planning and Development

Act as it relates to an application for a licence is the appropriate consent mechanism for the subject development

7.1.4. In their consideration of the development, under section 254(5) of the Act, the Board is required to have regard to:

- a) the proper planning and sustainable development of the area,
- b) any relevant provisions of the development plan, or a local area plan,
- c) the number and location of existing appliances, apparatuses or structures on, under, over or along the public road, and
- d) the convenience and safety of road users including pedestrians.

7.1.5. Having examined the application details and all other documentation on file, including the submission received in relation to the appeal, the report of the local authority, and having inspected the site, and having regard to the relevant national/local policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Site Selection
- Proximity to Sensitive Land Uses
- Impact on Visual Amenities
- Road Safety and Convenience

7.2. Principle of Development

7.2.1. The appeal site is located along a wide grass verge adjoining the public road on lands zoned '*RA - Recreation and Amenity*' under the Galway City Development Plan 2023-2029. The land use zoning objective is '*to provide for and protect recreational uses, open space, amenity uses, natural heritage and biodiversity*'. Public utilities are considered as a use which can contribute to the zoning objectives, dependent on the '*RA*' location and scale of development. Having regard to the site location and scale of development, I am satisfied that the principle of the development is acceptable subject to other development management criteria being adhered to, as will be detailed within the assessment below.

7.3. Site Selection

- 7.3.1. The proposed development is justified by the appellant On Tower Ireland Ltd, a subsidiary company of Cellnex, on the basis that the operator of the proposed site Three Ireland is upgrading their network in Galway to provide customers with good quality voice and high-speed data services. Figure no. 3 of the planning statement submitted with the application illustrates the search ring for the proposed infrastructure. A search ring is the general area which a telecommunications installation is required to meet the search ring objectives and to bring the required coverage to the coverage black spot. The specific search ring shown in Figure no. 3 covers the residential areas of Túr Uisce, Fearann Rí, Fionnaisce, An Sean Bhaile along with Merlin Park Industrial Estate, undeveloped greenfield lands to east of the Doughiska road and the playing pitches of Merlin Woods Football Club.
- 7.3.2. Figures no.'s 4 and 5 of the planning statement shows the existing and proposed 4G/5G indoor coverage levels in area. The existing indoor coverage is considered to have a poor/fair signal level. The coverage level would improve to a good/excellent signal level if the proposed licence were granted. I note from reviewing the ComReg outdoor mobile coverage map that Three Ireland's coverage signal level rating for 3G,4G and 5G in the general search ring area ranges between good and very good. The publicly available Three Ireland coverage checker map shows the provision of indoor coverage for 2G,3G,4G and 5G in the general Doughiska area however the particular level of service for indoor coverage is not shown.
- 7.3.3. Policy 9.9 of the Development Plan seeks *'to ensure that developers of masts facilitate the co-location of antennae with other operators in order to avoid an unnecessary proliferation of mast's'*. The appellant states that Three Ireland have exhausted all options in the area for alternative base station sites. The ComReg Site-Finder mast register was used to identify existing sites in the area. In total five existing sites were identified within 2km radius of the proposed site but were located outside of the required search area and would be of no benefit to co-locate equipment. It was found that Three Ireland are already co-locating from two of these existing base station sites (THR_GA0393 & THR_GA0021). I note the appellant has not explored or discounted any alternative site locations within the Merlin Park Industrial Estate which is situated within the search ring area. However, I draw the

Coimisiún's attention to previous Decision under ABP- 311679-21, the context, locations and issues raised which is similar in nature to the subject appeal.

- 7.3.4. On balance, I am satisfied that the requirement for the proposed development to improve existing service deficiencies in the area has been justified based on the information provided by the appellant. In my opinion the appellant has also adequately addressed the issue of potential co-location of equipment on other existing telecommunications base stations in the area and that they have suitably demonstrated that no telecommunication structures are located within the defined search ring or beyond to address the identified service deficiencies in this specific area of Doughiska.

