



An
Coimisiún
Pleanála

Inspector's Report

ACP-322991-25

Development	Increasing the height of an 18 metre high telecommunications monopole support structure by 3 metres.
Location	Eir Exchange, Foyle View Point, Carrowkeel, Quigleys Point, Lifford PO, Co. Donegal
Planning Authority	Donegal County Council
Planning Authority Reg. Ref.	2560625
Applicant	Towercom Limited
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant	Towercom Limited
Observers	None
Date of Site Inspection	22 nd September 2025
Inspector	Jim Egan

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1.0 Site Location and Description

- 1.1.** The appeal site is located within the settlement of Quigley's Point, a village situated on the western shore of Lough Foyle, at the southeastern end of the Inishowen Peninsula, approximately 12km southwest of the town of Moville and approximately 8km northeast of Muff. It is a low-density dispersed settlement, mainly consisting of detached dwellings. The population of Quigley's Point was 213 no. persons at Census 2022. There are no buildings within the settlement of Quigley's Point included on the Council's record of protected structures nor are there any Architectural Conservation Areas designated within the village. Services and facilities within the settlement include licenced premises, takeaway, village shop and caravan park. There are no churches or schools within the settlement.
- 1.2.** The site has a stated area of 60sq.m and is of an irregular 'L' shaped configuration. The site, and immediate surrounding land, is relatively flat, while topography rises away from the site to the north, south and west. The site comprises the rear (western) portion of a larger 'Eir' telecommunications exchange site. The application site itself contains an 18m high telecommunications monopole structure with antenna equipment attached at the top, along with associated ground level equipment cabinets, while the larger part of the landholding on the east side fronting the L1951 contains a single storey building. The entire site is currently bounded by metal palisade fencing, with a pedestrian gate access onto the adjoining public road to the east.
- 1.3.** The site is located on the northern side of the junction between local road L1951 and the access road to Millbrae Park, a small cul-de-sac estate of 10 no. semi-detached dwellings. The site shares its southern boundary with a footpath and plastered, painted and capped wall associated with the Millbrae Park entrance. To the west (rear) of the site is the open space area serving Millbrae Park. There is a large mature tree located within the open space of Millbrae Park immediately adjacent to the southwest corner of the site. To the north of the site is an agricultural access laneway, followed by detached dwellings. There is a small setback area between the site fence and the L1951 to the east, which includes an old water pump enclosed by stone walls on three sides.

2.0 Proposed Development

- 2.1. Planning permission is sought to increase the height of the existing 18-metre high telecommunications monopole support structure by 3 metres to incorporate additional antennas and dish resulting in an overall height of 21 metres. Proposed lightning finials extend a further 1m above the 21m height. The proposal also includes a ground-based equipment cabinet, with all development enclosed within an existing compound.

3.0 Planning Authority Decision

3.1. Decision

Permission was refused for the following reason:

- 1. It is a policy of the Council under TC-P-2 of the County Development Plan 2024-2030 to seek the co-location of new or replacement antenna and dishes on existing masts as a first preference. Proposals for replacement antennae and dishes, support structures shall be generally supported where they can be sited and located in a manner that does not negatively impact on the visual amenities, built and archaeological heritage or qualifying interests of any given area. On the basis that the proposed mast with its extended height would, by virtue of height and form, be an overbearing and incongruous structure within the established pattern of development within the immediate vicinity of the site which consists mostly of residential properties it is considered that to grant permission would contravene the aforementioned policy and would seriously injure the amenities of property in the vicinity, and thus would be contrary to the proper planning and sustainable development of the area.*

3.2. Planning Authority Reports

3.2.1. Planning Report

The report contains an assessment of the proposed development. Points of note include:

- The site is located within an area of High Scenic Amenity.

- The site is not located within any designated European Natura 2000 sites; however, the site located approx. 305m from Lough Foyle SPA.
- The principle of the use has already been established on the site following a decision by An Bord Pleanála under ref. ABP-311217-21. Therefore, the principle of the development is acceptable, subject to compliance with all other relevant development management criteria and development guidelines and technical standards.
- The proposal would introduce a significant visual presence for surrounding properties due to the increase in height. Planning permission should be refused on this basis.

3.2.2. *Other Technical Reports*

- No reports received.

3.3. **Prescribed Bodies**

Health and Safety Authority (HSA) – report dated 13th May 2025 stated that the HSA had no observations to make on the application.

