



An
Coimisiún
Pleanála

Inspector's Report

ACP-323525-25

Development	21 metre monopole with associated equipment and site development works.
Location	Eircom Exchange, Churchground (Townland), Kilgarvan, Co. Kerry
Planning Authority	Kerry County Council
Planning Authority Reg. Ref.	221037
Applicant(s)	Eircom Limited (T/A Eir)
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	David and Sandra Brophy and Others Katarzyna & Pawel Kolczynski
Observer(s)	None.
Date of Site Inspection	3 rd December 2025
Inspector	Matthew McRedmond

Contents

1.0 Introduction	4
2.0 Site Location and Description	4
3.0 Proposed Development	4
4.0 Planning Authority Decision	5
4.1. Decision	5
4.2. Planning Authority Reports	5
4.3. Prescribed Bodies	5
4.4. Third Party Observations	5
5.0 Planning History.....	6
6.0 Policy Context.....	6
6.1. National and Regional Planning Policy	6
6.2. Kerry County Development Plan 2022-2028.....	8
6.3. Natural Heritage Designations	11
6.4. EIA Screening	11
7.0 The Appeal	11
7.1. Grounds of Appeal	11
7.2. Applicant Response	13
7.3. Planning Authority Response.....	16
7.4. Observations.....	16
8.0 Responses received following remittal of the file to an Coimisiún Pleanála.....	16
8.4. Further Submissions	21
9.0 Assessment	22
10.0 AA Screening.....	32

11.0 Recommendation 33

12.0 Reasons and Considerations..... 33

Appendix 1 – Form 1: EIA Pre-Screening

1.0 Introduction

- 1.1. The courts have quashed the Board's decision on ABP-315287-22 and remitted the appeal back to the Commission for a new decision. All participants to the appeal have been invited to make any further submissions under s.131 of the Planning and Development Act, 2000, as amended. The following assessment represents a de novo assessment of the appeal.

2.0 Site Location and Description

- 2.1. The proposed development site is c. 0.085ha in area and is located in Kilgarvan Village, Co. Kerry. The site is located to the immediate east of an existing Eircom exchange structure within an existing compound, accessed via a pedestrian gate off the public road to the north of the settlement.
- 2.2. The site of the proposed mast is currently characterised by 3no. wooden poles (maximum height c. 10m) adjacent to the existing exchange structure. The proposed development site is surrounded by mature trees and shrubs.
- 2.3. In the wider area there is a former garda station with a c. 20m high lattice tower structure to the north; an existing two-storey detached dwelling c.32m further north; a row of 7no. primarily single-storey dwellings (2no. Railway Cottages (Protected Structures) are two-storey) to the west on the opposite side of the public road; Kilgarvan Central School and Kilgarvan Community Playground to the south-west on the opposite side of the public road; and Suíomh Alainn residential estate c.21m to the south.

3.0 Proposed Development

- 3.1. The proposed development will consist of the installation of a 21 metre high monopole telecommunications support structure together with antennas, dishes and associated equipment to the immediate east of an existing Eircom Exchange, Churchground (Td), Kilgarvan, Co. Kerry. The 3no. existing wooden poles will be removed, and associated operator's equipment relocated, to facilitate the proposed

development. The proposal also includes ground equipment, palisade fencing and access gate.

4.0 **Planning Authority Decision**

4.1. **Decision**

- 4.1.1. Kerry County Council granted permission on the 25th November 2022 subject to 3no. conditions.

4.2. **Planning Authority Reports**

4.2.1. Planning Reports

The Planning Authority report on the application reflected the decision to grant permission for the proposal. No significant impacts were identified in relation to traffic, visual impact or the height of the proposal, which is noted will not exceed the height of the existing lattice tower to the north.

4.2.2. Other Technical Reports

- None on file.

4.2.3. Conditions

- Condition 2 required the applicant to allow other licenced telecommunications operators to co-locate at the permitted structure.

4.3. **Prescribed Bodies**

- 4.3.1. Uisce Eireann – No objection to the proposal subject to standard pre-connection conditions.

4.4. **Third Party Observations**

- 4.4.1. Submissions were received from the appellant and other observers. These issues are noted and are similar to the issues summarised below in the grounds of appeal, including opposition to location in proximity to a school, visual impacts, health impacts from microwave radiation and the need for more detailed assessment before

safety from 5G can be ensured. Climate impacts related to data storage requirements for 5G data and environmental and biodiversity impacts/insect decline were also highlighted. 10m setback is inadequate – 500m recommended. A submission was received from Cellnex, with telecoms infrastructure located to the south of the site, and they noted the potential for co-location of services on their existing antenna located 1km from the subject site.

5.0 Planning History

- 5.1.1. None on the subject site outside of the quashed Board decision under Ref. ABP-315287-22 (the subject remittal).

6.0 Policy Context

6.1. National and Regional Planning Policy

- 6.1.1. Telecommunications Antennae & Support Structures Guidelines for Planning Authorities, 1996

- The Guidelines have the status of ministerial guidelines as per section 28 PDA 2000 and, as such, the Commission has a duty to “have regard” to them.
- The Guidelines reference the location of masts in upland/mountainous areas, within or in the immediate vicinity of smaller towns or villages and in the vicinity of larger towns and in city suburbs. In terms of visual impact, justification for locating free standing masts within the city suburbs, towns, and villages is required.
- Section 4.3 includes: *“Only as a last resort should freestanding masts be located within or in the immediate surrounds of smaller towns and 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.”*
- In order to avoid an unnecessary proliferation of masts, owners (i.e. those controlling access to support structures and masts) are expected

to facilitate co-location of antennae with other operators. Owners and operators are required to respond to requests for sharing in a timely, fair and reasonable manner. Accordingly, where the existing site operator/owner considers it is technically possible and where sharing would not preclude the parties from foreseeable future development on the shared facility, planning authorities should encourage co-location of antennae on existing support structures and masts.

