An Coimisiún Pleanála

Inspector's Report

PL-500394-GY-25

Development	To remove an existing storage shed and erect an 18m high telecommunications monopole together with antennas, dishes and all associated equipment. This application supersedes a previous application planning reference 20/2011
Location	Eir Exchange, Clifden Road Gortyloughlin , Moycullen Co. Galway
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	2561345
Applicant(s)	Eircom Ltd (t/a eir)
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Friends of the Irish Environment CLG
Observer(s)	None
Date of Site Inspection	10th March 2026
Inspector	Patricia Byrne

1.0 Site Description

1.1. The appeal site, referred to as the Eir Exchange, is located adjacent the single storey Maigh Cuilinn Garda Station Co. Galway and is situated within a Gaeltacht.

1.2. The overall property fronts Clifden Road to the northeast, is bounded by the access road to Páirc na gCaor residential estate to the north and is separated from same by a grass embankment and high Leylandii planting to the southern side of estate road.

1.3. To the southwest are located single storey dwellings and associated rear gardens of dwellings within the adjoining estate.

1.4. A stone wall forms the boundary to the southeast, separating the complex from a protected structure RPS 711, a five bay two-storey factory with gabled breakfront, built of rough-cut stone and cut-stone dressings.

1.5. A dry-stone wall and short flight of steps fronting Clifden Road allow access to the Garda Station.

1.6. In addition to the Garda station, the site is bounded by outbuildings, the single storey Eir Exchange and a 12m wooden pole.

1.7. Mixed-use commercial properties, set back from the road edge, are positioned opposite the Garda Station, with further commercial/retail development located at the junction of Clifden Road and Knockferry Road -L1313. Roof top antennae are positioned on the three-storey corner block at the intersection.

2.0 Proposed Development

2.1. The proposed development seeks the removal of an existing storage shed and erection of an 18m high telecommunications monopole, together with antennas, dishes and associated equipment (to an overall height 19m including lightning finial), all enclosed within a fenced compound.

2.2. The compound will be positioned to the southwest of the Garda station, in front and to the east, of the Exchange Building and lying adjacent the southern boundary wall.

2.3. The proposed monopole is shown with clustered antennae affixed at two locations within the highest 6.0m extent. The structure is positioned 30.3m from the south-western boundary

with the residential estate and shown as 21.4m from the north-eastern boundary, addressing Clifden Road.

2.4. The compound is stated as 2.4m in height comprising timber panel fencing and encompassing an area 4.9m x 4.1m.

2.5. The description of development as contained within the public notices indicates that the application supersedes a previous mast permitted under Reg. Ref. 20/2011. This concerned an 18m high monopole (overall height 19.5m) permitted to the southwest of the site, to the rear of the Exchange Building. [Note: The appeal site's red line boundary specifically relates to the proposed compound and monopole and does not encompass the site of this earlier permission].

2.6. No connections to public mains water supply or foul sewer are required.

2.7. The site area is given as 0.002Ha.

3.0 Planning Authority Decision

3.1. Decision

Galway County Council by Order dated 5th November 2025 granted permission for the subject development subject to 13 no. conditions.

The following conditions are noted:

Condition No. 5

(i) No material change of use of the structure shall be made without a prior grant of planning permission.

(ii)Development described in Class 31 of Part 1 Schedule 2 of the Planning and Development Regulations, 2001, as amended, shall not be carried out within the site, without a prior grant of planning permission.

Condition No. 6

(i) The applicant/owner/operator shall provide and make available on reasonable terms other licensed mobile telecommunications operators to co-locate their antennae onto the existing structure.

(ii) Adequate space to be allowed on site by the applicant for an additional equipment container by a second telecommunications operator should such be required.

Condition 9

The applicant and any subsequent owners or operators of the installation shall inform the planning section of Galway County Council of impending transfer of installation to another owner or operator to facilitate the continuance of planning conditions.

Condition 10

(i)A system of independent monitoring of radiation levels from the structure shall be established/maintained and undertaken periodically to ensure compliance with such guidelines levels as may be set from time to time by the International Radiation Protection Association or equivalent authority.

