



An
Coimisiún
Pleanála

Inspector's Report

ACP-323092-25

Development	To erect a 27.4 m high slim line telecommunications support structure.
Location	Bunowen, Leenaun, Clifden , County Galway.
Planning Authority	Galway County Council.
Planning Authority Reg. Ref.	2560541.
Applicant(s)	Vantage Towers Limited.
Type of Application	Permission.
Planning Authority Decision	Grant Permissoin.
Type of Appeal	Third Party
Appellant(s)	Transport Infrastructure Ireland.
Observer(s)	None.
Date of Site Inspection	18 th September 2025.
Inspector	Kathy Tuck.

1.0 Site Location and Description

- 1.1. The subject site which has a stated area of 0.032ha is located within the townland of Bunowen. The site is situated c. 11 Km northeast of Letterfrack and about 5.7 Km southwest of Leenaun. It is an established telecommunications compound within a rugged and open area with Lough Fee to the west and Lough Nambrackkeagh to the southeast.
- 1.2. Access to the site is provided from the N59. The site is relatively flat where the existing telecommunication mast is situated and then rises significantly to the north-west. The surrounding area is undeveloped and forms part of the Twelve Bens/Garraun Complex Special Area of Conservation (site code SAC 002031).

2.0 Proposed Development

- 2.1. The proposed development comprises the decommissioning of the existing infrastructure at the site to be replaced with a new 27.4-metre-high slim line lattice telecommunications support structure including headframe and associated telecommunications equipment attached and with a cabinet at ground level.
- 2.2. It is stated in the submitted documentation that the purpose of the proposed development is to address the need to replace the existing structure which is reaching the end of its useful life due to structural failure. The structure can no longer withstand the intended loads due to age, weather conditions and loading. The new structure is proposed to be built first in order to ensure continued coverage. The proposed development is kept within an existing fenced compound using the existing access track. The proposed new structure will continue to accommodate Vodafone, Eir, Three Ireland and Tetra, (the emergency services).
- 2.3. The application has been accompanied by a Visual Impact Assessment, An Appropriate Assessment Screening and a Technical Justification Report.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority granted planning permission on the 26th of June 2025 for the proposed development subject to 13 no. conditions. Conditions of note are considered to be as follows:

- Condition no. 8

The support structure, antennae and all ancillary structures should be demolished and removed from site if they become obsolete or are no longer required, and the site shall be reinstated on removal of the telecommunications structure and ancillary structures at the operators' expense. REASON: In the interest of visual amenity, having regard to changes in technology and design or any other changes in circumstances during the specified period

- Condition no. 11

- (i) A system of independent monitoring of radiation levels from the structure shall be established/maintained and undertaken periodically to ensure compliance with such guidelines levels as may be set from time to time by the International Radiation Protection Association or equivalent authority.
- (ii) The development shall comply with the terms and conditions of the public exposure guidelines of the international commission on non-ionizing radiation protection. REASON: To safeguard the amenities of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Officer, dated the 25th June 2025, sets out details of the appeal site, the planning history of the site, relevant planning policy, consultee reports received, and notes that no objections were received. The report presents an EIA, AA and Flood Risk Assessment screening determination.

The assessment notes that the site is located within a Class 4 'Iconic' Landscape Sensitivity area within the Uplands and Bog Landscape of west Galway. The site has an established use regarding the existing 27.4m telecoms tower and associated infrastructure located at the site. A visual impact assessment has been submitted with the application details. It includes a number of views of the proposed structure. The Technical Justification submitted by the application meets with the satisfaction of the Planning Authority.

As such a recommendation to grant permission in line with the decision issued was made.

3.2.2. Other Technical Reports

None received.

3.3. Prescribed Bodies

Transport Infrastructure Ireland:

Submission dated the 27th May 2025 considers that the proposal is at variance with official policy in relation to control of development on/affecting national roads, as outlined in the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012). It is stated that insufficient data has been submitted with the planning application to demonstrate that the proposed development will not have a detrimental impact on the capacity, safety or operational efficiency of the national road network in the vicinity of the site. Prior to commencement of any development to implement this permission, should the authority grant permission, technical acceptance is required from TII as prescribed in DNSTR-03001 section 1.2 (k).

3.4. Third Party Observations

None received.

4.0 Planning History

PA Ref: 96/1350: Planning permission granted for the erection of a 26m support structure and mobile telephone antenna, associated 'containerised' equipment shelter and access road.

- PA Ref: 01/4918: Planning permission granted for retention of existing support structure, antennae, equipment shelter and fencing, and permission for additional antennas and equipment shelter including ancillary works.
- PA Ref: 07/1471 : Planning permission granted to retain a 24M high antennae support structure with 2m high headframe and 3M omni antenna on top of head frame, equipment cabinet, access road and security fence around the site.
- PA Ref: 13/219: Planning permission granted to retain an existing 24m high telecommunications support structure with 2m high headframe, (overall height of 26m), carrying associated telecommunications equipment, associated cabinets, in a secure compound, and access track.

