



An
Coimisiún
Pleanála

Inspector's Report ABP-323577-25

Development	Section 254 License for installation of 20 meter monopole & associated works cabinet structure on the eastern side of the R-292
Location	Knocknahur, Co. Sligo
Planning Authority	Sligo County Council
Planning Authority Reg. Ref.	FP401
Applicant(s)	Phoenix Tower Ireland III Limited
Type of Application	Section 254 Licence
Planning Authority Decision	Refusal
Type of Appeal	First Party
Appellant(s)	Phoenix Tower Ireland III Limited
Observer(s)	None
Date of Site Inspection	30 th January 2026
Inspector	Frank O'Donnell

1.0 Site Location and Description

- 1.1. The subject appeal site is located in a rural area on the Cuil Irra Peninsular to the east side of the R292 (Regional Road), c. 474 metres to the south of the centre of Knocknahur, Co. Sligo. The site measures 3.8 metres in length and 1.6 metres in width (c. 6.08 sqm). The nearest residential property to the subject appeal site is estimated to be located c. 73 metres to the east. The surrounding lands are undulating, and the general area is characterised by disperse one off rural housing and farm holdings. There are existing utility poles and overhead wires positioned along the eastern side of the public road (R292) and in the field to the rear of the subject site.
- 1.2. The subject appeal site and surrounding area is located within the 'Normal Rural Landscape' as shown on the Landscape Characterisation Map which forms part of the Sligo County Development Plan, 2024 to 2030. I estimate that in total there are a minimum of 15 no. recorded monuments within a 500 metre radius of the subject appeal site and 8 no. within a 300 metres radius.

2.0 Proposed Development

- 2.1. The proposed development involves the following:
 - Proposed 20 Monopole Solution, with 3 no. 0.6m long Antennas, 3 no. 2.8 metres long Antennas, 6 no. wraparound brackets, 1 no. GPS Dome, 1 no. 300 mm dish, ancillary cabinetry (0.6 metres wide, 1.6 metres high and 0.6 metres deep) & (0.6 metres wide, 1.25 metres high and 0.25 metres deep).

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Local Authority issued a Decision to REFUSE License Application on 3rd July 2025 for the following reasons:

1. *It is a policy of the Planning Authority as stated within the Sligo County Development Plan 2024-2030, to protect the archaeological heritage, rural character, setting and amenity of the Cuil Irra Peninsula (P-LCP-6), to require the preservation of the context, amenity, visual integrity and connection of archaeological monuments to their setting and that views to and from archaeological monuments shall not be obscured by inappropriate development (P-AH-3), and to ensure that telecommunications infrastructure is adequately screened, integrated and/or landscaped, so as to minimise any adverse visual impacts on the County's natural or cultural (historic, archaeological) landscapes (P-TEL-1). The proposed development, given its prominent positioning and overall height, which will be visible over a wide area, would have an adverse impact on the archaeological heritage, rural character, setting and amenity of the Cuil Irra Peninsula, would seriously injure the visual amenities of the area and would therefore be contrary to the provisions of the County Development plan 2024 – 2030.*
2. *Having regard to the location of the subject site at a location along the R292 where works have been carried out to improve the horizontal alignment of the road and the proximity of the proposed development to the edge of the public road, it is considered that the proposed development would interfere with the free flow of traffic along the R292 and would therefore endanger public safety by reason of traffic hazard.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The **Local Authority Planner** noted the Sligo County Development Plan, 2024 to 2030 is supportive of telecommunications infrastructure and that the plan outlines that regard will be had to the 1996 guidelines for telecommunications structures. It was noted the sites selected by the Applicant were dismissed as they were unable to cover the specific area. In reference to Figure 5 of the Planning Report, the Local Authority Planner notes that it illustrates that coverage is fair within the search area and that in

this regard, the Applicant had provided sufficient justification. No details of alternative options were provided in the Planning Report. The location of the subject appeal site, although within a normal rural landscape area, is also within the archaeological and historic landscape of the Cuil Irra Peninsula. The Local Authority Planner refers to Policy P-LCP-6 and Policy P-AH-3 and notes that views to and from archaeological monuments shall not be obscured by inappropriate development and that where appropriate Archaeological Visual Impact Assessments will be required to demonstrate the continues presentation of an archaeological monument's siting and context. Reference is also made to Policy P-TEL-1 which seeks to ensure that telecommunications infrastructure is adequately screened, integrated and/ or landscaped to minimise any adverse visual impacts on the County's natural or cultural (historic, archaeological) landscape.