7.4. Proximity to Sensitive Land Uses

- 7.4.1. The closest dwelling is situated c 60m to the south at no 35 Túr Uisce. The Good Shepherd Parish Church and the ARD Family Resource Centre (Cumasú Centre) are located c.60m to the south. The educational facilities of Merlin College and Merlin Woods primary school are located circa c.255m and c.185m to the southwest respectively. The Doughiska, Roscam and Ardaun (DRA) pre/after school building is c.67m to the north of site. I note the concerns raised by the Planning Authority in relation to proximity of the appeal site to these sensitive land uses, of particular concern is the DRA pre/after school grounds which adjoin the appeal site directly to the north.
- 7.4.2. Policy 9.9 'Telecommunications and Smart Technology' of the Development Plan is of relevance to this appeal. Part 3 of the Policy seeks to *'ensure that development for telecommunication and mobile phone installations take cognisance of the Planning Guidelines for Telecommunications Antennae and Support (DECLG, Circular Letter PL07/12) and in relation specifically to new free standing masts and antennae, locations in the immediate proximity to residential areas, schools and other community facilities will only be considered where all other more suitable options, including opportunities to locate on tall buildings, rooftops and co-location with existing masts, have been exhausted following an evidenced based evaluation of potential sites'*
- 7.4.3. Having regard to the Decision under ABP- 311679-21, I am satisfied that the proposed development comprises overground electronics communication

infrastructure and not a free-standing mast. Furthermore, Policy 9.9 of the Development Plan does not specify a minimum separation distance nor define the term 'immediate proximity'. Guidance contained in Circular 07/12 under Sections 2.3 and 2.6 states that Planning Authorities should not include minimum separation distances and that health & safety matters are regulated by other codes. Accordingly, the issue of health and safety will not be considered further, in addition the subject appeal location is to be assessed on its own specific locational context and merits.

- 7.4.4. I note the temporary nature of the DRA pre/after school permission granted under decision ABP 314339-22 which due to expire on the 19th June 2028. A planning search of the Galway City Council website shows no application has been submitted for the permanent retention of the existing buildings on site or permission for development at an alternative site location. I am satisfied the licence sought is for a temporary five-year permission period and that the acceptability/impact of the development can be reassessed then if required.
- 7.4.5. Notwithstanding this, having regard to the height, scale and location of the proposed structure, in addition to separation distances, it is my opinion that the proposal would not have an adverse overbearing impact on any surrounding land uses or seriously injure their amenities. I am satisfied that the proposed development accords with Policy 9.9 (3) of the Development Plan.

7.5. Impact on Visual Amenities

- 7.5.1. The section 254 licence was refused by the Planning Authority for the reason that the proposed 20m high streetpole solution if permitted would be visually incongruous and obtrusive and would seriously injure both the visual and residential amenities of the area. The Planner within their assessment expressed concerns regarding the visual bulkiness of the antennas and RRUs attached in an unsheathed top section which contrasts with other street poles slimline solutions approved by the Planning Authority in other areas of the City.
- 7.5.2. Further concerns also relate to the highly visible location of the proposed site given the open expansive nature the recreation/amenities playing fields to the north/west and the busy throughfare of the Doughiska Road which the Planner considers has limited capacity to screen the mast in its current design.