(ii)the development shall comply with the terms and conditions of the public expose guidelines of the international commission on non-ionizing radiation protection.

3.2. Planning Authority Reports

3.2.1. Planning Report

The planning report describes the site and proposal, noting that the principle of telecommunications development was previously established under Reg. Ref. 20/2011. The report further notes that the current proposal would supersede this earlier permission. The report refers to relevant policy within the Galway County Development Plan 2022-2028; the sites Town Centre land use zoning objective, and to matters raised in a third-party observation. No risk of flooding was determined, and given the scale and nature of the proposal, no real likelihood of significant effects on qualifying interests of identified Natura 2000 sites were envisaged. The report in assessing amenity impacts, referred to the location

of the proposal within the grounds of the existing Exchange Building and to the Visual Impact Assessment undertaken, concluding that no adverse impacts on the amenity of the area arose. The report concluded with a recommendation to grant planning permission subject to 13 no. conditions.

3.2.2. Other Technical Reports

No further reports on file.

3.3. Prescribed Bodies

The application was referred by the planning authority to the following:

- Fáilte Ireland
- Department of Housing, Local, Government and Heritage
- Department of Rural Community Development and the Gaeltacht
- An Taisce
- The Heritage Council
- Údarás na Gaeltachta

No submissions from the foregoing were received.

3.4. Third Party Observations

A third-party observation to the planning application from FP Logue Solicitors on behalf of Friends of the Irish Environment CLG raised the following matters:

- Friends of the Irish Environment CLG is an environmental NGO concerned with protecting Ireland's environment and promoting sustainable development, including the full implementation and enforcement of environmental law and public participation in environmental decision making.

- No information is provided with the application to demonstrate compliance with Development Plan Objective ICT 3 Telecommunications Antennae and Support Structures or with the Antenna Guidelines.
- Eircom together with other operators is emitting from antennae located across the road which provides for excellent telecommunications signals to Moycullen village.
- Proposal represents an attempt to increase the capital assets of the developer at the expense of the streetscape of Moycullen.

4.0 Planning History

Reg. Ref. 20/2011

Permission GRANTED to Eircom Limited t/a Eir for the removal of a 12m telecommunications support structure with telecommunications equipment and replacement with a new 18 metre telecommunications support structure (overall height 19.5m) carrying antennae, dishes, associated equipment, together with ground-based equipment cabinets and new fencing for wireless data and broadband services.

Decision Date: 23rd February 2021.

5.0 Policy Context

5.1. National and Regional Policy

5.1.1. **Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities 1996- Department of the Environment and Local Government.**

The Guidelines provide technical information in relation to installations and offer guidance on planning issues to minimise environmental impact and to ensure consistency of approach by Planning Authorities. Visual impact is noted as amongst the most important considerations in assessing applications for telecommunications structures, but the Guidelines also note that generally, applicants have limited locational flexibility given the constraints arising from radio planning parameters. The Guidelines place an emphasis on the principle of co-location. Section 4.3 notes that some masts will remain quite noticeable

in spite of the best precautions and considerations may need to be taken into account, specifically, whether a mast terminates a view; whether views of the mast are intermittent and incidental, and the presence of intermediate objects in the wider panorama (buildings, trees etc).

The Guidelines refer under Section 4.3 that only as a last resort should freestanding masts be located within or in the immediate surrounds of smaller towns and villages. If such a location should become necessary, sites already developed for utilities should be considered and masts and antennae should be designed and adapted for the specific location.

5.1.2. **Circular PL07/12 – Telecommunications Antennae & Support Structure Guidelines**

This Circular was issued by the Department of Environment, Community and Local Government on the 19th of October 2012 under Section 28 of the Planning and Development Act, to update certain sections of the *'Telecommunications Antennae and Support Structure Guidelines, 1996'*. It advised planning authorities of the following:

- Where a renewal of a previously temporary permission is being considered, the planning authority should determine the application on its merits with no time limit being attached. Only in exceptional circumstances where a particular site or environmental conditions apply, should a permission issue with conditions limiting its life.