5.0 Policy Context

5.1. National Planning Framework: First Revision, April 2025.

National Policy Objective 31 - Support and facilitate delivery of the National Broadband Plan as a means of developing further opportunities for enterprise, employment, education, innovation and skills development for those who live and work in rural areas.

5.2. Regional, Spatial and Economic Strategy for the Northern and Western Regional Assembly (RSES)

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

Regional Policy Objective 6.5: The capacity and safety of the region's land transport networks will be managed and enhanced to ensure their optimal use, thus giving effect to National Strategic Outcome No.2 and maintaining the strategic capacity and safety of the national roads network including planning for future capacity enhancements.

5.3. National Broadband Plan 2020

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

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

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

Section 4.3 'Visual Impact', starts the following:

- *only as a last resort should free-standing masts be located within or in the immediate surrounds of smaller towns or villages. If such location should become necessary, sites already developed for utilities should be considered and masts and antennae should be designed and adapted for the specific location. The support structure should be kept to the minimum height consistent with effective operation'.*
- *only as a last resort, and if the alternatives are either unavailable or unsuitable, should free-standing masts be located in a residential area or beside schools. If such a location should become necessary, sites already developed for utilities should be considered and masts and antennae should be designed and adapted for the specific location. The support structures should be kept to the minimum height consistent with effective operation and should be monopole (or poles) rather than a latticed tripod or square structure'.*

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

5.5. Circular Letter PL 03/2018

This circular provides a revision to Chapter 2 of the Development Contribution, Guidelines for Planning Authorities, 2013, and specifically states that the waiver provided in the Development Contribution, Guidelines for Planning Authorities, 2013 should apply not only to the provision of broadband services but also to mobile services.

5.6. Circular Letter PL 07/12

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

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

5.7. Galway County Development Plan 2022-2028

- 5.7.1. The subject site is identified within the county development plan as being located within an uplands and Bog Landscape as per Map 8.1 and a class 4- iconic sensitivity with high sensitivity to change as per map 8.2 of the County Plan. The site is also situated along the 'Sraith Salach Letterfrack Scenic Route' as per map 8.3 of the County Plan.
- 5.7.2. The provisions of the Galway County Development Plan 2022 – 2028 relevant to this assessment are as follows:

Policy Objective LCM1: Preservation of landscape Character

Preserve and enhance the character of the landscape where, and to the extent that, in the opinion of the Planning Authority, the proper planning and sustainable development of the area requires it, including the preservation and enhancement, where possible of views and prospects and the amenities of places and features of natural beauty or interest.

Policy Objective LCM 2: Landscape Sensitivity Classification

The Planning Authority shall have regard to the landscape sensitivity classification of sites in the consideration of any significant development proposals and, where necessary, require a Landscape/Visual Impact Assessment to accompany such proposals. This shall be balanced against the need to develop key strategic infrastructure to meet the strategic aims of the plan.

Policy Objective LCM 3: Landscape Sensitivity Ratings

Consideration of landscape sensitivity ratings shall be an important factor in determining development uses in areas of the County. In areas of high landscape sensitivity, the design and the choice of location of proposed development in the landscape will also be critical considerations.

Policy Objective ICT1 : ICT Infrastructure

Support the delivery of high capacity Information Communications Technology Infrastructure, broadband connectivity and digital broadcasting, throughout the County in line with the Galway County Digital Strategy 2020 - 2023, in order to ensure

economic competitiveness for the enterprise and commercial sectors and in enabling more flexible work practices i.e. remote working, smart hubs etc.

Policy Objective ICT2: National Broadband Plan

Support and facilitate delivery of the National Broadband Plan.

Policy Objective ICT3: Telecommunications Antennae and Support Structures

To ensure the orderly development of telecommunications throughout the County in accordance with the requirements of the Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities, DECLG, 1996, except where they conflict with Circular Letter PI07/12 which shall take precedence, and any subsequent revisions or expanded guidelines in this area.

Policy Objective ICT4: Co-location of Antennae

To require co-location of antennae support structures and sites where feasible. Operators shall be required to submit documentary evidence as to the non-feasibility of this option in proposals for new structures.

Policy Objective ICT5: Siting and Design of Telecommunications Infrastructure

To require best practice in both siting and design in relation to the erection of communication antennae and support infrastructure, in the interests of visual amenity and the protection of sensitive landscapes.

Policy Objective ICT6: Visual Impact and Antenna Support Structures

To operate a presumption against the location of antennae support structures where they would have a serious negative impact on the visual amenity of sensitive sites and locations.