- Care should be given when dealing with sensitive landscapes and other designated areas. Proximity to listed buildings should be avoided.
- Operators should be required to furnish a statement of compliance with the International Radiation Protection Association (IRPA) Guidelines (Health Physics, Vol. 54, No. 1 (Jan) 1988) or the equivalent European Pre-standard 50166-2.

6.1.2. Circular Letter PL 07/12, DoECLG 2012

This includes further advice on the issue of health and safety and reiterates that this is regulated by other codes and is not a matter for the planning process.

6.1.3. Climate Action Plan (CAP) 2025

- CAP 2025 to be read in conjunction with CAP 2024, the relevant part being Section 11.2.4.
- Section 10.1.8: Digital Transformation. The CAP supports the national digital transformation framework and recognises the importance of this transformation to achieve Ireland's climate targets.
- The transition towards green and digital societies is highlighted throughout the CAP 2025, as an overarching aim to achieve decarbonisation and net zero commitments.
- Section 15 of the Climate and Low Carbon Development Act 2015 as amended (the Climate Act), obliges the Board (now the Commission) to make all decisions in a manner that is consistent with the current CAP.

6.1.4. 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.

6.1.5. National Planning Framework 'Project Ireland 2040'

- First Revision (April 2025)
- National Policy Objective 31: Support and facilitate delivery of the National Broadband Plan as a means of developing further opportunities for enterprise, employment, education, innovation, and skills development for those who live and work in rural areas.
- National Policy Objective 62: In co-operation with relevant Departments in Northern Ireland, develop a stable, innovative and secure digital communications and services infrastructure on an all-island basis.

6.1.6. National Development Plan 2021-2030

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

6.1.7. 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.

6.1.8. Regional Spatial & Economic Strategy for the Southern Region 2040

- Section 4.7: Guiding principles for enterprise include the availability of different types of infrastructure including telecommunications.
- Section 6.2: Telecommunications infrastructure is essential to ensure digital connectivity.

6.2. **Kerry County Development Plan 2022-2028**

- 6.2.1. Section 14.9 of the Kerry County Development Plan 2022-2028 sets out the policy objectives in relation to digital connectivity. It is stated that the importance of a

modern, efficient telecommunications system for the future development of the County cannot be overstated and constitutes a vital element of the County's infrastructure. It is also stated that:

“In considering locations for masts and other infrastructure requirements, Kerry County Council will have regard to the ‘Telecommunications Antennae and Support Structures Guidelines for Planning Authorities’ (DoECLG, 1996) and Circular Letter PL07/12. The Council aims to support the sustainable development of mast infrastructure at appropriate locations which facilitates backhaul in the peninsula areas, and Broadband services to areas of the County with no Broadband service and with poor Broadband service.”

6.2.2. Key policy objectives include:

- KCDP 11-78 Protect the landscapes of the County by ensuring that any new developments do not detrimentally impact on the character, integrity, distinctiveness or scenic value of their area. Any development which could unduly impact upon such landscapes will not be permitted
- KCDP 14-71 Facilitate the sustainable delivery of high-speed, high-capacity digital and mobile infrastructure and support the continued investment and the delivery of ICT infrastructure, broadband networks and digital broadcasting in the County in line with the National Broadband Plan for Ireland.
- KCDP 14-73 Support the sustainable provision of modern and innovative telecommunications infrastructure at appropriate locations to achieve such developments.
- KCDP 14-79 Achieve a balance between facilitating the provision of telecommunication infrastructure in the interests of social and economic progress and sustaining residential amenity and environmental quality.
- KCDP 14-80 Ensure that the location and provision of telecommunication infrastructure should minimise and/or mitigate any adverse impacts on communities, public rights of way and the natural environment.

6.2.3. Volume 6: Development Management Standards & Guidelines

Section 1.14 Infrastructure, Utilities and part 1.14.1 Telecommunications:

This section states that the following shall be taken into account when preparing a planning application, including:

- Co-location of such facilities on the same mast or cabinets by different operators is favoured to discourage a proliferation, 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.
- Every effort shall be made to locate telecommunication masts in non-scenic areas or in area where they are unlikely to intrude on the setting of, or views to/from national monuments, protected structures or sensitive streetscapes. The preferred location for telecommunication antennae is in industrial estates or areas zoned for industrial use or in areas already developed for utilities
- 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.
- Every effort should be made to locate new telecommunication masts in existing compounds or adjacent to existing masts.

6.2.4. Kenmare MD LAP 2024-2030

6.2.5. The planning and development context for Kilgarvan is included within Section 3.4.6 of the Kenmare MD LAP 2024-2030.

6.2.6. The proposed development site is zoned 'Mixed Use' (M4/Built Up Area) in the Kenmare Municipal District Local Area Plan 2024-2030. Public Facilities and Infrastructure is open for consideration under Mixed Use in the zoning matrix for the LAP. In these circumstances, it is generally the case that a proposed development would be considered on its own merits having regard to the policies of the Plan.

6.2.7. One of the strategic aims of the LAP is *'The development of the technological capacity within the area through supporting the rollout of broadband and telecommunications infrastructure, facilitating the development of digital hubs and the establishment of start-up enterprise space in existing unoccupied buildings.'*

6.3. Natural Heritage Designations

- 6.3.1. The proposed development site is not located in a Designated Site. The nearest site is the Kilgarvan Ice House Special Area of Conservation (SAC) (Site Code: 000364) located c. 2km to the south-west.

6.4. EIA Screening

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

7.0 The Appeal

7.1. Grounds of Appeal

- 7.1.1. A single third-party appeal was received against the decision of Kerry County Council to grant permission for the proposed development. The main issues raised in the appeal may be summarised as follows:

7.1.2. Co-Location

- No absence of cellular broadband coverage in the area.
- Proposal is too close to residential, education and community facilities and could co-locate with existing Cellnex mast to south.
- Failure to co-locate at appropriate locations is contrary to Development Plan policy.
- Existing mast in the area provides adequate broadband – why should an extra mast be necessary at the expense of residential and recreational amenity.