- 7.5.3. In the grounds of appeal, the appellant states that the design of the streetpole is dictated by technical reasons particularly for the exposed antennas and RRUs. The unshrouded equipment reveals the intricate engineering and adds a layer of visual interest to the structure. Telecommunications street poles are seen by the public as another typical element of urban infrastructure. The appellant also contends that the visual impact assessment show that most views of the proposed street pole are obscured or only the top element visible. Furthermore, views from the Túr Uisce and Fearann Rí residential estates are generally distant and partly obscured.
- 7.5.4. The submitted visual impact assessment utilises nine representative visual reference points (VRPs) from within the surrounding area, seven viewpoints from the Doughiska Road and two viewpoints from the School Access Road. The assessment is based on before and after photomontages taken from the viewing reference points. Of the nine viewpoints the street pole and ground-based cabinets are clearly visible in two visual reference points. The remaining seven visual reference points show the street pole partly obscured by trees or show only the top section of the street pole above the treetops. The visual reference points were taken from a range of between 60m to 194m from the site. The assessment concludes that the visual impact is considered to have an EPA rating of slight to moderate and as such not considered to be detrimental to the visual amenities of the area.
- 7.5.5. During my site inspection, I observed vistas from each of the viewing reference points and viewed the appeal site from other vantage points in the surrounding area. The proposal would be visible from the viewpoints in both the immediate and surrounding area to varying degrees given the relatively exposed nature of the site, pattern of the surrounding built environment and the existence of the semi-mature trees (albeit deciduous) just to the south of the appeal site and existing vertical infrastructure such as streetlight standards along Doughiska Road and the Access Road. From viewpoints particularly to the north and south along the Doughiska Road, semi mature trees by virtue of their height (8m to 10m) either provide a partial visual backdrop or screen the lower sections of the street pole. I do acknowledge the extent of natural screening would be subject to seasonal variations. The street pole and ground-based cabinets would be clearly visible along the Access Road albeit more evident to pedestrians, cyclists and slow-moving motorists using the adjoining road network. These structures are now commonplace in the verge locations. I

consider them to be acceptable from a visual impact and residential amenity perspective given their modest scale and common occurrence within such contexts.

- 7.5.6. The appeal site is not within an Architectural Conservation Area (ACA) or near a protected structure. There are no protected views and prospects proximate. I note the nearest dwelling at no 35 Túr Uisce to the appeal site (c 60m) does not have a direct aspect towards the telecoms infrastructure and that views are mitigated by intervening semi-mature trees on a strip of land between the southern side of the access road and the entrance of the Túr Uisce residential estate.
- 7.5.7. Having reviewed the submitted plans, like the Planning Authority, I would have concerns in relation to the unsheathed antennas and RRUs configuration at the top section of the street pole. The appellant contends that the proposed design adds a visual interest to the structure. In my opinion, I consider the exposure of telecommunications equipment including antennas, RRUs and the associated mounting configuration are the more visually disruptive components of the structure and left bare would result in an unduly noticeable bulky and incongruous section at the top of the street pole and comparison to remaining sleek slimline structure.
- 7.5.8. Given the relatively exposed nature of the site location where views of the appeal site are both immediate and long ranging, I consider the enclosure of the antennas within a suitable RF transparent shroud would lead to a simpler uniform structure, that would shield the busy technology components and thereby helping reduce the visual impact of the development. In my opinion, a key factor in the acceptance and integration of overground electronics communication infrastructure within the urban environment is due to their nondescript, slimline appearance with antenna/RRUs concealment that exhibit similar simple design characteristics of other tall urban vertical infrastructure such as public lighting poles or pole mounted CCTV/traffic cameras.
- 7.5.9. I note the appellant has stated in the grounds of appeal that new 5G antennas have experienced interfere issues with shrouding and that operators are now deploying this type of configuration across Europe and the UK. Based on the documentation submitted with the appeal and in the absence of any technical information or report, I do not consider there is sufficient justification presented in this appeal to justify this proposed open design (unshrouded) solution on technical grounds. Having regard to

the open characteristics of the site, surrounding topography and pattern of development in the area, I consider a street pole with shrouded antenna is the most appropriate site-specific design solution in this instance. If the Coimisiún are mindful of granting a licence for the proposed development, I would recommend the inclusion of a condition requiring the concealment of the antennas and RRUs within a suitable RF transparent shroud with the details to be agreed in writing with the Planning Authority prior to commencement of development.

- 7.5.10. Notwithstanding this, whilst I accept that the proposed street pole is substantial in height (20m) and would be more visible than adjacent trees and lamp standards. I consider it would not be overly dominant or be an overbearing feature on the immediate streetscape or incompatible with the receiving wider urban landscape. I am satisfied that having regard to the scale of the proposed development, there would not be significant negative impacts on the visual amenities of the area.