Policy Objective LCM1: Preservation of Landscape Character.

Preserve and enhance the character of the landscape where, and to the extent that, in the opinion of the Planning Authority, the proper planning and sustainable development of the area requires it, including the preservation and enhancement, where possible of views and prospects and the amenities of places and features of natural beauty or interest.

Policy Objective LCM2: Landscape Character Classification.

The Planning Authority shall have regard to the landscape sensitivity classification of sites in the consideration of any significant development proposals and, where necessary, require a Landscape/Visual Impact Assessment to accompany such proposals. This shall be balanced against the need to develop key strategic infrastructure to meet the strategic aims of the plan.

DM Standard 42: Telecommunications Masts

In order to facilitate the evaluation of development proposals for the erection of antennae and support structure with regard to the DoEHLG, Planning Guidelines for Telecommunications Antennae and Support (1996 including any updated/superseding document) and DECLG Circular PI 07/12 regarding the 1996 Planning Guidelines. While the current state of technology requires the construction of masts and antennae in the countryside the following standards will apply:

a) Landscape Sensitivity

In instances where telecommunications masts are essentially required in landscape sensitivity Class 3(Special) or Class 4 (Iconic), a Visual Impact Assessment shall be required with all planning applications for these locations.

b) Amenity Impacts

Masts and associated base station facilities should be located away from existing residences and schools.

c) Landscape Impacts

Masts should be designed and located so as to cause minimum impact on the landscape. If possible, sites should be located within forest plantations. Access roads shall be permitted only where essential. Where provided, they should not scar the landscape on which they are located. Roads should follow the natural contours of the site in order to minimise their visual intrusion and should be bordered with shrubs after construction. Masts should be sited to avoid the location of such structures in sensitive landscapes, in nature conservation areas, in highly sensitive landscapes and where views are to be preserved.

d) Co-Location

Licensees shall be required to co-locate their services by sharing a single mast or, if necessary, locating additional masts in cluster form. Co-location

agreements to be provided where possible. Where new facilities are proposed applicants will be required to satisfy the Council that they have made a reasonable effort to share facilities or to locate facilities in clusters.

e) Security

Mast compounds should have security fencing and anti-climbing devices designed to local aesthetic and safety requirements.

f) Redundancy

In the event of the discontinuance of any mast installation the mast and its equipment shall be removed from the site and the land shall be reinstated.

All planning applications shall be required to furnish a statement of compliance with the International Radiation Protection Association (IRPA) Guidelines or the equivalent European Pre-Standard 50166-2 in the interest of health and safety.

5.8. Natural Heritage Designations

The subject site is not situated within a Natura 2000 designated site. The subject site is surrounded by the Twelve Bens/Garraun Complex SAC (site code 002031). The site is situated c.1.36km to the south-west of the Maumturk Mountains SAC (site code 002008) and c.2.57km to the south of the Mweelrea/Sheeffry/Erriff Complex SAC (site code 001932).

6.0 EIA Screening

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

7.0 The Appeal

7.1. Grounds of Appeal

The Commission received a 3rd Party appeal against the decision of Galway County Council to grant permission for the proposed development from Transport

Infrastructure Ireland (TII) on the 21st July 2025. The grounds of the appeal can be summarised as follows:

- The appellant notes that their position is not to present an objection in principle to the proposal but to request the Commissions consideration of applying an additional condition to the permission granted to ensure that Technical Acceptance of the proposed structure is complete prior to the commencement of any development in the interests of the safety of all road users.
- The wording of the proposed condition is as follows:

Prior to the commencement of any development Technical Acceptance of the proposed telecommunication support structure shall be completed in accordance with the standards and procedures outlined in TII Publications DN-STR-03001 (Technical Acceptance of Road Structures on Motorways and other National Roads). On completion of Technical Acceptance, the telecommunication support structure shall be constructed in accordance with Technical Acceptance.

REASON: In the interests of road user safety on the national road network.

Grounds of Appeal:

1. Road Safety Concerns

- Need to exercise caution in assessment of any development proposals impacting safe operations of strategic routes.
- TII have authority to specify standards in relation to design, construction or maintenance work to be complied with by applicant carrying out work to a national road
 - Section 1.2(K) of DNSTR-03001 requires Technical Acceptance from TII.
 - Not addressed by Planning Authority or applicant.
 - This is mandatory.
- Consider proposal as granted does not comply with TII design standards and procedures nor safeguards road users safety.

- To address all of this request that the condition (as set out above) be included.