7.1.3. Architectural Heritage

- Site is adjacent to protected structures that would be impacted by the proposal.

- Unique character of the village and protected structures (2no. railway buildings) should be preserved. Kilgarvan is a rural village and should be preserved as so, in line with local area plan recommendations (previous LAP).
- Heritage and tourism potential would be negatively impacted by the proposal.

7.1.4. Required Technical Details

- No ICNIRP Certificate or equivalent European Pre-Standard 50166-2. Required under 1996 Guidelines and Section 1.14.1 of the Kerry CDP.
- 5G details on frequency and exclusion zones also absent.
- No risk assessment submitted with the application.
- Insufficient public consultation at the pre-application stage in relation to the proposal.
- Details of electromagnetic harm to civilians has not been quantified. This is particularly relevant to the protection of children.
- Lack of detail in relation to safety of proposal.
- 5G network establishment is contrary to human rights as evidenced from legal perspective submitted. No details provided in relation to proposed wavelengths of the 5G mast. No details provided in relation to monitoring of emissions either.
- Precautionary principle must be applied in the absence of detailed information on potential harm to residents.
- ISO certification not provided.
- Scientific reviews and research should be given due weight, despite the provisions of the ICNIRP website that includes a disclaimer in relation to their guidelines. Non-thermal effects need to be considered and 5G masts that have been operating in European countries for 5-10 years have shown to have impacts on human health, particularly children.

7.1.5. Visual Impact

- Visual impact is significantly more negative than represented by the applicant.

- Existing mast already dominates skyline and proposal would be 6m higher. Suíomh Alainn view presented.
- Impact on playground and amenity parkland south of school.
- Proposal is contrary to NPF requirements for ‘quality of life and place’ due to visual and electromagnetic waves from masts. Proposal is also contrary to principles of inclusiveness.
- Proposal will be 13m above the treeline and so is excessively visible from the wider area with line of sight provided for mobile services.

7.1.6. Impact on Natural Environment

- Objective of CDP to protect mature trees and promote native tree planting. Proposed 4G and 5G masts (and electromagnetic waves) will impact as an environmental pollutant on insects, birds and biodiversity in general. Wired broadband is preferable.
- Impact on the natural environment is contrary to NPO 52, 54 and 55 of the NPF.
- Environmental Screening requested.
- Pollinator survey of the area required.
- Impacts on European Sites as a result of EMF radiation has not been carried out.

7.1.7. Carbon Footprint and Energy Impacts

- Large carbon footprint due to energy requirements for storage etc.

7.1.8. A number of appendices are included with the appeal document including references to scientific publications regarding the negative effects of microwave and radio frequency transmission on local populations, details omitted from the subject application and tree survey requirements.

7.2. **Applicant Response**

7.2.1. The applicant provided a response to the third-party appeal with the following main points:

- The proposed development of a 21m monopole is to meet the demand for modern services and associated upgrade requirements. Proposal will remove 3no. existing wooden poles. Co-location with the exchange building is also a factor in choosing this location, rather than dispersing Eir infrastructure across several sites. Enhanced 4G and 5G services will be provided to the local area.
- Eir cannot locate at the mast within the former Garda Station site to the north due to emergency services and Vodafone utilising the upper heights of the mast. The resulting Eir location would be too low and could also jeopardise structural integrity of the lattice structure.
- ComReg maps show coverage in Kilgarvan as 'good' reducing to 'fair' on the town outskirts. Upgrade in infrastructure is required for these shortfalls in services.
- The proposal is supported by County Development Plan Policy in relation to the provision of broadband services to promote industrial and commercial development. No new access road is needed, and the applicant would accept a condition in relation to removal of the structure if it should become obsolete.
- The proposal is also in accordance with the 1996 telecommunications Guidelines as it is located on an existing telecoms site, visual impact is minimised through mature planting. New access is not required, and the site will be available for site sharing with other providers. Permanent permission is sought.
- Circular 07/12 is noted in terms of Planning Authorities should be primarily concerned with siting and design and do not have competence in relation to health and safety of telecommunications infrastructure.
- Circular PL 03/2018 in relation to waiving of development contributions for telecommunications infrastructure (including mobile phone infrastructure) is noted.
- Consistency of the proposal with national guidelines including the National Planning Framework, National Development Plan, Rural Development Policy and delivery of the National Broadband Plan.

- Proposal is acting to address changes since Covid-19, including more people working from home.
- Switching off of 3G network in 2024 will have an impact on areas without 4G and 5G services such as Kilgarvan.
- The omitted information from the application documents as referenced in the appeal is related to health and safety, which is not a relevant planning consideration. Non-ionising radiation is a matter for ComReg, who are the licencing authority. Circular letter PL07/12 is also noted as advising against specifying minimum separation distances between masts and houses.
- It is submitted there are no perceived impacts in relation to protected structures or on the character of the village as the site is located beside an existing mast, is off the main road and is largely screened by trees.
- Visual impact is mitigated by the already existing infrastructure at the former garda station site and utilisation of an existing utilities site as recommended by the 1996 Guidelines. The referenced infrastructure belonging to Cellnex to the south is 1km away and is too far to provide the telecoms service quality required. The 1996 Guidelines refer to visual impact and note that views that are not terminated by the proposal may not be seriously detrimental. Similarly, intermittent and incidental views may not intrude on general views of prospect. Monopole style, as proposed, is also recommended by the guidelines.
- It would be impossible to provide telecommunications services without locating infrastructure in proximity to residential dwellings, towns and villages.
- Proposal will not have an impact on the environment and will enhance tourism through improved digital connectivity.
- The proposal provides a balance of necessary telecoms infrastructure provision that promotes social and economic progress of Kilgarvan. The proposal complies with necessary Development Plan and National Policy and it is requested the decision of the Local Authority to grant permission should be upheld.