3.4. **Third Party Observations**

One submission was received from Joseph Doherty on behalf of the Millbrae Park Residents Association, which refers to residents of the 10 no. dwellings at Millbrae Park and also the resident of a detached dwelling located opposite the appeal site on the eastern side of the L1951. The observation, which objects to the proposal, can be summarised as follows:

- Current proposal would take the monopole height to 21m, a height that was previously refused by the local authority (P.A. ref. 21/51117) and subsequently granted on appeal (ABP-311217-21) with the monopole height reduced from 21m to 18m by reason of visual impact.
- Photomontages submitted under the current application do not show the proposal from the perspective of the immediate surrounding area and therefore do not represent the impact on visual amenity for local residents.

- There have been no material changes in the locality which would mitigate against the visual impact of this current application, which has already been judged to be overbearing and unacceptable.
- Refers to a third-party appeal made by the applicant, Towercom, against a grant of permission to OnTower Ireland Limited for a 21m high lattice style telecommunications tower on a site at Tromaty, Quigley's Point, approximately 290m southwest of the appeal site (ABP-322282-25 refers – see planning history section below). The observer refers to the grounds of appeal by Towercom in that case being that the proposal at Tromaty was unnecessary on the basis that a future, yet unpermitted, extension of the Towercom mast on the current appeal site, could provide the same mobile coverage required. Observer contends that the Towercom appeal in that case was potentially made for commercial gain at the expense of the amenity of local residents.
- Having regard to the aforementioned OnTower Ireland Limited application, the applicant has not demonstrated that there is any need for this application in a location noted as being of a "last resort" within a village.

4.0 Planning History

4.1. Appeal Site

P.A. Ref. 2151117 / ABP-311217-21 – refers to a 2022 grant of permission for the removal of two existing 10m wooden pole structures and installation of a 21m monopole structure at Quigley's Point, c. 280m to the NE of the appeal site.

The height was reduced from 21m to 18m so as to reduce the visual impact of the structure on the village and surrounding landscape.

- Condition No. 1 stated that the development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars proposing a structure height of 18m (overall height 19.5m) received by ABP on the 25th day of August, 2021, except as may otherwise be required in order to comply with the following conditions. Reason: In the interest of clarity.

4.2. Surrounding Area

P.A. Ref. 2462074 / ABP-322282-25 – refers to an August 2025 decision to refuse permission for the installation of a 21 metre high lattice telecommunications antennae support structure together with ground based equipment and all associated site works, at a site located at Tromaty, Quigley's Point, c. 290m southwest of the appeal site.

The appeal to the planning authority's decision was brought by the applicant / appellant in the current case (Towercom).

Reason for refusal was as follows:

- 1. The proposed development would comprise the installation of a 21-metre-high lattice telecommunications antennae structure on the periphery of a small village at Quigley's Point. It would be located within an area that is designated as being within an "Area of High Scenic Amenity" and "Under Strong Urban Influence", in the County Donegal Development Plan 2024 - 2030, and close to an "Area of Especially High Scenic Amenity". Objective TC-O-1 and Policies TC-P-2, L-P-1 and L-P-2 apply in relation to appropriate siting and visual impacts of such structures. The proposed structure would be visually dominant and would have an adverse visual impact on the small village, surrounding high amenity landscapes and nearby coastal area. Furthermore, having regard to the presence of an existing telecommunications structure in the area, also on the periphery of the village, the proposed development would give rise to a proliferation of telecommunication structures in and around Quigleys Point. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.*

5.0 Policy Context

5.1. National & Regional Policy/Guidance

Climate Action Plan (CAP) 2025 and 2024

- 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 An Coimisiún 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 – First Revision, 2025

- 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. NDP Review 2025 outlined that the €3 billion National Broadband Plan programme is still under delivery, with a contract completion date of 2026.

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.

Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996)

- These guidelines were published in 1996 and clarified by Circular Letter PL07/12 in October 2012.
- Section 3.2 sets out that an authority should indicate in their Development Plan an acceptance of the importance of a high-quality telecommunications service, as well as any locations where telecommunications installations would not be favoured or where special conditions would apply. Such locations might include high amenity lands or sites beside schools.
- Section 4.3 outlines that the visual impact is among the more important considerations which have to be taken into account in arriving at a decision on a particular application. Whatever the general visual context, great care will have to be taken when dealing with fragile or sensitive landscapes. The sharing of installations and clustering of antennae is encouraged, as co-location would reduce the visual impact on the landscape.
- Section 4.5 states that only as a last resort should free-standing masts be located within or in the immediate surrounds of smaller towns or villages, within a residential area, or beside schools. If such a location should become necessary, sites already developed for utilities should be considered and masts and antennae should be designed and adapted for the specific location. The support structure should be kept to the minimum height consistent with effective operation.