- The Local Authority Planner notes that although a Visual Assessment has been provided, an Archaeological Visual Impact Assessment has not and considers such would be appropriate. In reference to VRP1 to VRP5 of the Visual Assessment, the Local Authority Planner considers the proposed development would present an adverse impact on views towards National Monument (SLO20-021) to the north of the subject appeal site and that it therefore does not comply with the relevant provisions of Section 254(5) (b) of the Planning and Development Act, 2000, as amended, which relates to any relevant provisions of the development plan, or a local area plan.
- In relation to Section 254(5) (c) of the same Act, which is concerned the number and location of existing appliances, apparatuses or structures on, under, over or along the public road, the Local Area Planner notes the rural location of the site along the R292 where there are overhead poles within the vicinity and considers there is not an overconcentration of appliances, apparatuses, or structures along the road, or that the proposed development would unacceptably increase the number of such appliances.
- In relation to Section 254(5) (d) of the same Act, which relates to the convenience and safety of road users including pedestrians, the Local Authority Planner refers to comments from the Area Engineer (summarised

further below). The Local Authority Planner finally notes that the subject site on the R292 is at a location where works have been carried out to improve the horizontal alignment, that the proposed development would interfere with the free flow of traffic and that having consulted with the Area Engineer, they were in agreement with same findings.

- The Local Authority Planner recommended that permission be REFUSED for the 2 no. reasons issued.

3.2.2. Other Technical Reports

- The **Area Engineer** stated the following:
 - *The proposed location of the street pole is very close to the regional road (as shown on drawing No. S10111-103,) due to the risk of the pole and cabinets at the base of the pole, causing an obstruction to traffic flow, I recommend a road safety audit 1/2 be completed.*
Reason:
 - *In the interest of road safety and to prevent damage to the public and the public road.*

3.3. Prescribed Bodies

- None

3.4. Third Party Observations

- None

4.0 License and Planning History

4.1. On the subject site

- None

5.0 Policy Context

5.1. National and Regional Guidance

5.1.1. Climate Action Plan (CAP) 2025

- Section 10.1.8 Digital Transformation
 - *Harnessing Digital – The Digital Ireland Framework, published in 2022, reflects Ireland’s ambition to continue to be a digital leader at the heart of European and global digital developments. It sets out a roadmap to drive the digital transition across our economy and society, and it complements work towards achieving Ireland’s climate targets, with our green and digital ambitions re-enforcing each other. It includes targets, high-level workstreams and deliverables across four dimensions, in line with the EU’s Digital Decade 2030 - Digital Transformation of Business; Skills; Digital Infrastructure; and the Digitalisation of Public Services.*
 - *The Government also continues to support remote working through its Making Remote Work: National Remote Work Strategy as part of its wider commitment to increased participation in the labour market; more balanced regional development; improved work/ life balance; reduced commuting times; and reduced transport-related carbon emissions.*

5.1.2. **Climate Action and Low Carbon Development Act, 2015, as amended (The Climate Act)** obliges the Commission to perform its functions in a manner that is consistent, inter alia, with the current Climate Action Plan (2025).

5.1.3. **Harnessing Digital: The Digital Ireland Framework, 2022, updated in 2025**

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

5.1.4. **National Planning Framework – Project Ireland 2040**

- National Policy Objective 24 – *‘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 48: *Supports the development of a stable, innovative and secure digital communications and services infrastructure on an all-island basis.*

5.1.5. **National Development Plan, 2021 to 2023**

- 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.

5.1.6. **Northern & Western Regional Assembly, Regional, Spatial and Economic Strategy, 2020 to 2032**

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

5.2. **Guidelines and Circulars**

5.2.1. **Telecommunications Antennae and Support Structures: Guidelines for Planning Authorities, 1996**

- These guidelines were published in 1996 and provide general guidance on planning issues so that the environmental impact is minimised, and a consistent approach is adopted by the various planning authorities.

5.2.2. **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.

5.2.3. **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 Guidelines. The Circular was issued in the context of the rollout of the next generation of broadband (4G). It sets out elements of the 1996 Guidelines that required being revised. Broadly these are:
 - Cease attaching time limiting conditions to telecommunications masts, except in exceptional circumstances;
 - Avoid inclusion in development plans of minimum separation distances between masts and schools and houses;
 - Omit conditions on planning permission requiring security in the form of a bond/cash deposit;
 - Register or database of approved structures;
 - Reiterates advice not to include monitoring arrangements on health and safety or to determine planning applications on health grounds; and

The circular also states that future development contribution schemes to include waivers for broadband infrastructure provision.