7.3. Planning Authority Response

7.3.1. None on file.

7.4. Observations

7.4.1. None on file.

8.0 Responses received following remittal of the file to an Coimisiún Pleanála

8.1. Introduction

8.1.1. Following the remittal of the appeal case to the Board, on the 28th May 2025 all participants in the appeal were notified of the High Court decision to remit the file back to the Board and invited to make further submissions/ observations.

8.1.2. Two submissions were received from the applicant and the appellant as summarised below.

8.2. Applicant Response

8.2.1. The applicant's response to the new appeal may be summarised as follows:

- Existing site has a long history of utilities infrastructure and use. Clustering with adjoining facilities is considered appropriate in the context of Section 4.5 of the 1996 antennae guidelines. Site context including mature trees is highlighted.
- Existing wooden pole structure will be removed as they do not have the height or structural capacity to support the technological requirements. The applicant would accept by way of condition, a height reduction to 18m if visual impact is a concern.
- Available sites including adjoining Vodafone tower 15m northeast, tower 1km south east and another tower 4km east of the site. It is noted the top 6m of the adjoining Vodafone mast is reserved for emergency services.
- The subject proposal at a town/village location is considered suitable as it is an existing telecommunications site and other sites have been discounted.

Enhanced coverage of the area is required. The proposed monopole will allow utilisation by other providers and ensure ongoing operability for homes and businesses in the area. Enhanced insulation of new houses will also require enhanced coverage.

- The Circular Letter PL07/2012, specifically stipulates that no separation distance should be included by Planning Authorities as it may preclude the roll out of effective infrastructure. Health and Safety aspects are additionally noted as not being for the Planning Authority to determine in relation to telecoms, as per the circular.
- The Kerry County Development Plan requires reference to the 1996 Guidelines and the Department Circular 07/12. The subject proposal is consistent with these requirements as it provides facilities in a cluster and will allow other operators to co-locate at the proposed facility.
- The applicant submits that the mast will be removed once it is discontinued, in accordance with Condition 6 of the Kerry County Council decision.
- In relation to the requirement for a statement of compliance with IRPA Guidelines, the applicant submits that this is not a matter for Planning Authorities and this is a role of ComReg who ensure all equipment is within the strictest emissions limits and additionally subject to monitoring. A condition in relation to compliance with ICNIRP guidelines or equivalent or submission of a statement by the mobile operator prior to commencement is recommended by the applicant.
- Potential mitigation in relation to visual impact is proposed by the applicant including painting of the monopole to brown colour and reducing height to 18m. Views are considered intermittent and similar to other infrastructure provisions such as electricity poles. Screening by vegetation is also considered a mitigating factor. Given technical requirements for enhanced coverage and mitigation measures set out, the level of impact is considered acceptable by the applicant.
- The proposal is in line with the sequential approach and 'Last Resort' test in relation to no other available sites and being clustered with other masts.

- Distances to Natural Heritage sites are provided. The proposal is not considered to have an impact on these sites that are 1.7km away in the case of the Kilgarvan Ice House SAC.
- The proposed development is minor in nature and is not considered to be likely to have any significant effects on the environment and the need for EIA is screened out.
- Given all of the above the applicant asks that the decision of the Planning Authority is upheld, and permission is granted.
- A leaflet in relation to non-ionising radiation is provided that sets out radiation details and role of COMREG in relation to monitoring.

8.3. Appellant Response

8.3.1. The third-party appellant provided a response to the remittal notice letter send by An Coimisiún Pleanála (ACP), that may be summarised as follows:

8.3.2. Background

- Concession of Commission decision (Ref. ABP315287) is noted, including the grounds for concession which was on the basis that the Commission should have considered in more detail the requirement to provide an IRPA Guideline certificate.
- Other grounds of challenge have not been addressed, and a decision cannot be made in favour of the proposal without this information.
- A number of recent decisions in relation to Eir Exchange facilities by the Commission (ACP) were noted including Refs: ABP-319900, ABP-322317, ABP-321251, ABP 320726, ABP-319471 and ABP-318262.

8.3.3. Eircom Involvement in Application

- There has been a significant misrepresentation in relation to who is intended to carry out the development. The application is a commercial arrangement between Towercom and Eircom and is not to fulfil a technical requirement of Eircom.
- Who is intended as the developer is not a mere matter of indoor management but is central to proper consideration of applications for development of

telecoms masts. The technical justification is not to enhance Eir coverage and capabilities but rather a commercial arrangement to improve share price through agreements with a third-party provider (Towercom). This relates specifically to the justification for the proposed mast.

- Proposal is part of a statewide roll out of 5G masts at Eircom Exchange sites, which were originally telephone exchange sites and so were located close to schools and residential. This revised purpose for telecoms masts has the potential to have significant thermal and non-thermal effects from radio frequency radiation.
- Further information in relation to Towercom interests in the site and other sites as they are spread geographically, before a decision can be made on the subject proposal.

8.3.4. Lack of EIA Screening

- No EIA Screening submitted with the application.
- Towercom assets across the state should be assessed cumulatively for EIA screening purposes. The exact land area is impossible to measure without full exposure of Towercom Portfolio. The development of a portfolio of masts is a 'project' for the purposes of the EIA Directive, namely Class 10(iv) of Part 2 of Schedule 5 – Urban Development.
- EU Commission updated guidelines includes wireless communication deployment could be defined as a project.

8.3.5. Cultural Heritage Impacts

- No assessment of proposal and in-combination impacts from existing mast, on nearby protected structures.
- No attempt to avoid the setting of the Railway cottages protected structures.
- Addition of one mast to one existing is basis for a clear level of impact on the setting.
- No CGIs or verified views submitted with the application to measure level of impact. Architectural Heritage guidelines 2011 are Section 28 Guidelines that

must be considered. These guidelines state that new development can impact protected structures – character and special interest - even at a distance.