7.6. Road Safety and Convenience

- 7.6.1. The appeal site is along a public road. I am satisfied, that the positioning of the proposed street pole and ground-based cabinets within a wide grass verge do not obstruct any vehicle carriageway, footpath, cycle path or visibility of same.
- 7.6.2. I acknowledge the cabinet requires servicing and that this would be done from the grass verge where sufficient space is available to allow for safe service vehicle parking. I consider this will be infrequent and would have no impact on users on the footpath/cycle lane of the opposite side of the road or carriageway.
- 7.6.3. The public road has been identified under the Development Plan as being part of the 'Primary Cycle Network'. The existing cycle lane is located on the opposite side of the road links the schools of Merlin College and Merlin Woods primary school with the Doughiska Road. The proposed street pole and cabinets would be set back c.3m from the road edge. I note the Transportation section of Galway City Council have not provided a referral response. In the event that active travel infrastructure is proposed for the northern side of the Access Road, I am satisfied that the licence sought is for a temporary five-year permission and that Section 254(4) of the Planning and Development Act 2000, as amended would apply if required.

8.0 AA Screening

- 8.1.1. 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 not located within or adjacent to any European Site(s). The closest European sites are the Galway Bay Complex SAC (Site Code: 000268) and the Inner Galway Bay SPA (Site Code: 004031), which are located c. 1.52km and 1.71km respectively to the southwest of the appeal site. No nature conservation concerns were raised in the planning appeal.
- 8.1.2. Having considered the nature, scale and location of the development proposed, 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 nature of the development proposal.
 - The location of the development in a serviced urban area.
 - The distance to the Natura 2000 site network and the absence of pathways to any European site.
- 8.1.3. 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.

9.0 Water Framework Directive Screening

- 9.1.1. The appeal site is located within a suburban area circa 1.7km away from the nearest waterbody (Galway Bay). The proposed development comprises of the installation of 20m high streetpole solution and associated ground-based equipment cabinets. No water deterioration concerns were raised in the planning appeal.
- 9.1.2. 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 & 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

- Nature and scale of the development.
- Distance from nearest Water bodies and lack of hydrological connections.

9.1.3. 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 jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

10.0 Recommendation

10.1. I recommend that a licence be granted for the proposed development, subject to conditions, based on the reasons and considerations as set out below.

11.0 Reasons and Considerations

11.1. Having regard to the provisions of Section 254 of the Planning and Development Act 2000, as amended, to national, regional and local policy objectives, as represented in the Galway City Development Plan 2023-2029 and to the Department of Environment, Heritage and Local Government Section 28 Statutory Guidelines, "Telecommunications Antennae and Support Structures: Guidelines for Planning Authorities, 1996," as updated by circular letter PL 07/12 and PL 11/2020 respectively, and to the nature and scale of the development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. 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 and completed in accordance with the plans and particulars lodged with the licence 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.

Reason: In the interest of clarity.

2. This licence shall apply for a period of five years from the date of this Order. The telecommunications structure and related ancillary structures shall then be removed unless, prior to the end of the period, continuance shall have been granted for their retention for a further period. The site shall be reinstated on removal of the telecommunications structure and ancillary structures. Details relating to the removal and reinstatement shall be submitted to, and agreed in writing with, the planning authority at least one month before the date of expiry of this licence.

Reason: To enable the impact of the development to be re-assessed, having regard to changes in technology and design during the specified period.

3. Details of the proposed colour scheme for the telecommunications structure and ancillary structures shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

4. Provision shall be made for the concealment of the antennas and RRUs within a RF transparent shroud at the top of the street pole structure. Details of the shroud, antenna type and mounting configuration shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

5. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or within the curtilage of the site.

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

6. The structure shall not interfere with existing services and drainage systems and shall not obstruct pedestrian access.

Reason: in the interest of orderly development and pedestrian safety.

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.

Peadar McQuaid
Planning Inspector

10th September 2025

Form 1 - EIA Pre-Screening

Case Reference	
Proposed Development Summary	The proposed development comprises of the installation of 20m high streetpole solution and associated ground-based equipment cabinets.
Development Address	Doughiska Road, Doughiska, Galway, Co Galway.
	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)	☐ Yes, it is a 'Project'. Proceed to Q2. ☒ 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)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☒ 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?	
☒ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☐ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	

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)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: Peadar McQuaid

Date: 10th September 2025