2. Official Policy

- Seeking to ensure national objectives are not undermined and that investments made in national road network are not jeopardised:
 - Outcome 2 of the NPF (First Revision) sets out official policy position to maintain strategic capacity and safety of national road networks.
- Proposal in the absence of Technical Acceptance is not in accordance with national policy.
- Chapter 7 of the National Development Plan 2021-2030 sets out key sectoral priority to maintaining Irelands existing road network:
 - Reflected in national investment framework for Transport in Ireland.
- RSES – Regional Policy Objective 6.5: The capacity and safety of the region’s land transport networks will be managed and enhanced to ensure their optimal use, thus giving effect to National Strategic Outcome No.2 and maintaining the strategic capacity and safety of the national roads network including planning for future capacity enhancements
- Local Level - Section 6.2 of the Galway County Development Plan 2022-2028 set out the strategic aims in terms of Transportation and Movement for the County.
- Objective NR1 - Protection of Strategic Roads of the Galway County Development Plan 2022-2028 seeks ‘to protect the strategic transport function of national roads and associated national road junctions, including motorways through the implementation of the ‘Spatial Planning and National Roads Guidelines for Planning Authorities’ DECLG, (2012) and the Trans-European Networks (TEN-T) Regulations.’
- Consider that the proposed development adjoining a high-speed national secondary road network in the absence of a Technical Acceptance represents a significant risk to road users:

- Granting permission conflicts with the objective to safeguard levels of safety of all road users in line with national, regional and local policy and Section 28 Guidelines (Spatial Planning and National Road Guidelines for Planning Authorities, 2012).
- All can be addressed by including a condition requiring a Technical Acceptance.

3. Planning Precedence

- No exceptional reason has been set out to justify significant departure from official policy and road safety consideration which the grant of permission represents in the absence of Technical Acceptance.
- Concern that Galway County Council failed to consider TII's submission which clearly identified the need for a Technical Acceptance.
- Case Officer has no technical engineering or road safety support to assist in reviewing information provided:
 - Concerning given the increased speeds and strategic function of the National Road.
- Technical Acceptance issued was raised under the appeal ABP-321751-25:
 - Same applicant in this instance so applicant should have been aware for the requirement to submit a Technical Acceptance.
 - No explanation as to why Technical Acceptance was not undertaken prior to the submission of the Planning Application.

4. Protecting Public Investment.

- Reference is made to Section 28 Guidelines, Chapter 7 of the National Development Plan, and National Outcome 2 of the NPF.
- Current proposal by itself would endanger public safety by reason of a Traffic Hazard where no exceptional reasons have been demonstrated to justify a significant departure from official national and local policy related to road safety.
- Will set an undesirable precedent in the absence of a Technical Acceptance.

7.2. Applicant Response

A response from the applicant was received by the Commission on the 6th August 2025 and can be summarised as follows:

- It is clear that the appellant does not have an objection to the proposed development in principle but would like a condition to be included in the grant of permission.
- Applicant is not opposed to the inclusion of this condition and following similar projects is actively coordinating with TII.
- It is noted that TII has taken a proactive involvement with regard to development of masts and in this respect the applicant has been involved in communication with TII.
- Applicant consistently engages with various Local Authorities to ensure the proper construction management plan is in place to ensure traffic safety an appropriate risk analysis.

The applicant response sets out details of the site location, the proposed development, the existing structure on site, planning exemptions, topography, coverage, alternative structures, planning policy, and details of the assessment undertaken by the Planning Authority. This information has been provided in the instance that the Commission consider that a De Novo Assessment is required. I note that this information has been already included within the application documentation submitted to the Planning Authority which I have already reviewed.

7.3. Planning Authority Response

None received.

7.4. Observations

None received.

8.0 Assessment

8.1. From my reading of the file, inspection of the site and assessment of the relevant policy provisions, I conclude that the key issues relevant to the appeal are:

- The principle of the proposed development
- Impact on the N59 National Secondary Road
- Other Issues

8.2. The Principle of the Proposed Development

- 8.2.1. The 'Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities' (DOE, 1996) state that it is national policy to develop a comprehensive mobile telecommunications service within Ireland in order to promote industrial and commercial development, to improve personal and household security, and to enhance social exchange and mobility.
- 8.2.2. This strategic policy is reiterated in the National Planning Framework: First Revision (2025) with National Policy Objective aiming to develop stable, innovative and secure digital communications and services infrastructure on an all-island basis whilst the National Broadband Plan also aims to deliver a high-speed broadband network throughout Ireland.
- 8.2.3. Chapter 7: 'Infrastructure, utilities and Environmental Protection' of the Galway County Development Plan, 2022-2028 also recognises the importance of a modern, efficient and reliable telecommunications system in advancing the economic and social development of the county and seeks to support a balanced spread of telecommunications infrastructure in the area. In this respect, it is the policy of the Council to encourage and facilitate the coordinated development of broadband infrastructure along with the delivery of high-capacity telecommunications infrastructure at appropriate locations throughout the county, having regard to the guidelines for "Telecommunications Antennae and Support Structures", Circular Letter PL07/12, and any updated documents issued by the relevant authority.
- 8.2.4. The need for the proposed development arises from a desire to provide for improved mobile coverage for both voice and broadband data services in the surrounding area

following the identification of certain coverage or service blackspots. It is also stated that there is a further requirement to replace the existing structure which is reaching the end of its useful life due to structural failure. The structure can no longer withstand the intended loads due to age, weather conditions and loading and this was demonstrated within the supporting Technical Justification which accompanied planning application.