Circular Letter PL07/12

Circular Letter PL 07/12, dated 19th October 2012, sets out to revise Sections 2.2. to 2.7 of the Guidelines. The Circular was issued in the context of the rollout of the next generation of broadband (4G). It sets out elements of the 1996 Guidelines that required being revised. Broadly these are:

- Cease attaching time limiting conditions to telecommunications masts, except in exceptional circumstances.
- Avoid inclusion in development plans of minimum separation distances between masts and schools and houses.

- Omit conditions on planning permission requiring security in the form of a bond/cash deposit.
- Register or database of approved structures.
- Reiterates advice not to include monitoring arrangements on health and safety or to determine planning applications on health grounds.
- The circular also states that future development contribution schemes to include waivers for broadband infrastructure provision.

NWRA Regional Spatial & Economic Strategy 2020-2032

Section 6.5 deals with 'Broadband Connectivity' and highlights the importance of improving coverage in rural areas. RPO 6.36 supports the roll-out of the National Broadband Plan. Section 6.6 deals with the 'Smart Region', and RPO 6.52 aims to facilitate infrastructural needs (incl. immediate priorities for access to ultra-fast & rural broadband initiatives).

5.2. Donegal County Development Plan 2024-2030

The Donegal CDP 2024 – 2030 took effect on the 26th June 2024 except for those parts of the Plan which are subject to a Draft Ministerial Direction. The Draft Ministerial Direction was issued on the 26th June 2024 and relates to land use zonings in a number of settlements and separately to text relating to national / regional road access. I am satisfied that the Draft Ministerial Direction has no direct implications for the appeal site.

The appeal site is located within the settlement / development boundary of Quigley's Point, a 'rural settlement', which is a level 4 settlement under the county's settlement hierarchy, one level below Service Towns and one level above Open Countryside.

The CDP identifies 'Settlement Frameworks' for service towns and rural settlements, including for Quigley's Point village. No particular zoning objectives apply within the boundary for Quigley's Point however CDP Policy CS-P-1 states: *That within the boundaries of settlements identified Settlement Framework boundaries, applications for development will be assessed in the light of all relevant material planning considerations including any identified land use zonings, availability of infrastructure,*

relevant policies of the Development Plan/Local Area Plan as applicable, other regional and national guidance/policy and relevant environmental designations.

The site is identified as being within an Area of High Scenic Amenity, close to An Area of Especially High Scenic Amenity and within c. 380m of the Lough Foyle SPA. The Wild Atlantic Way has a route through the village via the R238, c. 100m to the east of the site. The following policies and objectives are relevant:

Objective TC-O-1: seeks to facilitate the development & delivery of a sustainable telecommunications network through a range of telecommunication systems including those arising out of: NSO 6 of the National Development Plan (NDP); the Government's 'Harnessing Digital-The Digital Ireland Framework'; and the National Broadband Plan, the National subvention plan to deliver High Speed Broadband to every rural household outside the commercially served areas as defined on the National Broadband Plan Map, subject to having due regard to natural and built heritage and to environmental considerations.

Policy TC-P-2: seeks the co-location of new or replacement antennae & dishes on existing masts as a first preference, and the co-location and clustering of new masts on existing sites as a second preference, unless a fully documented case for new facilities is made explaining the precise circumstances which militate against co-location and/or clustering. Proposals for replacement antennae and dishes, support structures & associated access roads shall be generally supported where they can be sited & located in a manner that does not negatively impact on the visual amenities, built & archaeological heritage or qualifying interest of any given area.

Policy TC-P-3: Where it has been established that co-location or clustering is not possible in accordance with the requirements of Policy TC-P-2 it is a policy of the Council that such new telecommunications antennae and support structures and associated access roads shall be located in accordance with the provisions of the 'Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities 1996', (or as may be amended) and that such structures shall not normally be supported within Areas of Especially High Scenic Amenity, beside schools, protected structures or archaeological sites and other monuments. Within towns and villages operators shall be encouraged to locate in industrial estates/areas where possible.