-Planning authorities should not specify minimum separation distances between telecommunications structures and houses and schools as they can inadvertently have a major impact on the roll out of a viable and effective telecommunications network.

- Having reviewed experience since 1996 and the limited number of sites that have become obsolescent in that time, it is considered that the lodgement of a bond or cash deposit is no longer appropriate. It is advised that, in general, future permissions should simply include a condition stating that when the structure is no longer required it should be demolished, removed and the site re-instated at the operators' expense.

In addition to the foregoing, the Circular advises that a register of approved telecommunications structures supported by relevant databases be created and maintained by each planning authority in co-operation with operators.

On the issue of health and safety, it is reiterated that planning authorities should not include monitoring arrangements as part of planning permission conditions nor determine planning applications on health grounds. Planning authorities are to be primarily concerned with the appropriate location and design of telecommunications structures as they do not have the relevant competence for health and safety matters in respect of such telecommunications infrastructure. These are regulated by other codes, and such matters should not be additionally regulated by the planning process.

Finally, with regard to development contributions, the Circular refers to the then Draft Guidelines on Development Contributions issued under Section 28 of the Act which require that all future Development Contribution Schemes must include waivers for broadband infrastructure provision and that these waivers are intended to be applied consistently across all local authority areas.

5.1.3. **Project Ireland 2040 National Planning Framework First Revision April 2025**

National Policy Objective 31

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

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.

5.1.4. **Northern and Western Regional Assembly -Regional Spatial and Economic Strategy 2020– 2032**

- Growth Ambition 3: Connectivity-Connected Region
- 6.4 Digital Infrastructure-Delivering a Smart Region
- 6.5 Broadband Connectivity
- 6.6 Smart Region-Integrating Digital Trends.

- RPO 6.52 '*Understand, advocate for, and facilitate the existing and future infrastructure needs of our urban areas, the wider region and beyond – immediate priorities include access to ultra-fast and rural broadband initiatives'.*
- RPO 6.59 '*With our partners in Local Government/Local Development promote the benefits of high-speed broadband to ensure that uptake and use are as high as possible'.*

5.2. Galway County Development Plan

The Galway County Development Plan 2022-2028 is the operative Development Plan for the area and came into effect on the 20th June 2022.

Volume 1: Written Statement

- **Chapter 7 Infrastructure, Utilities and Environmental Protection**
- **Section 7.8** Information and Communication Technology
- **Section 7.8.2 Telecommunications**

  To ensure appropriate telecommunications infrastructure are provided within the county the council will have regard to the guidelines issued by the Department of the Environment, Heritage and Local Government, 'Planning Guidelines for Telecommunications Antennae and Support Structures' (1996) and Circular Letter PL 07/12. The assessment of individual proposals will be governed by the guidelines and the controls scheduled in the Development Management Standards chapter of this plan'.
- **Policy Objective ICT 1 ICT Infrastructure**
- **Policy Objective ICT 2 National Broadband Plan**
- **Policy Objective ICT 3 Telecommunications Antennae and Support Structures**

  'To ensure the orderly development of telecommunications throughout the County in accordance with the requirements of the Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities, DECLG, 1996, except where they conflict with Circular Letter Pl07/12 which shall take precedence, and any subsequent revisions or expanded guidelines in this area'.
- **Policy Objective ICT 4 Co-location of antennae**

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

- **Policy Objective ICT 5 Siting and Design of Telecommunications Infrastructure**
  '*To require best practice in both siting and design in relation to the erection of communication antennae and support infrastructure, in the interests of visual amenity and the protection of sensitive landscapes'.*
- **Policy Objective ICT 6 Visual Impact and Antennae Support Structures**
  'To operate a presumption against the location of antennae support structures where they would have a serious negative impact on the visual amenity of sensitive sites and locations'.