8.2.5. Cognisance has also been taken of the need to accommodate the co-location of multiple service providers with reference being made to the proposed installation as having the capacity to facilitate at least four operators. In this regard and noting that the provision of a modern telecommunications network in the county is a key objective of the Development Plan which necessitates the development of a structured network of base stations and masts throughout the county, it is my opinion that the applicant has set out a satisfactory case for the subject proposal in the documentation provided.

8.2.6. In addition to the foregoing, I would emphasise to the Commission that the proposed development involves the replacement of an existing telecommunications support structure with a new construction within the same compound. In this regard and acknowledging that the replacement structure is identical in height to that already in situ on site, it is of relevance to note that the existing structure on site was regularised by the Planning Authority at the same location under PA Ref. No. 13/219.

8.2.7. Accordingly, having regard to national policy and County Development Plan statements which emphasise the importance of improved telecommunications, the well-established use and planning history of the site, the rationale for the selection of the subject site, and the potential for the co-location / sharing of the proposed installation with other service providers / operators, in my opinion, the subject proposal is acceptable in principle at this location.

8.3. Impact on the N59 National Secondary Road

8.3.1. The primary concerns raised in the grounds of appeal relate to the potential impact of the proposed development on road safety considerations by reason of its siting and proximity to the N59 National Secondary Road at a location where the maximum speed limit of 100kph applies. More specifically, it has been submitted that the

proposal is not in receipt of a 'Technical Acceptance Report' approved by the appellant pursuant to TII Publication 'DN-STR-03001 – Technical Acceptance of Road Structures on Motorways and Other National Roads', the determination of which would entail an assessment of certain issues, including the construction methodology (and any temporary access arrangements required for the demounting of the existing mast on site or the erection of the replacement structure) and the structural integrity of the proposal (due to the risk that the structure could fall / collapse onto the national road) in advance of any development.

- 8.3.2. Reference is also made by the appellant to the need to consider the relevant provisions of the National Planning Framework Strategic Outcome no. 2, the National Development Plan (Chapter 7), The Galway County Development Plan, 2022-2028 and the 'Spatial Planning and National Roads, Guidelines for Planning Authorities, 2012' as regards the avoidance of any new access point or the generation of increased traffic from an existing access onto a national road where a speed limit greater than 60kph applies, with the assertion being made that the proposal, if approved, would result in the intensification of an existing direct access to a national road contrary to official policy in relation to control of frontage development on national roads.
- 8.3.3. At present the site is currently directly accessed from the N59 via a slip road which is not overly maintained but comprises of a tarmacadamed tract leading to the double gates enclosing the mast compound. It is intended to utilise this existing access to serve the replacement mast. This has been indicated as a wayleave on the site layout plan submitted as part of the application documentation.
- 8.3.4. I would acknowledge the legitimacy of the appellant's concerns as regards the potential impact of the construction phase on road safety along the national road. However, I note that the access serving the site is already in situ and it is not proposed under this application to amend such.
- 8.3.5. With respect to the concerns raised by the appellant with regard to the lack of Technical Acceptance being submitted, I would concur with the applicant that such matters are most appropriately dealt with through recourse to the existing procedures set out in TII Publication 'DN-STR-03001 – Technical Acceptance of Road Structures on Motorways and Other National Roads'. I am of the opinion that the requirement to obtain a Technical Acceptance Report from TII is in advance of the commencement

of development as opposed to the receipt of a planning consent and thus any grant of planning permission would not negate the applicant's obligations in this regard.

8.3.6. In this instance I would draw the Commissions attention to Section 34(13) of the Planning and Development Act 2000, as amended, which states that A person shall not be entitled solely by reason of a permission under this section to carry out any development. I therefore recommend that the decision of the Planning Authority be upheld and if the Commission are minded an additional condition could be included to ensure that the Applicant submit a Technical Acceptance to TII for the written agreement prior to the commencement of development.

8.4. Other Issues

8.4.1. Concern has been raised by the appellant with regard to the assessment undertaken by the Planning Authority. It is contended that the Planning Officer failed to give the issues raised by the applicant due consideration and that they had no technical engineering or road safety support to assist in reviewing information provided.