8.3.6. Justification for Proposal

- There was no assessment of alternative sites other than existing telecoms masts and no engagement with the OPW, who own the adjacent telecoms mast.
- Other than a small area around the village itself, Kilgarvan has excellent coverage, based on the coverage maps provided.
- Existing Cellnex tower to south could have been upgraded for use. No evidence presented by the applicant to discount this option and did not contact Cellnex in relation to co-location of equipment.
- Additional information should be sought in relation to why the existing Cellnex mast is not suitable and also why the adjacent Vodafone serviced mast 15m away has not improved the level of coverage in Kilgarvan.
- The 'Last Resort' test is applicable to this small town or village location, which Kilgarvan is defined as in the CDP. This test requires that alternative sites are properly examined with evidence presented. Existing utility sites are preferred if a village location is selected. The previous Inspector's assessment did not establish that the applicant had properly considered alternative sites, before they concluded the existing utilities site was suitable. The previous decision should also have been conceded on this basis also.
- Section 1.14.1 of the Development Management Standards of the CDP are referenced in relation to appropriate locations at existing facilities, clustering and not interrupting key views or vistas. A requirement for a IRPA compliance statement is also noted.
- Details of operations of the OPW mast (on the site of the former Garda Station) were requested by the appellant, directly from the OPW. The response submitted with the appellants response notes that there is available space at a mid height (15-17m) and upper height (19-21m) on the existing mast and no contact has been made by any operator to use this equipment.

8.3.7. Public Health Matters

- No assessment of prolonged exposure to electro-magnetic frequencies (EMF), on the erroneous assumption that public health matters were beyond the remit of the Commission.
- Reference to Circular PL07/12 in terms of public health not being a planning consideration is not accurate. Location remains a matter for planning authorities and the Commission. Determination if location is appropriate is necessary, to determine potential health impacts in the context of proper planning and sustainable development.
- Precautionary Principle – until it is definitively established that there are no adverse health impacts from telecommunications infrastructure it should not be located beside houses or schools.
- The submitted SCHEER Report provides evidence of impacts from exposure radiation. SCHEER Report references EU Council recommendation 1999/519/EU, which relates to electromagnetic exposure of the public and notes there is insufficient evidence to warrant stricter emission limits from radio frequency.
- The requested ICNIRP certificate will not provide relevant information in relation to non-ionising radiation on nearby residents and the adjoining school.
- Potential impacts on human health also have implications for EIA Screening.
- A report detailing level of exposure to the surrounding population (residents of Suíomh Alainn, staff and children at the school and staff at the CE Scheme building (former Garda Station)) should be requested from the applicant.

8.3.8. Conclusion

- The consequences of these issues with the proposal and application, is that this appeal must be allowed, and permission refused.

8.4. Further Submissions

- 8.4.1. The Commission sought a further response from the applicant under Section 132 of the P&D Act 2000 (as amended) in relation to an IRPA Compliance statement as required under Section 1.14.1 of Volume 6 (Appendix 1) of the Kerry County

Development Plan 2022-2028. The applicant provided a statement to confirm the proposal would comply with IRPA Guidelines.

- 8.4.2. The response from the third-party appellant in relation to the initial Section 131 notification on the remittal of the file back to An Coimisiun Pleanala, was also circulated to the applicant and the Planning Authority under Section 131 of the P&D Act 2000 (as amended). No response was received in relation to this notification.

9.0 **Assessment**

- 9.1. Having reviewed the details and appeal documentation on the file, the submissions made, having visited the site, and having regard to relevant local and national policy and guidance, I consider the main issues to be the following:

- Requirement for the Proposed Development
- Visual Impact and Impact on Built Heritage
- Impact on Recreational Amenity
- Environmental Impact Assessment Screening
- Compliance with International Radiation Protection Association (IRPA) Guidelines

9.2. **Requirement for the Proposed Development**

- 9.2.1. Kilgarvan is designated as a Village in the Kerry County Development Plan 2022-2028(CDP). The proposed development site is zoned 'Strategic Residential Reserve' in the Kenmare Municipal District Local Area Plan 2024-2030. Public Facilities and Infrastructure is open for consideration under Residential in the zoning matrix for the LAP. In these circumstances, it is generally the case that a proposed development would be considered on its own merits having regard to the policies of the Plan.
- 9.2.2. The proposed development includes the removal of 3no. existing 10m high wooden poles, provision of a 21m monopole with antennas, dishes and associated equipment, all located on an existing exchange site, behind an existing exchange building. National, Regional and Local policy, supports the roll out of telecommunications infrastructure as the country implements the digital transformation network. The CAP further highlights the need for green and digital

societies as an overarching aim to achieve decarbonisation and net zero commitments. Section 15 of the Climate and Low Carbon Development Act 2015 as amended (the Climate Act), obliges the Commission to make all decisions in a manner that is consistent with the current CAP.

- 9.2.3. The Kerry CDP refers to the Telecommunications Antennae and Support Structures; Guidelines for Planning Authorities (DEHLG 1996); (the Guidelines) and requires the Council to have regard to these. The Guidelines places high quality telecommunications services at the forefront of support for the economy, personal connection and protection of the environment and requires that in larger towns, cities and smaller towns and villages, the location should be necessary, and masts and antennae should be designed and adapted for the specific location.
- 9.2.4. Section 4.3 of the Guidelines states that only as a last resort should freestanding masts be located within smaller towns and villages and if such a location becomes necessary masts and antennae should be designed and adapted for the specific location. The Guidelines do not preclude any specific location, rather the need for appropriate consideration of visual impact is required.
- 9.2.5. The applicant has justified the proposed development on the basis that it would greatly improve Vodafone's 4G service in the Kilgarvan area as well as providing for a 5G service. Service in the area is currently classified by ComReg maps as 'Fair' to 'Good'. In addition, they submit that the use of the existing Exchange site will allow use of established utilities and links and would be economic from a business perspective and 'avoid other development in the area'. The applicant also states that the proposed structure would be suitable for co-location by other providers.
- 9.2.6. I am satisfied that the applicant has established the need for an upgrade in Eir services for the area and that the proposed development would improve services in Kilgarvan, as well as providing potential for future co-location. I am also satisfied that this is an existing utilities infrastructure site, albeit with 3no. wooden poles of a limited, 10m height. The proposal would represent a significant increase in height and must be considered in terms of being the 'Last Resort' for the provision of such a structure, even though the Telecommunications, Antennae & Support Structures – Guidelines for Planning Authorities, 1996 (the 1996 Guidelines) support the use of existing utilities sites.