- **Chapter 15 Development Management Standards**
- **DM Standard 42: Telecommunications Masts**
  *'In order to facilitate the evaluation of development proposals for the erection of antennae and support structure with regard to the DoEHLG, Planning Guidelines for Telecommunications Antennae and Support (1996 including any updated/superseding document) and DECLG Circular Pl 07/12 regarding the 1996 Planning Guidelines. While the current state of technology requires the construction of masts and antennae in the countryside the following standards will apply***:**

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

- b) Amenity Impacts
  Masts and associated base station facilities should be located away from existing residences and schools.

- c) Landscape Impacts
  Masts should be designed and located so as to cause minimum impact on the landscape.

- d) Co-Location

Licensees shall be required to co-locate their services by sharing a single mast or, if necessary, locating additional masts in cluster form. Co-location agreements to be provided where possible. Where new facilities are proposed, applicants will be required to satisfy the Council that they have made a reasonable effort to share facilities or to locate facilities in clusters.

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

- f) Redundancy
  In the event of the discontinuance of any mast installation, the mast and its equipment shall be removed from the site, and the land shall be reinstated.

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

Volume 2: Settlement Strategy

- Maigh Cuilinn is classified as a Small Growth Town situated in the Galway Gaeltacht.
- Volume 2 contains general principles and policy objectives that apply to each of the Small Growth Towns. Bespoke zoning maps have been drafted for each, including Maigh Cuilinn.
- The associated Land Use Zoning Map identifies the appeal site as C1 Town Centre which seeks *'to provide for the development and improvement of appropriate town centre uses including retail, commercial, office and civic/community uses and to provide for "Living over the Shop" scheme Residential accommodation, or other ancillary residential accommodation'*.
- Utilities Infrastructure and Public Service Installations are listed as 'Open for Consideration' where such use is one that the Local Authority '*may permit where it is satisfied that the suggested form of development will be compatible with the policy objectives for the zone, will not conflict with permitted uses and conforms to the*

proper planning and sustainable development of the area, including the policy objectives set out in this plan'.

Appendix 4 Landscape Character Assessment

- Maigh Cuilinn is located within the Eastern Plains Urban Landscape Region, (7) Urban Environs Landscape Character Type.
- The Galway Clifden and Lough Corrib Scenic Routes commence at the town.

Maigh Cuilinn Local Area Plan 2013-2018

- (Deferral of Notice under Section 19(1)(d) for a period of 5 years to February 2023.
- **Policy UI 5 – Energy and Communications**
  'It is the policy of Galway County Council to support the provision of adequate energy and communications infrastructure to service developments including gas, electricity, broadband, and telephone services. In particular, Galway County Council supports the increased development and use of renewable energy and the aims of sustainable energy use and conservation in building design and construction'.

- **Objective UI 18 – Broadband & Telecommunications**
  'Facilitate the provision of adequate telecommunication infrastructure within the Plan Area, including telephone and broadband services, to the requirements of the relevant service providers and in accordance with the principles of proper planning and sustainable development'.

Protected Structure

RPS 711 referred to as the Galway Unit Furniture / Factory is situated to the south of the site and comprises a 5 bay two-storey factory with gabled breakfront containing giant Diocletian window, c.1910. 5 bay side elevation. It is built of rough-cut stone with cut-stone dressings.

5.3. Natural Heritage Designations

Lough Corrib SPA (Site Code 004042) c.2.5km

Connemara Bog Complex SPA (Site Code 004181) c.10.6km

Lough Corrib SAC (Site Code 000297) c.2.17km

Ross Lake and Woods SAC (Site Code 001312) c.3.0km

Moycullen Bogs NHA (Site Code 002364 c.1.27km

Connemara Bog Complex SAC (Site Code 002034) c.4.0km

Drimcong Wood pNHA (Site Code 001260) c.0.98km

Ballycuirke Lough pNHA (Site Code 000228) c.1.3km

6.0 EIA Screening

6.1. 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 (or Part V of the 1994 Roads Regulations). 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

The decision of the Planning Authority is the subject of a Third-Party appeal by FP Logue Solicitors on behalf of Friends of the Irish Environment CLG. The matters raised in the appeal are summarised below:

- Concern expressed that the location of the mast has been predetermined and is not based on technical justification relative to the particular location.
- Assessment of alternative locations for the sharing of existing structures is not provided. This is a key requirement of national and local planning policy in relation to telecoms masts.