8.4.2. On review of the Case Officers report, I note that the file was referred to the area engineer for comment with no response received. The report states that the comments made within the submission received from TII are duly noted and consideration was given to Traffic and Transportation issues within the site-specific assessment.

8.4.3. While I note that the comments made by the TII were not specifically addressed the Planning Officer did make reference to them within their assessment and noted same. Furthermore, I note that the Planning Authority are the competent authority to undertake the assessment of the proposed development and comments from other departments, such as the area engineer, are not a mandatory requirement. I am satisfied that the assessment undertaken by the Planning Authority was robust.

9.0 AA Screening

9.1. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on Twelve

Bens/Garraun Complex SAC, Mweelrea/Sheeffry/Erriff Complex SAC or the Maumturk Mountains SAC in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

9.2. This determination is based on:

- Nature of works,
- The existing use on site which comprises of a telecommunication mast,
- The absence of any direct ecological conduits /hydrological pathways between the application site and the Natura 2000 designations, and
- The findings of the AA Screening report submitted as part of the planning application documentation.

10.0 Water Framework Directive

10.1. The subject site is located approximately c.78m to the south of the Culin River and c.169.6m to the south-west of the Nambrackkeagh Lough. In addition, the site is situated c.612.9m to the south of the Bunowen (Killary Harbour) river.

10.2. The proposed development is seeking permission for a replacement telecommunication mast on the subject site. No water deterioration concerns were raised in the planning appeal.

10.3. 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.

10.4. The reason for this conclusion is as follows:

- The nature of the development.
- There are no waterbodies within the site.

- The location of the site c.78m to the south of the Culin River and c.169.6m to the south-west of the Nambrackkeagh Lough and the lack of a hydrological connection to either.

10.5. 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.

11.0 Recommendation

Having regard to the foregoing, I recommend that the decision of the Planning Authority be upheld in this instance and that permission be granted for the proposed development for the reasons and considerations, and subject to the conditions set out below.

12.0 Reasons and Considerations

Having regard to:

- a) the national strategy regarding the improvement of mobile communications services,
- b) the guidelines relating to 'Telecommunications Antennae and Support Structures' issued by the Department of the Environment and Local Government in July, 1996, for planning authorities, as updated by Circular Letter PL07/12 issued by the Minister for the Environment, Community and Local Government on the 19th day of October, 2012 under Section 28 of the Planning and Development Act, 2000, as amended,
- c) the policy of the planning authority as set out in the Laois County Development Plan, 2021-2027, to support the provision of telecommunications infrastructure,
- d) the established use of the site,
- e) the planning history of the site,
- f) the potential for sharing of the structure and site with other operators, and

g) the general topography and landscape features in the vicinity of the site,

It is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area, would not endanger public safety by reason of traffic hazard, and would constitute an acceptable form of development at this location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity

2. The maximum height of the telecommunications structure shall be 27.4 metres.

Reason: In the interest of visual amenity and the proper planning and sustainable development of the area.

3. Prior to the commencement of development, the applicant shall submit for the written agreement of Transport Infrastructure Ireland a Technical Acceptance in accordance with TII Publications DN-STR-03001 (Technical Acceptance of Road Structures on Motorways and other National Roads).

Reason: In the interest of the proper planning and sustainable development of the area.

4. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health

5. The transmitter power output, antenna type and mounting configuration shall be in accordance with the details submitted with this application and, notwithstanding the provisions of the Planning and Development Regulations, 2001, and any statutory provisions amending or replacing them, shall not be altered without a prior grant of planning permission.

Reason: To clarify the nature and extent of the permitted development to which this permission relates and to facilitate a full assessment of any future alterations.

6. The developer shall provide and make available at reasonable terms the proposed support structure for the provision of mobile telecommunications antenna of third-party licenced telecommunications and broadband operators.

Reason: To avoid a multiplicity of telecommunications structures in the area, in the interest of visual amenity, and proper planning and sustainable development.

7. The colour scheme for the telecommunications structure, ancillary structures and fencing shall be grey/green in appearance unless otherwise agreed in writing with the planning authority.

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

8. Details of a colour scheme for the proposed mast and any ancillary structures hereby permitted shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development, and the agreed colour scheme shall be applied to the mast and any ancillary structures upon erection.

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

9. In the event of the telecommunications structure and ancillary structures hereby permitted ceasing to operate for a period of six months, the structures shall be removed, and the site shall be reinstated within three months of their removal. Details regarding the removal of the structures and the reinstatement of the site shall be submitted to, and agreed in writing with, the planning authority within seven months of the structures ceasing to operate, and the site

shall be reinstated in accordance with the agreed details at the developer's expense.