5.3. **Development Plan**

- ***Sligo County Development Plan, 2024 to 2030***

5.3.1. I have reviewed the Sligo County Development Plan, 2024 to 2030. The following Chapters, Sections, Policies and Objectives are considered to be of relevance to the assessment of the proposed development.

5.3.2. **Volume 3** relates to **General Policies**. **Volume 4** relates to **Village Plans**. **Volume 3 General Policies** includes Chapters 23 (Landscape Character), Chapter 25 (Built Heritage), Chapter 31 (Energy and Telecommunications) and Chapter 33 – Development Management Standards.

5.3.3. **Chapter 23 – Landscape Character**

- Section 23.2.2 **Landscape Designations** ...
 - **Normal Rural Landscapes:** *areas with natural features (e.g. topography, vegetation) which generally have the capacity to absorb a wide range of new development forms – these are farming areas and cover most of the County.*

Certain areas located within normal rural landscapes may have superior visual qualities, due to their specific topography, vegetation pattern, the presence of traditional farming or residential structures. These areas may have limited capacity for development or may be able to absorb new development only if it is designed to integrate seamlessly with the existing environment.

- Section 23.3 **Historic Landscape Characterisation (HLC)** ...
 - **Policy**
P-LCP-6: *Protect the archaeological heritage, rural character, setting and amenity of the Cuil Irra Peninsula, Carrowkeel and Inishmurray.*

5.3.4. Chapter 25 - **Built Heritage**

- Section 25.1 **Archaeological Heritage...**
 - **Policy**
P-AH-3: *Require the preservation of the context, amenity, visual integrity and connection of archaeological monuments to their setting. Views to and from archaeological monuments shall not be obscured by inappropriate development. Where appropriate, Archaeological Visual Impact Assessments will be required to demonstrate the continued preservation of an archaeological monument's siting and context.*

5.3.5. Chapter 31 – Energy and Telecommunications

- Section 31.5 **Telecommunications** ...

- Section 31.5.1 **Broadband**

- *The National Broadband Plan (NBP) is the government's initiative to deliver 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 do not invest.*

Investment in high-speed digital and internet services can realise benefits in relation to investment by boosting the attractiveness of locations outside of the urban centres, facilitating remote working from small villages and rural areas and thus contributing to the vitality and resilience of rural communities. Sligo County Council fully supports the implementation of the National Broadband Plan and any similar subsequent plans.

- Section 31.5.2 **Mobile telecommunications infrastructure**

Sligo County Council recognises the importance of high-quality telecommunication infrastructure as a prerequisite for a successful economy. It is the aim of the Council to achieve a balance between facilitating the provision of telecommunications services in the interests of social and economic progress and protecting residential amenity and environmental quality.

Due to their design and large scale, telecommunication structures can have a significant visual impact on the landscape, both urban and rural. To avoid duplication or excessive numbers of masts within any given area, shared use of existing structures will be necessary.

The Council will ensure that all new support structures meet the co-location or clustering requirements of the most up-to-date ministerial guidelines (at the time of writing, in 2023, these were the Telecommunications Antennae and Support Structures, 1996, and the Circular Letter PL07/12)

*Refer to **Section 33.11.3 (Development management standards)** for details relating to the siting and design of telecommunication infrastructure.*

- **Telecommunications Policies**

It is the policy of Sligo County Council to:

- **P-TEL-1:** *Ensure that telecommunications infrastructure is adequately screened, integrated and/or landscaped, so as to minimise any adverse visual impacts on the County's natural or cultural (historic, archaeological) landscapes.*
- **P-TEL-2:** *Support the implementation of the National Broadband Plan for Ireland and any related programmes aiming to provide high-speed broadband in County Sligo.*
- **P-TEL-3:** *Where appropriate, require (by planning condition if necessary) the installation of underground telecommunications infrastructure associated with road, commercial and residential schemes.*

5.3.6. Chapter 33 – Development Management Standards

- **Section 33.2.13 Undergrounding of Cables**

The Planning Authority will require that electricity and other utility cables are placed underground in the urban built-up areas, especially within zones designated for residential development and in Architectural Conservation Areas.

The Planning Authority will restrict overhead lines along Scenic Routes or in Visually Vulnerable landscapes, as it is a policy aim to preserve such sensitive landscape views from the visual intrusion of large-scale telecommunications and energy infrastructure.

- **Section 33.6.3 Impact on Archaeology**

At the earliest opportunity in planning a development, it is advised to ascertain the archaeological potential of the site from existing records. The Sites and Monuments Record is an online database maintained by

the National Monuments Service (NMS) of all known or suspected archaeological sites and monuments. The Historic Environment Viewer (HEV) is the National Monuments Service's online interactive map/search facility, providing access to all records stored on its national database of sites and monuments. Where new development is being considered, it is important to visit the HEV online in order to assess the archaeological potential of a site.