- No details are provided in the application cover letter and there is no justification for the mast by reference to the Antenna Guidelines or the Galway County Development Plan. It is therefore difficult for the appellant to make an appeal as there is no meaningful application for permission and no meaningful decision from the planning authority.
- Policy Objective ICT3 of the Galway County Development Plan requires compliance with the requirements of the Telecommunications Antennae and Support Structures-Guidelines for Planning Authorities 1996, except where there is conflict with Circular Letter PI07/12 which takes precedence. No attempt has been made to address the requirements of the Guidelines and therefore the development materially contravenes Policy Objective ICT3.
- The proposal is considered to be in breach of the Development Plan, and the appellant highlights a lack of engagement by the planning officer with its requirements.
- The planning report prepared does not engage with the matters raised in the submission to the planning application relating to existing operations by Eircom across the road.
- The appellant references the requirements of the Development Management Guidelines in Chapter 15 of the Development Plan and requirements in relation to Built Heritage for the centre of Moycullen under Volume 2.
- An existing permission (P.A. Ref. 202011) for a telecoms mast relates to the site, ostensibly in the name of Eircom. The application was made by Towercom. The applicant is seeking to build an 18m high mast on a site where it theoretically holds an existing permission which has not been enacted.
- Notwithstanding the previous planning permission, this development predates the appellants and others' focus on the problematic nature of applications for telecoms masts on the Eir Exchange portfolio.
- Operational Eircom antennae are located directly across from the proposed mast and provide telecommunications signals to Moycullen. The third party refers to the ComReg Site Viewer and to Eircom antennae sited on top of the shopping centre opposite. A screenshot illustrating same is provided together with an extract

illustrating 4G coverage for the town. The installations are referenced as providing excellent 4G and 5G coverage for Eircom to the town of Moycullen.

- As Maigh Cuilinn is a 'Small Growth Town' as indicated in Volume 2 of the Galway County Development Plan 2022-2028, the provisions of the Antenna Guidelines, which include the last resort criteria for small towns and villages, are applicable.
- Lack of public submissions to the application calls into question the validity of public notices.
- The Commission is requested to refuse the development given the lack of engagement by the developer with the planning process and its requirements. Where the Commission engages with the application, the third party requests an opportunity to respond to the first party response as they wish to address the Commission further on the Galway Development Plan and on recent Commission decisions in relation to similar developments on the Eir Exchange portfolio.

7.2. Applicant's response

7.2.1. TowerCom on behalf of Eircom Ltd. (t/a eir). provides a response to the matters raised in the third-party appeal. The response is summarised as follows:

- The development will comprise an 18m high monopole coloured grey with associated equipment within a fenced compound. The structure and compound are designed to house equipment for another operator as shown on the application plans.
- The current application is essentially a relocation of the permitted 18m monopole to a revised location 10m further northeast and forward of the Exchange Building. The permitted development will be superseded by the proposal which is not proceeding due to ground complications. The Planning Authority found that the principle of development was established at the Eir Exchange site.
- The revised location increases the distance between the monopole and residential units thereby reducing visual impact.
- The Exchange is an established utility location and avoids the need for alternative and additional development in the area.