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

10. A low intensity fixed red obstacle light shall be fitted as close to the top of the mast as practicable and shall be visible from all angles in azimuth.

REASON: In the interest of public safety.

11. The existing telecommunication structures that the new structure proposes to replace shall be removed from site and disposed of in an appropriate and authorised manner.

REASON: In the interest of proper planning and sustainable development

12. No advertisement or advertisement structure shall be erected or displayed on the structure or its appendages or within the curtilage of the site without a prior grant of planning permission.

REASON: In the interest of visual amenity

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.

Kathy Tuck
Planning Inspector

9th October 2025

Appendix 1

EIA Pre-Screening

Case Reference	
Proposed Development Summary	To erect a 27.4 m high slim line telecommunications support structure
Development Address	Bunowen, Leenaun, Clifden , County 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.	State the Class here
☒ 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	State the Class and state the relevant threshold
☐ 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)	State the Class and state the relevant threshold

Inspector: _____

Date: _____

Appendix 2

Appropriate Assessment Screening

Screening for Appropriate Assessment Test for likely significant effects				
Step 1: Description of the project and local site characteristics				
Brief description of project		The Proposed Development consists of the replacement of the existing 24m telecoms mast with a new 27m lattice tower mast, with antennas, dishes, cabling, operator cabinets, new concrete plinth, and all fencing, landscaping and ancillary works, at Lough Fee, Bunowen, Co. Galway.		
Brief description of development site characteristics and potential impact mechanisms		The subject site has a stated area of c.0.032ha and is located in the townland of Bunowen just off and on the northern side of the N59 regional road, circa 11 Km northeast of Letterfrack and about 5.7 Km southwest of Leenaun. It is an established telecommunications compound within rugged and open area with Lough Fee to the west and Lough Nambrackkeagh to the south east. The subject site is surrounded by the Twelve Bens/Garraun Complex SAC (site code 002031) and situated c.1.36km to the south-west of the Maumturk Mountains SAC (site code 002008) and c.2.57km to the south of the Mweelrea/Sheeffry/Erriff Complex SAC (site code 001932).		
Screening report		Yes		
Natura Impact Statement		No		
Relevant submissions		No		
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests¹	Distance from proposed	Ecological connections²	Consider further in screening³

	Link to conservation objectives (NPWS, date)	development (km)		Y/N
Twelve Bens/Garraun Complex SAC (site code 002031)	• (1029) Freshwater Pearl Mussel <i>Margaritifera margaritifera</i> • 1106 Salmon <i>Salmo salar</i> • 1355 Otter <i>Lutra lutra</i> • 1833 Slender Naiad <i>Najas flexilis</i> • 3110 Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) • 3130 Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or <i>Isoeto-Nanojuncetea</i> • 4060 Alpine and Boreal heaths • 7130 Blanket bogs (* if active bog) • 7150 Depressions on peat substrates of the <i>Rhynchosporion</i> • 8110 Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>) • 8210 Calcareous rocky slopes with	0km	NO	N

	chasmophytic vegetation • 8220 Siliceous rocky slopes with chasmophytic vegetation • 91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles			
Maumturk Mountains SAC (Site code 002008)	• Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] • Northern Atlantic wet heaths with Erica tetralix [4010] • Alpine and Boreal heaths [4060] • Blanket bogs (* if active bog) [7130] • Depressions on peat substrates of the Rhynchosporion [7150] • Siliceous rocky slopes with chasmophytic vegetation [8220] • Salmo salar (Salmon) [1106] • Najas flexilis (Slender Naiad) [1833]	1.35km	NO	N
Mweelrea/Sheeffry/Erriff Complex SAC (Site code 001932).	• Coastal lagoons [1150] • Annual vegetation of drift lines [1210] • Atlantic salt meadows (Glauco-	2.57km	NO	N

	Puccinellietalia maritimae) [1330] • Mediterranean salt meadows (Juncetalia maritimi) [1410] • Embryonic shifting dunes [2110] • Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] • Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] • Atlantic decalcified fixed dunes (Calluno-Ulicetea) [2150] • Dunes with Salix repens ssp. argentea (Salicion arenariae) [2170] • Humid dune slacks [2190] • Machairs (* in Ireland) [21A0] • Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] • Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea [3130]			
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	• Natural dystrophic lakes and ponds [3160] • Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260] • Northern Atlantic wet heaths with Erica tetralix [4010] • European dry heaths [4030] • Alpine and Boreal heaths [4060] • Juniperus communis formations on heaths or calcareous grasslands [5130] • Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430] • Blanket bogs (* if active bog) [7130] • Transition mires and quaking bogs [7140] • Depressions on peat substrates of the Rhynchosporion [7150] • Petrifying springs with tufa formation (Cratoneurion) [7220] • Alkaline fens [7230]			
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	• Siliceous scree of the montane to snow levels (Androsacetalia alpinae and Galeopsietalia ladani) [8110] • Calcareous rocky slopes with chasmophytic vegetation [8210] • Siliceous rocky slopes with chasmophytic vegetation [8220] • Vertigo geyeri (Geyer's Whorl Snail) [1013] • Vertigo angustior (Narrow-mouthed Whorl Snail) [1014] • Margaritifera margaritifera (Freshwater Pearl Mussel) [1029] • Salmo salar (Salmon) [1106] • Lutra lutra (Otter) [1355] • Petalophyllum ralfsii (Petalwort) [1395] • Najas flexilis (Slender Naiad) [1833]			
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Step 2. Describe the likely effects of the project (if any, alone or in combination) on European Sites