Policy L-P-1: seeks to protect areas identified as ‘Especially High Scenic Amenity’ on Map 11.1 ‘Scenic Amenity’. Within these areas, only developments of strategic importance, or developments that are provided for by policy elsewhere in this Plan may be considered.

Policy L-P-2: seeks to protect areas identified as ‘High Scenic Amenity’ and ‘Moderate Scenic Amenity’ on Map 11.1 ‘Scenic Amenity’. Within these areas, only development of a nature, location & scale that integrates with, and reflects the character and amenity of the landscape may be considered, subject to compliance with other relevant policies of the Plan.

Map 11.1 Scenic Amenity:

Areas of Especially High Scenic Amenity: within the Quigley’s Point village context, the Areas of Especially High Scenic Amenity generally applies to the land on the coast side of the R238 which itself is part of the Wild Atlantic Way.

Area of High Scenic Amenity: site lies within this designation.

Policy BIO-P-1: requires compliance with the requirements of the EU Habitats Directive and EU Bird Directive, including ensuring that development proposals:

- a. Do not adversely affect the integrity of any European/Natura 2000.
- b. Provide for the protection of protected animal & plant species.
- c. Protect & enhance features of the landscape (i.e. rivers, field boundaries, ponds & small woods) that are important for wildlife the Natura 2000 network.

5.3. Natural Heritage Designations

5.3.1. The site is not located within or directly adjacent to any designated sites. The closest European Sites are as follows:

- Lough Foyle SPA (Site Code: 004087), c. 330m east of the site.
- Magheradrumman Bog SAC (Site Code: 000168), c. 7km north of the site.

5.3.2. The Magheradrumman Bog pNHA (Site Code 000168), c. 7km north of the site.

6.0 The Appeal

A first party appeal has been received from Towercom Limited in relation to the planning authority's decision to refuse permission. The appeal comprises a written report and additional photomontages (Appendix 3 to the appeal document). A summary of the grounds of appeal is provided below.

6.1. Grounds of Appeal

- Planning authority's decision relied on a misinterpreted monopole height. The proposed height increase is 3m, bringing the monopole to 21m. The lightning finials take the height to 22m. Visual impact of the finials is minimal.
- The new monopole section would comprise a 3m long prefabricated steel extension (a cylindrical collar) securely fitted on the top of the existing monopole, retaining the integrity of the existing structure, avoiding the need to dismantle or replace same.
- Planning authority noted the absence of photomontages to represent the views from the adjoining Millbrae Park estate. To address this concern, 3 no. additional photomontages are provided as part of the appeal.
- With reference to commentary set out in the previous Inspector's Report (ABP-311217-21), by reason of their orientation, no dwelling at Millbrae Park directly oppose the existing monopole and therefore the extension of the monopole would not directly introduce a significant visual presence compared to the existing structure.
- The additional photomontages submitted with the appeal demonstrate that the additional 3m is not overbearing and would be assimilated into the existing environment.
- A third operator was not secured at the time of the previous application, therefore a height of 18m was sufficient. However, with a third seeking coverage, a height of 21m represents the minimal height requirement, the proposal is consistent with the Guidelines in this regard, which is a consideration under visual impact.

- With reference to reason for refusal, the proposal does comply with CDP Policy TC-P-2 as it seeks the co-location of a new antennas and dishes on an existing monopole as a first preference, thus avoiding the need for a new structure in the area (referring specifically to the application to which ABP-322282-25 relates).
- Requests An Coimisiún to have regard to ABP-322282-25, as detailed in Section 4.0 above. Under the application and appeal to which ABP-322282-25 relates, the applicant and the local authority failed to acknowledge / appreciate that the monopole on the current appeal site could be easily extended in height by 3m to facilitate a third operator, therefore an alternative to the requirement for another telecommunications structure in the area.
- Extending the existing structure creates a positive socio-economic and environmental outcome.
- Proposal supports national policy and guidance on strengthening rural communities through the provision of good quality broadband connectivity.

6.2. Planning Authority Response

A response, received on the 6th August 2025, considers that the issues raised in the appeal have been dealt with in the planner's report, which recommended a decision to refuse permission.

6.3. Observations

- None received.

6.4. Further Responses

- None received.

7.0 Assessment

The main issues arising are:

- Principle of Development
- Need and Justification

- Visual Impact
- Impact on Residential Amenity

The issue of appropriate assessment, EIA and Water Framework Directive screening also need to be addressed.