- 9.2.7. Three alternative sites were assessed by the applicant as alternative solutions to the provision of the required services to the area. An existing tower approximately 4km from the proposed site was considered by the applicant but discounted as Eir and Vodafone already use this mast. An existing 24m tower located 1km to the southeast was also discounted as Eir and Three are already situated on this mast and it would not provide adequate coverage to the target area. The applicant has submitted that Vodafone and Emergency services are located on the existing lattice tower at the former Garda Station, 15m to the north of the subject site. It is submitted that the top 6m of this tower is allocated to the emergency services as per standard procedure.
- 9.2.8. I note the submission of Cellnex that highlights no correspondence was received in relation to co-location at the tower 1km distant. However, I am satisfied that the towers located 1km and 4km from the subject site are not within an appropriate distance to provide the target level of service to areas within Kilgarvan Village that currently record 'Fair' to 'Good' levels of coverage, and Eir already operate from these towers in any instance.
- 9.2.9. I note the details submitted on behalf of the Third-Party appellant, that included correspondence from the OPW, who own the tower located 15m from the subject site. I specifically highlight the assertion in the OPW correspondence that space is available on their tower at the mid height of 15m-17m and at the upper height of 19m-21m. Given the submission of the applicant that they would reasonably accept a reduction in tower height to 18m, I conclude that an acceptable level of service would be possible at the mid height of 15-17m and certainly, adequate services could have been agreed at the upper height of 19-21m. I accept the correspondence from the OPW that they have not been approached by any provider to use the available space at this existing tower. This is an alternative site location that was not appropriately considered by the applicant. I note Section 14.9 of the Development Plan that requires regard to the Telecommunications Antenna and Support Structure Guidelines, that in itself provides a preference for co-location of telecommunication infrastructure. I note Objective 14-73 of the Development Plan that seeks to support the sustainable provision of modern and innovative telecommunications infrastructure at appropriate locations to achieve such developments, and Section 1.14.1 of Volume 6 of the CDP (Development Management Standards & Guidelines) that relates specifically to the requirement for co-location of such facilities to avoid a

proliferation. I note also that Section 1.14.1 of the Development Plan refers to locating new telecommunication masts in existing compounds or adjacent to existing masts. I consider this a secondary option to that of co-location, which is possible as evidenced in the details submitted by the adjoining mast operator.

9.2.10. I note under Section 131 of the Act, the applicant was given the opportunity to comment on the appellant response on the file remittal, that included details from OPW in relation to co-location availability, however no response was received by the Commission. Given the apparent availability of space on the 20m structure 15m to the north of the subject site, which has been identified as suitable for co-location, I am not satisfied that the requirement for the proposed development is justified and therefore recommend refusal of permission on this basis.

9.3. **Visual Impact and Impact on Built Heritage**

9.3.1. The proposed structure is located to the north of Kilgarvan Village, 50-60m east from the 2no. Railway Cottages (protected structures RPS-KY-0470 and RPS-KY-0471) and approximately 30m north of existing residential at Suíomh Alainn.

9.3.2. I note policy objective KCDP 14-79 and 14-80 of the Kerry County Development Plan 2022-2028, in relation to minimising any adverse impacts on residential amenity, communities and the environment. KCDP 11-78 also requires that character and distinctiveness of an area is not impacted unduly.

9.3.3. While I acknowledge the proposed development is a telecoms site, the existing 3no. wooden poles do not have a visual impact as they are effectively screened by existing mature trees and vegetation. I note the existing 20m lattice tower on the adjacent site, that has a level of existing visual impact. Although the proposal would improve telecommunications services to the village, I would be concerned the proposed design would have an unacceptable visual impact on the village centre when taken cumulatively with the existing 20m lattice tower on the adjoining site.

9.3.4. Although no Visual Impact Assessment or verified views were submitted with the application, the visual impact of the structure is of a relatively low level due to distance and being partially obscured by the surrounding vegetation and landscape. The visual impact is also mitigated by existing electricity poles and wires in the village skyline as well as the existing vegetation that conservatively covers between 10-12m of views to the existing 20m tower adjacent. However, as evidenced during

my site inspection, the existing tower is intermittently visible and the proposed 21m monopole would be similarly, clearly visible within the low-rise streetscape of this part of the village.

- 9.3.5. I note the location of the 2no. Railway Cottage protected structures referenced in the appeal. I am satisfied that the special interest of these cottages would not be detrimentally impacted by the addition of a new monopole. While the existing mast is a useful comparison and is visible, I do not consider this to be a significant visual impact on the surrounding area or the character of the protected structures. The proposed monopole structure would be much slimmer than the existing lattice tower adjacent and while it would protrude above the existing tree line, this could be further mitigated, as suggested by the applicant, to be reduced to an 18m height and painted a brown colour to aid with assimilation into the land and skyscape. I further note the proposed development site is not located in a visually sensitive area or subject to any identified Views/Prospects, as defined in Map S of Volume 4 of the Kerry County Development Plan 2022-2028. If the Commission are minded to grant permission, I recommend conditions to reduce the height to 18m and include an appropriate colour to mitigate visual perception. However, based on my recommendation of refusal of above, I do not consider this to be an appropriate resolution when there is availability for co-location on the existing lattice tower adjacent.
- 9.3.6. In my opinion, having visited the site and surrounding area and reviewed the submitted drawings, the proposed monopole and antennae and equipment would not visually dominate the village centre. However, despite the capacity of the existing environment to absorb this visual impact, I do not consider it appropriate to add an additional structure at this location and would be an unnecessary addition to the skyline, given the possibility to co-locate at an existing structure on the adjacent site.