The Proposed Development is located within the footprint of the existing mast compound, which lies just west of the N59 national road, approximately 6km west of Leenane. Access will be via an existing track with no loss of habitats. The works are of a relatively minor nature, largely comprising installation of prefabricated structures, and no mitigation is required to ensure there are no impacts on the adjacent SAC.

Step 3 Conclude if the proposed development could result in likely significant effects on a European site

I conclude that the proposed development would not result in likely significant effects on The Twelve Bens/Garraun Complex SAC, Mweelrea/Sheeffry/Erriff Complex SAC or the Maumturk Mountains SAC.

The proposed development would have no likely significant effect in combination with other plans and projects on any European sites. No further assessment is required for the project

No mitigation measures are required to come to these conclusions.

Appendix 3

Water Framework Directive

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	ABP-323092-25	Townland, address	Bunowen, Leenaun, Clifden , County Galway
Description of project		The proposed development comprises the decommissioning of the existing infrastructure at the site to be replaced with a new 27.4-metre-high slim line lattice telecommunications support structure including headframe and associated telecommunications equipment attached and with a cabinet at ground level. The new structure is proposed to be built first in order to ensure continued coverage. The proposed development is kept within an existing fenced compound using the existing access track. The proposed new structure will continue to accommodate Vodafone, Eir, Three Ireland and Tetra, (the emergency services).	
Brief site description, relevant to WFD Screening,		The subject site which has a stated area of 0.032ha is located within the townland of Bunowen. The site is situated c. 11 Km northeast of Letterfrack and about 5.7 Km southwest of Leenaun.	

	The subject site is located approximately c.78m to the south of the Culin River and c.169.6m to the south-west of the Nambrackkeagh Lough. In addition, the site is situated c.612.9m to the south of the Bunowen (Killary Harbour) river.					
Proposed surface water details	No details provided with regard to surface water details. The Planning Officer in their assessment notes that surface water disposal will be addressed by condition.					
Proposed water supply source & available capacity	Not applicable					
Proposed wastewater treatment system & available capacity, other issues	Not applicable.					
Others?	Not applicable					
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk,	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)

				review, not at risk		
River Waterbody	78m to the north	Culin River IE_WE_32C040040	Poor	Monitoring	N/A	No link from the subject site.
River Waterbody	612km to the north	Bunowen (Killary Harbour) river IE_WE_32B040100	High	Modelling	N/A	No link from the subject site.
Lake Waterbody		Nambrackkeagh (Lough) 32_471	N/A	N/A	N/A	No link from the subject site.
Groundwater waterbody	Underlying site	Clifden Castlebar IE_WE_G_0017	Good	Not at risk	No pressures	Free draining soil conditions.

Step 3: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Site clearance & Construction	Culin River IE_WE_32C040040	None	Surface water run off.	Construction Measures / Conditions	No	Screened out
2.	Site clearance & Construction	Bunowen (Killary Harbour) river IE_WE_32B040100	None	Surface water run off.	Construction Measures / Conditions	No	Screened out
3.	Site clearance & Construction	Nambrackkeagh (Lough) 32_471	None	Surface water run off.	Construction Measures / Conditions	No	Screened out

4.	Site clearance & Construction	Clifden Castlebar IE_WE_G_0017	Drainage	Hydrocarbon Spillages	Standard Construction Measures / Conditions	No	Screened out
OPERATIONAL PHASE							
3.	Surface	Culin River IE_WE_32C040040	None	Suds measures incorporated by condition.	None required.	No	Screened out
	Surface	Bunowen (Killary Harbour) river IE_WE_32B040100	None	Suds measures incorporated by condition.	None required.	No	Screened Out
	Surface	Nambrackkeagh (Lough) 32_471	None	Suds measures incorporated by condition	None required.	No	Screened Out
4.	Ground	Clifden Castlebar IE_WE_G_0017	None	None	No	No	Screened out
DECOMMISSIONING PHASE							
5.	NA	NA	NA	NA	NA	NA	NA