7.1. Principle of Development

- 7.1.1. The provision of telecommunications infrastructure is supported at national, regional and county level in the interest of enhancing economic and social development. Policy Objective TC-O-1 of the Donegal CDP seeks to facilitate the development and delivery of a sustainable telecommunications network, while Policy TC-P-2 seeks the co-location of new or replacement antennae and dishes on existing masts as a first preference, and the co-location and clustering of new masts on existing sites as a second preference.
- 7.1.2. The proposal is for an extension to an existing monopole structure to facilitate an additional / third mobile operator. The use and general form of the existing telecommunication structure on the site was established as being acceptable in principle by way of a 2022 grant of permission (ABP-311217-21 refers). The Donegal CDP 2024-2030 came into effect since the 2022 decision. The general land use policy framework remains the same under the new CDP, with 'Settlement Frameworks' being applied to service towns and rural settlements, under which there are no particular zoning objectives applied within the boundary for Quigley's Point.
- 7.1.3. On the basis of the foregoing, from a high-level policy framework and land use zoning perspective, I consider the proposal to be acceptable in principle subject to assessment against other planning matters.

7.2. Need and Justification

- 7.2.1. The planning authority's reason for refusal is centred on the visual impact of the development in the context of the established pattern of development within the immediate vicinity of the site which consists mostly of residential properties. The need and justification for the extension and height of same is, in my view, a key consideration in the context of visual impact.

- 7.2.2. A cover letter submitted by the applicant to the planning authority outlines that the current monopole on the appeal site, 18m high, carries equipment for Vodafone and Eir. The cover letter seeks to provide a justification for the proposed monopole extension, referring to the emerging demand for 4G and 5G technologies and associated phasing out of 3G. More relevant to the proposed extension is that in order to establish a need from a coverage perspective, the applicant refers to documentation submitted under P.A. Ref. 2462074 / ABP-322282-25 which relates a recent planning application for a 21m high lattice telecommunications structure on a site just outside the village development boundary, c. 290m southwest of the appeal site. Documentation submitted with that application identified a lack of coverage for Three Ireland for both Indoor and Outdoor coverage and stated that the proposal was crucial in providing high-speed broadband in the area. The applicant, in that case, referenced a technical requirement for a 21m high structure at that location and the need to occupy the upper 3m slot to avoid the signal being blocked by dense tree cover or other obstructions. As noted above, the 21m high lattice tower was refused by An Coimisiún in August 2025 on the grounds of visual impact.
- 7.2.3. The publicly accessible online ComReg outdoor coverage mapping tool shows that the village of Quigley's Point and its general vicinity currently experiences 'Very Good' 5G coverage through Eir, 'Very Good' 4G coverage through Vodafone and 'Fair' to 'Fringe' coverage through Three Ireland.
- 7.2.4. Whilst the application does not include a supporting statement from a potential end user, and whilst the applicant does not explicitly state that the 3m extension to the existing mast is intended to facilitate Three Ireland, it is, in my view, implied. The applicant seeks to link the height factor of the two proposals, implying that the 3m extension, thus bringing the monopole to 21m in height, would meet the operator's coverage needs and would thus negate the need for the new 21m high lattice tower at the edge of settlement. I would be somewhat sceptical about this height justification. The 21m height for the lattice tower at the edge of the village was based on factors including topography and tree lines specific to that site, noting also that the lattice structure was to be on an elevated position of c.15m ASL while the existing monopole structure on the appeal site is located at c.9m ASL. It is not justifiable, in my view, to assume a 21m height is required or indeed sufficient to meet third party operators on the appeal site. There is no supporting technical information to testify that the

additional 3m in height is necessary or sufficient to achieve a specific operator's coverage needs or if this same coverage can be met at a lower height similar to the two existing operators on the structure at present. Furthermore, in an applicant's response to the third party appeal to which ABP-322282-25 relates, the applicant, in responding to the possibility of co-locating at the Towercom site within the village, contends that a 3m extension to the existing monopole might not be suitable for a number of reasons, citing issues around lines of sight and legal agreements.