Where archaeological heritage is likely to be affected by a proposed development, applicants will be advised of their obligations under the National Monuments (Amendment) Act 1994.

Developments that impact on the county's archaeological heritage will be treated as follows:

- *within zones of archaeological notification (formerly known as zones of archaeological protection), archaeological remains will be investigated, recorded and/or preserved;*
- *outside the zone of archaeological notification, where – in the opinion of the planning authority – developments would involve major ground disturbances, conditions relating to archaeology may be applied;*
- *the planning authority will require that archaeological investigations be undertaken by a licensed archaeologist prior to the commencement of development;*
- *the applicant will be liable for the cost of archaeological investigations;*
- *the Planning Authority may require the applicant to submit a report, prepared by a suitably qualified archaeologist, on the archaeological implications of the proposed development.*
- *The planning authority may impose conditions requiring:*
 - *professional archaeological supervision of site excavations;*

- *archaeological monitoring, testing and/or assessment;*
 - *preservation of all or part of any archaeological remains.*
 - *the planning authority may impose conditions which modify the development, in order to facilitate archaeological investigation or preservation;*
 - *applicants will be encouraged to submit an archaeological assessment and a method statement outlining construction procedures as part of their planning application.*
- **Section 33.11.3 Telecommunications and Overhead Cables**

Telecommunication masts, access roads and associated power lines will be assessed with regard to siting and design, safety and the mitigation of intrusive impacts. The following standards shall apply:

- A. *masts will not generally be permitted in designated Sensitive Rural Landscapes, the archaeological landscape of the Cuil Irra peninsula, Visually Vulnerable Areas, pNHAs, SPAs, SACs or adjacent to Scenic Routes;*
- B. *masts shall be designed and located so as to cause minimum impact on the landscape and, where possible, should be screened by forest plantations;*
- C. *operators should seek to co-locate their services by sharing a single mast or, if necessary, locating additional masts in an existing cluster;*
- D. *in the event of the discontinuance of any mast installations, the mast and associated equipment shall be removed from the site and the land restored to its original condition.*

In assessing proposals for telecommunications installations, the Planning Authority will have regard to the most up-to-date ministerial guidelines (at the time of writing, in 2023, these were the Telecommunications Antennae and Support Structures, 1996, and the Circular Letter PL07/12).

5.3.7. Appendix C – Designated Scenic Routes

...

Local Roads

...

49. Road network to east and south of Knocknarea, between junctions of R292 and L-3502: specifically the Glen Road (L-3507) and L-3506.

...

Views of Knocknarea, Kings Mountain, Ben Bulbin, Cope's Mountain, Killery Mountain, Slieve Dargan, Slieve Daeane, Keelogyboy Mountain, Ox Mountains Ballysadare Bay, Atlantic Ocean, Culleenamore Strand, Sligo Bay, Drumcliff Bay, the coast and Coney Island.

5.4. Natural Heritage Designations

5.4.1. The site is not located within or adjacent to a Natura 2000 site. The nearest Natura 2000 sites is as follows:

- Ballysadare Bay SPA (Site Code 004129) is located c. 934 metres to the south.
- Ballysadare Bay SAC (Site Code 000622) is located c. 934 metres to the south.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The decision of the Local Authority to Refuse the Section 254 License is the subject of 1 no. first Party appeal. The main Grounds of Appeal can be summarised as follows:

- Archaeological Impact
 - The Application is accompanied by a Visual Impact Assessment (VIA) but not an Archaeological Visual Impact Assessment (AVIA). The

Applicant considers that an Archaeological Visual Impact Assessment was not required and that this is supported by the assessment of the Local Authority as they were able to carry out the relevant assessment in the absence of an AVIA.

- The specific archaeological impact on the National Monument SLO20-021 is not specified in the Local Authority Planners Assessment, instead only stating that it would have an adverse impact on views towards same. The Applicant submits this represents an incomplete assessment and that it is within their rights to know why permission is being refused instead of a mere broad based, subjective opinion. Reason for refusal no. 1 is similarly broad based although it does provide some additional information by referencing the '*prominent positioning and overall height*' which will be '*visible over a wide area*'.
- The online DoHLGH Archaeological Map Viewer, in relation to the subject monument notes '*there are no visible traces above ground*'. The monument is estimated to be located c. 196 metres to the northwest of the subject appeal site.
- VRP1 to VRP5 all face northwest towards the site and range at a distance between 275 and 86 metres.
- The Applicant submits on the basis of there being no visible traces of the Monument on the ground that the adverse visual impact of the proposed development on the said National Monument are unfounded and unreasonable.
- The Applicant is unaware of any submission from the DoHLGH being taken into account by the Local Authority in the assessment of the proposed development.
- Traffic Hazard
 - The main concern is the location of the proposed development relative to the public road and resultant potential for a traffic hazard to arise which would impact upon traffic flow.