9.4. Impacts on Residential Amenity

- 9.4.1. The site is zoned Strategic Residential Reserve in the Kenmare MD LAP 2024-2030, whereby the objective is to encourage consolidation of the town/village core and the retention and improvement of local services and facilities. The proposed development is located 30m from residential properties to the north, to the west side

of Railway Road and to the south at Suíomh Alainn. The applicant submission has set out that the site is an established utilities site with a history of telecommunications use. It is further set out that it is not uncommon for such structures to be near towns and villages to provide adequate coverage to these locations. In terms of the residential amenity impact, it is set out that the existing wooden support structures cannot meet current or future demand and that a monopole is considered a more suitable design for this location in a village setting, and furthermore, it can accommodate co-location of equipment with the proposed height. Other sites were ruled out by the applicant, which I have already addressed.

9.4.2. The Planning Authority are of the view that the proposal would not result in negative impact on the character and setting of the village as it would be similar in height to the existing, adjacent structure.

9.4.3. The third-party appeal refers to Section 4.3 of the Telecommunications Antennae and Support Structures Guidelines (the Guidelines) and note that village and sites such as this one are considered a 'last-resort'. It is further set out that it must be demonstrated that the applicant has adequately assessed other possible alternative sites in the area and this has not been done. The third-party appeal and subsequent submissions have also cited concern in relation to the visual impact of the proposal and the related impact on residential amenity, as well as the impact on the character of the area, including protected structures. I have addressed this matter in the preceding section.

9.4.4. In relation to the location of the development, I note the advice as set out in Section 4.3 of the Guidelines, which state that sites such as this one (within a village centre, adjacent to a school and close to a residential area) should be considered as a last resort. Alternative locations such as existing substations, or other suggested locations, should also be explored. However, I would note that the Guidelines also concede that such sites may be necessary and, in that event, existing utility sites should be considered, and specific design solutions should be employed. In relation to alternative locations, the cover letter submitted with the application, and subsequent submissions, set out that there are no other substantial existing sites within Kilgarvan village, capable of accommodating the service requirements for the area. While other sites have been referred to in the third-party appeal, no adequate justification has been provided by the applicant to rule out the adjacent site, as set

out earlier in my report. In this regard, it would appear then that this site is, in fact, not a 'last resort' site. In keeping with the Guidelines, the proposed development is on a site that is an established utilities exchange. I further note that the applicant has confirmed that there is potential for co-location with additional users, which reduces the potential need for similar telecommunications infrastructure on other sites, and reducing visual impacts associated with same (as recommended in Section 4.5 of the Guidelines).

9.4.5. As noted, the proposed monopole would be generally visible from shorter and longer views from Railway Road and Suíomh Alainn. It would be most visible when viewed from the north-south access roads within Suíomh Alainn, due to the unobstructed views to the proposal, outside of the existing mature vegetation that would cover roughly the bottom half of the proposed monopole.

9.4.6. In relation to the impact on the character and setting of the village, I accept it will be seen from certain vantage points, but where it can be seen from, I am not of the view that it would appear unduly prominent, and not out of place in an urban setting. There is very little impact, in my view, on the character and setting of the character of the village or nearby protected structures, the slender monopole design would not result in significant overshadowing or overbearing and therefore would not unduly impact on residential amenity. This is due to the views from the east and south being generally obscured by existing buildings and mature trees and vegetation. Where the monopole may be seen above existing buildings it would not be overly dominant and would not impact visually on any buildings of particular historical or architectural merit.

9.4.7. I have considered the potential visual impact when viewed from Suíomh Alainn, and the subsequent impact on the visual and residential amenity of these properties. A shorter viewpoint either closer to the site taken from Suíomh Alainn, or from the green area within this estate does not present an overly dominant view of the existing lattice tower at the former Garda station site. In relation to the potential visual impact from this residential estate, and in particular from the adjoining residential property closest to the proposed site, I acknowledge that there is existing telecommunications infrastructure in place nearby, but I am of the view that the proposed infrastructure is far less visually dominant than what is already in place to

the north, and when the proposed monopole is placed beside this existing tower, the visual impact would not be significant.

- 9.4.8. The proposed monopole is 21m in height (may be reduced to 18m to diminish visual impact) and is located at least 30m from existing dwellings and would be surrounded by existing mature vegetation. I am of the view that the proposal would not present an overbearing and visually dominant feature when viewed from the surrounding area and would therefore not have an impact on residential amenity. As such, I am of the view that the proposal is consistent with the requirements of the Kerry CDP in relation to the protection of residential amenity, particularly Objective KCDP 14-79 and 14-80 which aims to achieve a balance between facilitating the provision of telecommunications infrastructure, in the interests of social and economic progress, and sustainable residential amenity and environmental quality.