- 7.2.5. As noted above, the justification for the extension and height of same is, in my view, a key consideration in the context of visual impact. CDP Policy TC-P-2 seeks the co-location of new or replacement antennae and dishes on existing masts as a first preference, and the co-location and clustering of new masts on existing sites as a second preference, and seeks to avoid negative impacts on the visual amenities. Policy TC-P-3 requires consideration of the *Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities 1996*.
- 7.2.6. The 1996 Guidelines state that that only as a last resort should free-standing masts be located within or in the immediate surrounds of smaller towns or villages, that if such location should become necessary, sites already developed for utilities should be considered and masts and antennae should be designed and adapted for the specific location, and that the support structure should be kept to the minimum height consistent with effective operation.
- 7.2.7. In this case, whilst the application is for a mast extension rather than a new mast, in my view, the same principle applies. The site is located within a small village and within an "Area of High Scenic Amenity" close to an "Area of Especially High Scenic Amenity" as designated in the Donegal County Development Plan 2024 - 2030. It is my view that the application is lacking technical information that demonstrates that a height increase of 3m is the minimum height required to achieve effective operation.
- 7.2.8. Furthermore, and as outlined above, the 1996 Guidelines state that if a location within a village should become necessary, sites already developed for utilities should be considered and masts and antennae should be designed and adapted for the specific location. The applicant outlines that the extension can be attached relatively easily without the need to replace the existing monopole, which would suggest minimal impact on the continued operation of existing users at the site. Whilst this is reasonable

from an operational perspective, I'm not satisfied that the sensitivities of the immediately surrounding area has informed the design of the proposed extension.

- 7.2.9. Having regard to foregoing, I am satisfied that the proposed development is acceptable in principle given the demonstrated gap in 4G / 5G coverage for one of the main network providers in Ireland, and thus the proposal would potentially contribute positively to the roll out of broadband and related telecommunication networks to rural areas. However, I am not entirely satisfied that all possible options have been investigated for how a third operator might be facilitated on the existing site.
- 7.2.10. Notwithstanding this conclusion, the most important considerations regarding the proposal would be the visual impact of the development having regard to the mast location within a small village, directly adjacent to dwellings, located within an Area of High Visual Amenity and close to an Area of High Scenic Amenity. These concerns will be addressed in more detail in Sections 7.3 and 7.4 below.

7.3. Visual Impact

- 7.3.1. The key concern of the planning authority was the visual impact of the development in the context of the immediately surrounding area.
- 7.3.2. The site is located within Quigley's Point, a village situated on the shoreline of Lough Foyle. The site lies within a designated 'Area of High Scenic Amenity' and within c. 100m of an 'Area of Especially High Scenic Amenity', a designation that generally applies to the land between the R238 and the shoreline of Lough Foyle. The R238 is a coastal route and forms part of the Wild Atlantic Way. As outlined in Section 1.0 of my report, there are no buildings within the settlement of Quigley's Point included on the Council's record of protected structures nor are there any Architectural Conservation Areas designated within the village.
- 7.3.3. In relation to national guidance, the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996) sets out the criteria for the assessment of telecommunication structures, including the avoidance of high amenity lands and smaller towns and villages. The Guidelines also set out there will be local factors which have to be taken into account in determining the extent to which an object is noticeable or intrusive such as intermediate objects (buildings or trees), topography, the scale of the object in the wider landscape, the multiplicity of other

objects in the wider panorama, the position of the object with respect to the skyline, weather and lighting conditions, etc.

- 7.3.4. Furthermore, CDP Policy L-P-1 seeks to protect areas identified as having Especially High Scenic Amenity, and that within these areas, only developments of strategic importance, or developments that are provided for by policy elsewhere in this Plan, may be considered. Whilst Policy L-P-2 seeks to protect areas identified as 'High Scenic Amenity' and 'Moderate Scenic Amenity', and that within these areas, only development of a nature, location and scale that integrates with, and reflects the character and amenity of the landscape may be considered, subject to compliance with other relevant policies.
- 7.3.5. The village has a dispersed settlement pattern with no identifiable village centre, in the traditional sense, with no church or school, although a review of historic mapping would suggest the original settlement was concentrated along the L1951 further north of the appeal site, with later development further south. The L1951, which comprises mostly single and two-storey buildings, predominately dwellings, runs northeast from the R240 and R238 before connecting back into the R238 to the north. The L1951 was once part of the main coastal route with the R238 to east built in more recent times. By reason of the settlement pattern, the L1951 is, relatively speaking, built-up on its northern and southern ends, with the middle part, being the location of the appeal site, less developed, with hedgerow field boundaries on its east side, sporadic public lighting and no footpaths apart from the frontage to the Millbrae Park housing estate adjoining the site.
- 7.3.6. From the front of the site, the L1951 rises in both directions north and south before falling again to meet the R238 (to the north) and the R240 (to the south). In the immediate vicinity of the site to the east, the land, which comprises a single detached dwelling and fields, slopes downwards between the L1951 and R238 and onwards to the lakeshore. As such, the L1951 is on higher ground than the R238 which makes structures, including the existing monopole, more visible within the viewscape along the R238 in the vicinity of the village.
- 7.3.7. From the outset, on review of the previous planning application for the existing mast (ABP-311217-21 refers), and having visited the site and surrounding area, I observed