- The Applicant submits to the Commission that the proposed development cannot impede traffic owing to its location set back 3 metres from the edge of the carriageway.
- The Applicant refers to Figure no. 6 which is an extract from the proposed Site Layout Plan showing the location of the proposed development in the verge adjacent to the public road.
- The Appeal is accompanied by a letter from Consulting Engineers which, it is stated, confirms there is not risk to traffic flow on account of the proposed 3 metre setback. As the verge in this instance is 4.5 metres wide, the Applicant has no objection to the attachment of a condition which stipulates a 7 metres wide setback.

6.2. Planning Authority Response

6.2.1. The Local Authority submitted a Response to the First Party Appeal the main points of which can be summarised as follows:

- The Commission is referred by the Planning Authority to policies P-LCP-6, P-AH-3 and P-TEL-1 of the County Development Plan, 2024 to 2030 and to reason no. 1 of the decision issued by the Planning Authority.
- The Commission is referred by the Planning Authority to the Report of the Area Engineer, a copy of which is attached to the Planning Authority's Appeal Response. The Planning Authority also refer to reason for refusal no. 2 of the Planning Authority's decision.

6.3. Observations

- None

6.4. Further Responses

- None

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal and the reports of the planning authority and having inspected the site, and having regard to relevant local/ regional and national policies and guidance, I consider the main issues in this appeal are as follows:

- Technical Justification
- Archaeological Visual Impact/ Visual Impact
- Traffic Hazard/ Pedestrian Safety

7.2. Technical Justification

7.2.1. The Applicants' Planning Statement (Section 3.2) includes a Technical Justification for the proposed development. The search ring shown in figure no. 3 is based on a satellite image and is estimated to measure c. 2 km in diameter. The subject appeal site is located close to the northwest edge of the search ring. The Applicant states that *'it has been identified by radio engineers that an installation within the search ring will bring required coverage to the coverage black spot..'* The Applicant has analysed a total of 8 no. alternative sites within a maximum 5.6 km area from the subject appeal site and concludes that none of the said alternative sites are able to cover the specific area. Some alternative locations have been dismissed due to the geography of the area. The Applicant states that following a comprehensive search within the search area by a named National Mobile Provider *'..no existing base station options were identified that could be shared or upgraded to provide the necessary coverage required'*. As noted by the Applicant in reference to Drawing Ref. No. SI0111-105, Rev. A, which includes a location map, there are no existing telecommunications sites within 2km of the subject appeal site. Having regard to the foregoing, I am satisfied that the Applicant has suitably demonstrated a technical justification for the proposed development at the subject location. I note the Local Authority Planner reached the same conclusion regarding the Applicants' technical justification for the proposed development.

7.3. Archaeological Visual Impact/ Visual Impact

7.3.1. I note reason for refusal no. 1 relates to the adverse impact of the proposed development upon the archaeological heritage, rural character, setting and amenity of the Cuil Irra Peninsula and the serious injury the proposal would cause to the visual amenity of the area. Specific reference is made to policies P-LCP-6, P-AH-3 and P-TEL-1 of the Sligo County Development Plan, 2024 to 2030.

- *Archaeological Visual Impact*

7.3.2. Based on the available online historic map viewer I estimate there are a total of 8 no. recorded monuments within 300 metres of the subject appeal site. The nearest recorded monument to the subject appeal site is estimated to be located c. 147 metres to the east (Ref. SL020-044---- : Ringfort - Rath : Knocknahur South). A separate Recorded Monument (Ref. no. SL020-021----: Enclosure - Breedogue) is estimated to be located c. 199 metres to the northwest. In the case of both said recorded monuments, as per the respective descriptions provided for each on the online historic map viewer, there are no visible remains above ground.

7.3.3. I note 2 no. separate recorded monuments, both of which are located on the same site and positioned within c. 266 metres to the southeast of the subject appeal site, (Ref. no. SL020-045001----: Ringfort - Rath Enclosure – Knocknahur South and Ref. no. SL020-045002----: Souterrain – Knocknahur South). As per the available respective descriptions for each said recorded monument on the online historic map viewer, both recorded monuments have notable archaeology above ground.