- Reference is made to specific sections of a cover letter purported to have been submitted with the application and which provides supporting justification. [Note: The cover letter in question does not form part of the planning application]
- In order to secure 4G and 5G coverage it is necessary to locate close to the demand population. The Exchange site enables optimum coverage from a single location and is considered the best available to meet coverage and compound size requirements. The location secures the necessary height to capture coverage to the west on higher ground and to the east on lower ground and is above the height of buildings blocking coverage.
- The Exchange enables the opportunity for back-haul facility to be incorporated at a future date.
- No rooftops within the town are of suitable height to secure coverage.
- Potential sites, possibly towards the north proximate to light industrial use, would also require a mast. Woodland areas would require a much taller structure to ensure coverage.
- Existing telecommunications rooftop installations were referenced and discounted. Junction of L.1313 with Clifden Road- all three mobile network operators are located on the rooftop at this location. Due to the limited height and layout, the structure is unable to provide the required coverage and has been discounted.
- The roof is unable to structurally accommodate new or upgraded equipment required for modern services. Equipment cabinets often located at ground level require long cable runs. Rooftops require equipment to be spread out to ensure coverage.
- 3 no. operators are accommodated at roof level which can result in congestion of equipment. Roof parapets or adjoining buildings can cause clipping of signal services.
- Vodafone does not provide 5G services.
- The height of an installation is a direct correlation to the coverage area. A low building height restricts the coverage area. The 18m mast is higher than the nearby commercial rooftop and can provide for greater coverage.
- It is the policy of Galway County Development Plan to support the provision of communication infrastructure:
- Policy Objective ICT 1- The development will deliver improved telecommunications capacity, connectivity and meet demands of customers who rely on wireless technology and broadband to facilitate working from home. Vodafone has identified

increased demand requires upgrading of existing, as well as the provision of new sites, where there is a deficiency in network coverage.

- Policy Objective ICT 3- Proposal will accommodate new equipment for Vodafone initially, with potential for co-location of additional operators in accordance with Telecommunications Guidelines. The 18m support structure will ensure the site is suitable for both current and future loading should additional operators, including smaller broadband operators wishing to co-locate.
- Policy Objective ICT4-Proposal concerns a revised location of a previously permitted telecommunications support structure. Site specific benefits of a free-standing monopole offer resilience and operational benefits to Vodafone over the existing rooftop site. (These include access, reduced Health & Safety concerns in relation to accessing equipment, minimum 8-hour battery back-up, space for generator back-up, capability/space to add additional generator, access by height-for-hire for repair/maintenance without road closure and traffic management).
- Importance of large on-site battery back-up complimented by generator in the event of prolonged power outage. Monopole provides increased coverage having space to accommodate further operators as a multi-user site.
- Policy Objective ICT5 – Existing utility site, historically in use for telecommunications with previous planning permission.
- First party acknowledges Section 4.3 of the Telecommunications Antennae and Support Structures Guidelines stating that small towns and villages should only be used as a last resort. Contended that existing utility sites can be utilised and specific design solutions employed.
- The revised location with increase separation from residential properties and retain the 18m height which is in the interests of visual amenity.
- Policy ICT6- Photomontages demonstrate that the revised location is capable of absorbing the visual impact, including along Moycullen Main Street, local roads and residential areas.
- DM Standard 42 – Telecommunications Antennae and Support Structures 1996 and Circular Letter PL07/12. The appeal site has a high capacity to absorb the development given the Exchange Building, 12m wooden pole and other vertical elements locally.

- Proximity to schools and houses should be considered as a last resort and sites already developed for utilities should be considered with masts designed and adapted for specific locations.
- Circular Letter PL07/12 specifies that issues of health and safety are regulated by separate codes and are not matters for the planning process.
- An Coimisiún Pleanála is requested to fully consider the merits of the proposed site and recognise the difficulties in providing telecommunications infrastructure in towns, villages and close to residential areas where coverage is required.
- The applicant and Galway Co. Co. have adhered to the public consultation process in relation to public notices.
- Appendix A contains a letter of support for the development from Vodafone.
- Vodafone is currently expanding and upgrading its network infrastructure in the county to improve capacity and connectivity. The operator is currently located at rooftop level 80m to the south-east of the Exchange.
- Vodafone will enter into an agreement with Towercom to co-locate on the new telecom support structure with Eir. The proposed location offers resilience and operational benefits.
- The facility will significantly improve future capacity and enhance the provision of 4G and 5G services to the Moycullen area.

7.3. Planning Authority Response

None on file

7.4. Observations

None on file.