that the as-constructed monopole structure is, in my view, far more imposing than the photomontages submitted under the previous application had envisaged / depicted.

- 7.3.8. The current application for a 3m extension includes 7 no. photomontages providing a comparison of existing and proposed views from locations on the L1951, R238 and R240. The first party appeal included an additional 3 no. photomontages representing views from the R1951 immediately adjacent to the site and also from within the Millbrae Park housing estate. The photomontages indicate that by reason of local topography and built form, the mast is most visible from the areas in close proximity to the site, including on the approach from both directions on the R1951, and also from various points along the R238 to the east.
- 7.3.9. By reason of the alignment and topography of the R1951 north of the site, the existing mast is most visible on the approach from that direction, noting that the street comprises of single and two storey buildings. Road users are facing the mast from the vicinity of the Community Centre, c. 130m north of the site. This view is represented by Photomontage 2 of the initial 7 no. photomontages submitted. The first of 3 no. additional photomontages submitted with the first party appeal represents an existing and proposed view from the R1951 immediately south of the entrance to the Millbrae Park housing estate. Having visited the site, the structure, as built, is, in my view, a dominant feature within the immediate streetscape, however, from certain angles, the visual impact is marginally lessened by tree cover and built form along the road.
- 7.3.10. The montages which depict the proposed extension demonstrate how the additional height would increase the visibility and prominence of the structure, which, in my view, is amplified by the nature of the extension in the form of additional headframe equipment. By reason of its height, scale and bulk, the proposed extension of an already visually prominent structure, would, in my view, would cause an adverse impact on visual amenity of the area, contrary to CDP Policy TC-P-2.
- 7.3.11. As noted above, the site is located within an 'Area of High Scenic Amenity' and within c. 100m of an 'Areas of Especially High Scenic Amenity', with the boundary between these two designations generally defined by the alignment of the R238, noting that the R238 also forms part of the Wild Atlantic Way. Photomontage 3 of the initial 7 no. photomontages submitted represents a view from the R238 due north-east of the site.

- 7.3.12. By reason of the alignment of the R238 and location of the appeal site, I am satisfied that the view within the photomontage represents the natural line of sight towards the appeal site on the approach from the north. Whilst the existing monopole structure is visible, its visual impact is somewhat lessened by the location, form and bulk of an engineering / manufacturing premises and trees, including a mature evergreen cypress, on intervening land fronting the R238. Whilst the built environment and presence of an individual tree might demonstrate an imperceptible visual impact at this specific location, during a site inspection, I observed open views of the mast on the route north along this section of the R238. The applicant has not submitted photomontages showing such viewpoints. The additional height proposed would increase the visibility and prominence of the structure when viewed from along the R238, which, in my view, would cause an adverse impact on the viewscape from the R238, a tourist route, and would be visually dominant within an Area of High Scenic Amenity.
- 7.3.13. Having regard to the foregoing, I consider that by reason of its height, scale and bulk, the proposed extension of an already visually prominent structure would be visually dominant within a village setting and would adversely impact on an Area of High Scenic Amenity, contrary to CDP Policy L-P-2 and Policy TC-P-2.

7.4. Residential Amenity

- 7.4.1. The planning authority raised concerns about the overbearing and incongruous impact of the proposed mast extension on nearby dwellings. Observations to the application made the point that there have been no material changes in the locality which would mitigate against the visual impact of the current application, which has already been judged to be overbearing and unacceptable (referring to the 2022 decision to grant permission for the monopole at a reduced height of 18m).
- 7.4.2. The appeal site is located adjacent to the entrance to Millbrae Park, an estate of 10 no. two-storey semi-detached houses. The estate is accessed from the L1959 with the entrance road running alongside the southern boundary of the appeal site, and with a green space associated with the estate sharing its eastern boundary with the site. As set out in the commentary of the Inspector's Report for the previous application (ABP-311217-21 refers), by reason of the layout of Millbrae Park, the rear gardens of houses

within the estate are all oriented due south or west, thus away from the appeal site, and none of the houses face directly towards the site. As such, I am satisfied that the proposed development does not adversely impact on the amenity of individual dwellings, in terms of overbearing / loss of outlook.