7.3.4. While I note Policy P-LCP-6, which is concerned with ‘*..protection of the archaeological heritage, rural character, setting and amenity of the Cuil Irra Peninsula, Carrowkeel and Inishmurray.*’, Policy P-AH-3 is expressly concerned with preserving the context, amenity, visual integrity and connection of archaeological monuments and their setting. In particular, ‘*..views to and from archaeological monuments shall not be obscured by inappropriate development*’ and, where appropriate, ‘*..Archaeological Visual Impact Assessments will be required to demonstrate the continued preservation of an archaeological monument’s siting and context.*’ In the subject case, the Applicant submits that such an Archaeological Visual Impact Assessment is not warranted and that the submitted Visual Assessment confirms that the proposed development would not have an adverse

impact on views towards Recorded Monument SL020-0214---- to the north of the site. This, as per Policy P-AH-3, does not consider views from Recorded Monument SL020-0214 towards the proposed development and the Applicants considerations in this regard are solely based on views towards said Recorded Monument. In addition, the Applicants' position does not consider other relevant Recorded Monuments in the general area of which, in addition to Recorded Monument SLO20-0214, there are 7 no. other such Recorded Monuments within a 300 metre radius of the site. As per Policy P-AH-3, the onus, in my opinion, is upon the Applicant to suitably demonstrate the proposed development would not obscure views to and from relevant archaeological monuments, not solely Recorded Monument SLO20-0214. In this regard, I note 2 no. Recorded Monuments which are both located c. 267 metres to the southwest of the Appeal site and positioned on the same overall site at Knocknahur South, namely SL020-045001----: Ringfort - Rath Enclosure – Knocknahur South and SL020-045002- : Souterrain : Knocknahur South. Both said Recorded Monuments have above ground archaeology, some of which is visible on approach to the subject appeal site from the south.

- 7.3.5. Whether or not there is above ground archaeology is not, in my opinion, the relevant consideration to demonstrate compliance with Policy P-AH-3. The primary consideration is to ensure that views to and from archaeological monuments are not obscured by inappropriate development. Intervisibility between monuments is also a relevant consideration which the Applicant seems to have ignored. As stated, there are a total of 8 no. Recorded Monuments within 300 metres of the subject appeal site.
- 7.3.6. Having regard to the recognised rich archaeological and historic landscape of the Cuil Irra Peninsula, it is my opinion, as per the provisions of Policy P-AH-3, that an Archaeological Visual Impact Assessment is warranted in this instance and that, in the absence of same, the Applicant has not suitably demonstrated compliance with the provisions of Policy P-AH-3 of the Development Plan. Similarly, in the absence of said Archaeological Visual Impact Assessment, the Applicant, in my opinion, has not demonstrated compliance with Policy P-LCP-6.
- 7.3.7. The Commission may wish to provide the Applicant with an opportunity to present such an Archaeological Visual Impact Assessment however, having regard to the

other substantive reason for refusal, it may not be considered necessary to pursue the matter.

- *Visual Impact*

7.3.8. The proposed monopole measures 20 metres in height. I note VRP 6 of the Applicant's Visual Reference Points which is taken on approach to the subject appeal site from c. 76 metres to the north. In my opinion, the proposed monopole structure would be highly visible on this approach and would appear as a prominent and discordant feature in the landscape, see also VRP 8 and VRP 7. I note that, aside from the embankment to the rear, there is no meaningful natural screening or backdrop on this approach from the north and that the site is for the most part open and exposed. The proposed development, in particular the 20 metre high monopole, cannot therefore, in my view, be readily absorbed into the surrounding landscape. Policy P-TEL-1 seeks to *'ensure that telecommunications infrastructure is adequately screened, integrated and/ or landscaped, so as to minimise any adverse visual impacts on the County's natural or cultural (historic, archaeological) landscapes.'* The proposed development, in my opinion, does not comply with Policy P-TEL-1.

7.3.9. As per the Telecommunications Antennae and Support Structures: Guidelines for Planning Authorities, 1996, a core consideration in terms of Visual Impact, is the sensitivity of the landscape. In this regard, I note as per Section 33.11.3 of the Development Plan, which relates to Telecommunications and Overhead Cables, it is stated that *'A. masts will not generally be permitted in designated Sensitive Rural Landscapes, the archaeological landscape of the Cuil Irra peninsula, Visually Vulnerable Areas, pNHAs, SPAs, SACs or adjacent to Scenic Routes'*.