9.5. **Environmental Impact Assessment Screening**

- 9.5.1. The third-party appeal sets out that the subject proposal, when taken with the applicant's other portfolio of similar sites, should be subject to EIAR screening in this context. The Appellant states that the extent of the Applicant's telecommunications network across the country is extensive with several similar such masts forming part of an interconnected network. They submit that this portfolio of masts constitutes a 'project' for the purposes of the EIA Directive – the rationale being that the true extent of the 'project' comprises the entire countrywide group of telecoms masts controlled by the Applicant, and that this cannot be confined to the subject application (a single mast) for the purposes of assessing potential effects in relation to EIA.
- 9.5.2. The third party goes on to say that as no screening report has been submitted on the entire spatial extent of these telecoms masts that it is not possible to assess whether the 'project' exceeds the threshold of Category 10(iv), Part 2, Schedule V of the Planning Regulations, which is:

10. Infrastructure Projects

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

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

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

(i) Projects with similar characteristics to car parks and shopping centres could be considered to fall under Annex II (10)(b). This could be the case, for example, of bus garages or train depots, which are not explicitly mentioned in the EIA Directive, but have similar characteristics to car parks.

(ii) Construction projects such as housing developments, hospitals, universities, sports stadiums, cinemas, theatres, concert halls and other cultural centres could also be assumed to fall within this category. The underlying principle is that all these project categories are of an urban nature and that they may cause similar types of environmental impact.

(iii) Projects to which the terms ‘urban’ and ‘infrastructure’ can relate, such as the construction of sewerage and water supply networks, could also be included in this category.

9.5.5. I do not consider that the proposed development shares any of the characteristics with the above-referenced examples. A telecommunications mast and associated equipment is a very different category of development, in my opinion, than those project types listed above. It is different in terms of its nature, appearance, size, scale, and it serves a specific purpose that bears no resemblance to the above. Its purpose is to support antennae and other telecommunications equipment for transmitting and receiving signals over distance to support and improve internet, data, and mobile phone coverage and connectivity.

- 9.5.6. I also do not consider that the collective group of masts within the ownership of the Applicant across the country constitute a 'single project' within the meaning of the EIA Directive. The proposal is for a single utility installation and should not be considered a 'sub-threshold' urban development for the purposes of EIA for this reason, in my opinion.
- 9.5.7. Furthermore, the proposed telecommunications installation can function independently and autonomously. It is not reliant on other masts to deliver its operational mandate, which is to support and expand the level of coverage and service capacity for a defined target area. The facility would be able to provide a level of coverage separately and without physically connecting to any other telecoms masts controlled by the Applicant. The 'project' is therefore confined to the proposed development only, which is the subject of this planning application and, by extension, this appeal.
- 9.5.8. The proposed development is for the construction of a 21m monopole tower, antennae and associated equipment and associated works. This form of development does not come within the scope of any of the classes of development which are subject to Environmental Impact Assessment (EIA).
- 9.5.9. I also reiterate that the proposed development as a telecommunications installation is not a development type or class which is set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended). It would not give rise to significant environmental impacts, either in terms of visual impact or upon cultural heritage (negative effects on the Protected Structure, for example), in my opinion, as outlined above. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of this report.
- 9.5.10. Therefore, I do not consider that the need for environmental impact assessment arises in this case, and the Commission is able to assess the application without requiring specific information on the characteristics of the project or likelihood of significant effects on the environment.

9.6. **Compliance with International Radiation Protection Association (IRPA) Guidelines**

- 9.6.1. Volume 6 of the Kerry CDP Volume 6: Development Management Standards & Guidelines, includes an explicit requirement for all planning applications 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. The applicant did not submit this information with the application and the planning authority did not request it.
- 9.6.2. The applicant submitted a letter on the 13th October 2025 following a request by the Commission. I am satisfied that there is sufficient information within the submitted letter to conclude that the proposed development complies with the requirements of the development plan in relation to an IRPA statement of compliance. The submitted letter indicates that the proposed development will be in full compliance with the requirements of the Radio Frequency public exposure guidelines of the International Commission on Non-Ionizing Radiation (ICNIRP) or the equivalent European Pre-Standard 50166-2. I acknowledge that this is also addressed under a separate legislative context and therefore meets with the requirements of the Development Plan.
- 9.6.3. I note the appeal issues raised in respect of health and safety that are related to compliance with the ICNRP Guidelines. I refer to DoECLG Circular Letter PL07/12 which updates certain sections of the Telecommunications Antennae and Support Structures Guidelines (1996), and which specifically states that health and safety matters are regulated by other codes and should not be additionally regulated by the planning process. Although I do not propose to adjudicate on matters of health and safety, the submitted documentation does constitute a statement of compliance as required and does not constitute a reason for refusal in this instance.

10.0 AA Screening

- 10.1. Having regard to the nature and scale of the proposed development within a serviced urban area, the nature of the receiving environment and the proximity to the nearest European sites, I am satisfied that no appropriate assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site and there is no requirement for a Stage 2 Appropriate Assessment.

11.0 Recommendation

11.1. I recommend that permission be REFUSED for the subject proposal for the following reasons and considerations.

12.0 Reasons and Considerations

12.1. Having regard to the 'Telecommunications Antennae and Support Structures Guidelines for Planning Authorities' issued by the Department of Housing, Planning and Local Government in 1996 (as updated by Circular Letter PL 07/12), the Kerry County Development Plan 2022-2028, including Section 1.14.1 of Volume 6, Development Management Standards in relation to the appropriate and preferred location for telecommunications masts, the lack of demonstrated engagement with the adjoining telecoms mast owner in relation to utilising the existing telecommunications structure at the nearby OPW Compound and of technical details as to why it is not possible to co-locate there, and in the absence of an adequate assessment of alternative sites in the area, including the adjoining site, it is considered that the proposed development would seriously injure the amenities of the area, and of property in the vicinity. The proposed development 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.

Matthew McRedmond
Senior Planning Inspector

17th February 2026

Form 1 - EIA Pre-Screening

Case Reference	ACP-323525-25
Proposed Development Summary	Demolition of 3no. wooden support poles and construction of a new 21m monopole and all associated site works.
Development Address	Eircom Exchange, Churchground (Townland), Kilgarvan, co. Kerry
In all cases check box /or leave blank	
1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA? (For the purposes of the Directive, “Project” means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a ‘Project’. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

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

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

Inspector: _____ Date: _____