- 7.4.3. During a site inspection, I observed that the existing monopole structure holds a significant visual presence and is a dominant feature when viewed from within the street adjacent to the estate entrance and from the public areas (roads and green space) within Millbrae Park estate itself. As noted above, the applicant submitted 3 no. additional photomontages with the first party appeal, the purpose of which is to demonstrate visual impact of the proposed monopole extension as viewed from the immediate vicinity of the site, including from within Millbrae Park housing estate.
- 7.4.4. Photomontage 1 is discussed above in the context of the visual impact within the streetscape. In my view the additional photomontages also demonstrate that by reason of the bulk of additional headframe the proposed extension to an already visually prominent structure would cause an adverse impact on residential amenity of residents of Millbrae Park on the basis of its dominant form at the only entrance point to the housing estate and at the interface with the area of open space. The proposal, by reason of height, scale and bulk, would therefore negatively impact on the residential and visual amenities of the area, contrary to CDP Policy TC-P-2.

8.0 EIA Screening

Refer to Appendix 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.

9.0 Appropriate Assessment

Refer to Appendix 2. Having regard to nature, scale and location of the proposed development and proximity to the nearest European site, it is concluded that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

10.0 Water Framework Directive

Refer to Appendix 3. On the basis of objective information, I consider 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.

11.0 Recommendation

Having regard to the foregoing, I recommend that planning permission be refused for the proposed development.

12.0 Reasons and Considerations

1. Having regard to the nature and scale of the proposed development for a 3m extension, including headframe, to an existing 18m high telecommunications structure, it is considered that the proposed development would result in a significant and negative visual impact on the streetscape and would result in a significant overbearing impact and would seriously injure the residential amenities of Millbrae Park, contrary to Policy CS-P-1 and Policy TC-P-2 of the Donegal County Development Plan 2024-2030. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development is located within an area that is designated as being within an “Area of High Scenic Amenity” in the Donegal County Development Plan, 2024 - 2030, and close to, and visible from, an “Area of Especially High Scenic Amenity”. The additional height proposed would increase the visibility and prominence of the structure and would have an adverse visual impact on the small village, surrounding high amenity landscapes and nearby coastal area. It would therefore be contrary to Objective TC-O-1, Policy TC-P-2, Policy L-P-1 and Policy L-P-2 of the Donegal County Development Plan, 2024 - 2030, and would, therefore, be contrary to the proper planning and sustainable development of the area.

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.

Jim Egan
Planning Inspector

1st October 2025

Appendix 1 – EIA Form 1

EIA Pre-Screening

An Coimisiún Case Reference	ACP-322991-25		
Proposed Development Summary	Increasing the height of an 18 metre high telecommunications monopole support structure by 3 metres.		
Development Address	Eir Exchange, Foyle View Point, Carrowkeel, Quigleys Point, Lifford PO, Co. Donegal		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	√
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes			
No	√		
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No			
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes			
5. Has Schedule 7A information been submitted?			
No			
Yes			

Inspector: _____

Date: _____

Appendix 2 – Appropriate Assessment Screening

I have considered the proposed development in light of the requirements of S177U the Planning and Development Act 2000 as amended.

The site is not located within or immediately adjacent to any European Sites. The closest European Site, part of the Natura 2000 Network, is the Lough Foyle SPA (Site Code: 004087), located c. 330m east of the site.

The proposed development is located within an urban settlement and comprises the extension, by 3m, of an existing monopole telecommunications structure. The development would not require connections to public services such as water and sewerage.

The Planning Authority concluded that AA is not required.

Having considered the nature, scale and location of the proposed development, and having regard to the AA Screening carried out by the Planning Authority, I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site.

I consider that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and appropriate assessment is therefore not required.

Appendix 3 – Water Framework Directive Screening

Screening the need for Water Framework Directive Assessment Determination.

The proposed development is located within an urban settlement and comprises the extension, by 3m, of an existing monopole telecommunications structure.

I have assessed the application 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 of the development
- Urban location and location in the context of the nearest water bodies.

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