- *Conclusion re Archaeological Visual Impact/ Visual Impact*

7.3.10. Having regard to the character and setting of the subject appeal site, within the Cuil Irra Peninsula, in an area of rich archaeological significance, the absence of an Archaeological Visual Impact Assessment and the visual prominence of the proposed structure in the landscape on approach from the north, it is considered that the proposed development does not comply with Policies P-AH-3, P-LCP-6, P-TEL-1 and Section 33.11.3 of the Sligo County Development Plan, 2024 to 2030, and is therefore not in accordance with the proper planning and sustainable development of the area.

7.4. Traffic Hazard/ Pedestrian Safety

- 7.4.1. I note reason for refusal no. 2 which relates to Traffic Hazard. I note as per the submitted Site Layout Plan, Drawing No. SI0111-103, Rev. A, that the adjacent road carriageway is shown in light grey with the subject verge shown in darker grey. I estimate, based on the submitted Site Layout Plan, Drawing No. SI0111-103, Rev. A, that the subject appeal site is located a maximum of c. 1.75 metres from the near edge of the road carriageway. As per Site Layout Plan Drg. Ref. No. SI0111-500, I estimate the street-pole is located a further c. 0.9 metres into the site, i.e. a maximum of c. 2.65 metres from the near edge of the public road and that the southernmost cabinet would be a maximum of c. 2.5 metres from the near edge of the public road. I note the Applicant states in Section 3.2 (Traffic Hazard) of the Appeal that the proposed development '*...is setback 3.0 metres from the road edge and therefore will not be located on the carriageway and therefore cannot impede traffic flow.*' In my opinion, this is not consistent with the submitted plans where, as set out above, the set back to the southernmost cabinet is estimated to be a maximum of c. 2.5 metres. This is further acknowledged in the letter from the Applicants' Consulting Engineers' which accompanies the Appeal where it is indicated that the cabinet and pole were to be set back 3 metres from the edge of the carriageway and that the Applicant would be open to a condition stating that this had to be increased or agreed with the Local Authority Area Engineer prior to commencement.
- 7.4.2. The subject road is a Regional Road (R292) where, as per surrounding speed limit signs, a speed limit of 60 kmph applies. On approach to the site from the north along the R292, between c. 200 metres and c. 270 metres of the subject appeal site, there is a bend warning sign and a sign stating, '*Caution Bends Ahead*'. Proximate to the subject appeal site on approach from both the north and south, there is a continuous white line which indicates that overtaking is strictly prohibited.
- 7.4.3. There is an existing farm and residential vehicular entrance positioned c. 23 metres to the southeast of the subject appeal site. The access, in part, serves a dwelling which was the subject of planning reg. ref. no. 15/47. In response to point no. 2 of the Request for Further Information under planning reg. ref. no. 15/47, as per Drg. No. P15/KMCG/Og/ Revision 1 (Filename: KMCG0009), which is available to view on the online planning register, the Applicant indicated 90 metre sightlines in both

directions from a 3 metre set back from the near edge of the public road. The achievement of the sightline to the northwest from the said existing entrance is indicated to include the removal/ reduction of an area of the embankment. Based on a review of available online street imagery, it would appear that although works to the embankment were previously undertaken, clear unobstructed 90 metre sightlines in a northwest direction from the existing site entrance, as shown on the said drawing, are not currently available. The proposed development, in my opinion, has the potential to obstruct the achievement of said 90 metre sightline in a northwest direction from the existing farm and vehicular entrance to the south which was the subject of planning reg. ref. no. 15/47.

- 7.4.4. As part of the Appeal submission, the Applicant's Consulting Engineers, in applying the design speeds set out in the TII publication DN-GEO-03036 (May 2023), state that a clearance of 4.5 metres can be accommodated in the subject location, that the distance from the road edge to the boundary is circa 7.3 metres and that the applicant would be satisfied to accept a condition to this effect. The achievement of such a setback would, in my view, involve works outside the defined redline boundary of the subject license site, which the Commission will note only measures 1.6 metres in width/ depth. Such an arrangement, in my opinion, is outside the scope of this license appeal.
- 7.4.5. I note there is no existing pedestrian footpath on either side of the Regional Road at the location of the subject appeal site. Owing to the current road layout and configuration pedestrians would, in my opinion, likely use the eastern side of the Regional Road where the subject proposal is situated. I note the appeal site is located within reasonable walking distance, c. 474 metres to the south of the centre of Knocknahur Village, where a number of services, including a National School, Church and GAA pitch/ club are located. The proposed set back of the subject site, c. 1.75 metres from the near edge of the public road and the proposed location of the cabinet, would mean that in the case of a future 2 metre wide footpath being provided along this side of the public road, there would be insufficient space to accommodate same and the subject license site and that, as a consequence, pedestrians could potentially be forced onto the road carriageway. In addition, views of on-coming traffic for pedestrians would likely be obscured. In my view, and in the

absence of any definitive information to the contrary, the proposed development, as presented, presents a significant risk to pedestrian safety.

- 7.4.6. I note the Internal Report and recommendation to refuse permission from the Area Engineer where due to the risk of the pole and cabinets at the base of the pole, causing an obstruction to traffic flow, the completion of a Road Safety Audit (RSA) is recommended. I further note that nowhere in the Applicants' Appeal submission, which includes a letter from Consulting Engineers', is the need for a Road Safety Audit challenged or disputed. I note Section 5.4.1 (Road Safety Audits) of the Design Manual for Urban Roads and Streets (DMURS), 2019, and, in particular, the recommended 4 no. criteria for identifying potential hazards for Road Users. In my opinion, the proposed development, as presented, creates obstructions which would serve to restrict visibility for road users such that it creates a traffic hazard. Remedial measures would therefore be required and as such, in order to assist in the determination of such measures, the proposed development, although not located along a National Road, would, in my opinion, have benefitted from a Road Safety Audit.
- 7.4.7. In conclusion therefore and having regard to the foregoing, it is my opinion that the proposed development, as presented, would result in a traffic hazard, would compromise pedestrian safety and is not therefore in accordance with the proper planning and sustainable development of the area.

8.0 AA Screening

- 8.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located not located within or adjacent to any European Site. The closest European Sites, part of the Natura 2000 Network, are Ballysadare Bay SPA (Site Code 004129) and Ballysadare Bay SAC (Site Code 000622) both located c. 934 metres to the south of the subject appeal site.
- 8.2. The proposed development relates to a Section 254 License for the installation of a 20 metres high monopole and associated works cabinet on the eastern side of the R-292.

- 8.3. No nature conservation concerns pertaining to European Site(s) were raised in the planning appeal.
- 8.4. Having considered the nature, scale and location of the proposed development, I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site.
- 8.5. The reason for this conclusion is as follows:
- The small-scale nature of the development.
 - The location of the development in a serviced urban area, distance from European Sites, the urban nature of intervening habitats and the absence of ecological pathways to any European Site.
 - The Local Authority's AA Screening.
- 8.6. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 8.7. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Water Framework Directive

- 9.1.1. The Knocknahur_010 Stream (IE_WE_35K430740) lies within c. 475 metres to the southwest of the subject appeal site (Waterbody Status: Good). The site lies above the Carrowmore West Groundwater body ((EU Code: IE_WE_G_0040) (Waterbody Status: Good). The proposed development is detailed in section 2.0 of my report. No specific water deterioration concerns were raised in the planning appeal or observations.
- 9.1.2. I have assessed the proposed development and associated works 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.

9.1.3. 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.

9.1.4. The reason for this conclusion is as follows:

- Nature of works e.g. small scale and nature of the development;
- Location-distance from nearest water bodies and/or lack of hydrological connections;

9.1.5. 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.

10.0 Recommendation

10.1.1. I recommend a licence be refused for the reasons and considerations set out hereunder.

11.0 Reasons and Considerations

11.1.1. Having regard to the location of the subject license appeal site within a rural area on the Cuil Irra Peninsula, which is a noted archaeological landscape, the provisions of Section 33.11.3 and Policies P-LCP-6, P-AH-3 and P-TEL-1 of the Sligo County Development Plan, 2024 to 2030, previous works carried out to the near edge of the public road the purpose of which is to improve the horizontal alignment and the proximity of the proposed development site to the near edge of the public road, it is considered that:

- the proposed development, given its prominent positioning on a site, which is open and exposed, particularly on approach from the north, its overall height, which will be visible over a wide area, would, in the absence of a suitably scoped and robust Archaeological Visual Impact Assessment, have an adverse impact on the archaeological heritage, rural character, setting and amenity of the Cuil Irra Peninsula,

- the proposed monopole structure would be a highly visible, prominent and discordant feature in the landscape, particularly on approach from the north and would seriously injure the visual amenities of the area,
- the proposed development would interfere with the free flow of traffic along the R292, would impact negatively upon future pedestrian safety and would therefore endanger public safety by reason of a traffic hazard.

The proposed development is therefore considered to represent an inappropriate form of development in this sensitive rural location and, as such, is therefore not considered to be in accordance with 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.

Frank O'Donnell
Planning Inspector

25th June 2026

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