8.0 Assessment

8.1. This is a Third-Party appeal against the decision of Galway County Council to Grant Permission in respect of Reg. Ref. 2561345. I am satisfied, having examined the details of

the application and all other documentation on file and having visited the site, that the main issues for consideration relate to the following:

- Principle of Development
- Development Plan Policy
- Site Justification and Evaluation
- Other Matters.

8.2. Principle of Development

8.2.1. I note the concerns of the appellant that an extant permission for a telecoms mast relates to this site. It is contended that the applicant is now seeking to erect a mast where theoretically, an existing permission is in effect and has not been enacted.

8.2.2. I note that in accepting the principle of telecommunications development on this site, the planning authority had regard to Reg. Ref. 20/2011 which the current proposal is intending to supersede. The extant permission concerned the removal of a 12m high telecommunications support structure with telecoms equipment and its replacement with an 18m telecommunications support structure (overall height 19.5m) carrying antennae, dishes, associated equipment, together with ground-based equipment cabinets. The Commission should note that the removal of the extant 12m high support structure does not form part of the current development, the subject of this appeal.

8.2.3. While I note that the description of development as contained within the public notices, and the stated intent for the subject proposal to supersede Reg. Ref. 20/2011, I refer the Commission to *Site Layout Plan – Proposed (I) Drawing No. Killeagh-TCK5134-DD-3.0 Sheet No. 06* and to the red line boundary of the appeal site which relates specifically to the compound and monopole and does not encompass the site of Reg. Ref. 20/2011 as shown on *Drawing Ref: Granted Monopole Ref. 20/2011 Drawing No. Killeagh-TCK5134-DD-3.0 Sheet No. 12.*

8.2.4. The awarding of planning permission under Reg. Ref. 20/2011 did not specify a term greater than 5 years and as such, having regard to the Final Grant of Permission dated 12th April 2021, permission will expire on the 11th of April 2026. Works were not observed to be underway in relation to the permission when the site was inspected and I am not aware of an application before the planning authority under Section 42 of the Act to extend the appropriate period. While the implementation of this permission is perhaps moot given the timeframe, Reg. Ref. 20/2011 remains a valid permission, albeit with a very restricted term/potential for extension under Section 42 of the Act.

8.2.5. I further note that Reg. Ref. 20/2011 was permitted under the preceding Galway County Development Plan, with the current Plan coming into effect on the 20th of June 2022. Notwithstanding the prior grant of permission, the current proposal must be assessed having regard to national and regional planning policy and the provisions of the current operational Galway County Development Plan 2022-2028. In this regard, I note the location of the site within Maigh Cuilinn, classified as a Small Growth Town within Volume 2 of the Development Plan – Settlement Strategy. The Land Use Zoning Map for the town identifies the appeal site as C1 Town Centre where the underlying objective seeks *'to provide for the development and improvement of appropriate town centre uses including retail, commercial, office and civic/community uses and to provide for "Living over the Shop" scheme Residential accommodation, or other ancillary residential accommodation'.*

8.2.6. Utilities Infrastructure and Public Service Installations are listed as 'Open for Consideration' under the land use zoning objective where the use is one which the local authority may permit where it is satisfied that the development will be compatible with the policy objectives for the zone, will not conflict with permitted uses and would conform to the proper planning and sustainable development of the area.

8.2.7. I refer to the Maigh Cuilinn Local Area Plan (LAP) 2013-2018 (Deferral of Notice under Section 19(1)(d) for a period of 5 years to February 2023). While the LAP is no longer in force, I note that the land use zoning objective of Town Centre attributed to the site under the LAP is consistent with the zoning stipulated under the current Development Plan.

8.2.8. Accordingly, while other matters pertaining to the overall acceptability of the scheme and its adherence to the provisions of the Development Plan will be examined in the following

sections of this report, I am satisfied that the principle of a telecommunications mast on this site is acceptable.

8.3. Development Plan Policy

8.3.1. The appeal raises concerns as to the lack of detail provided to demonstrate justification for the proposal at this location. The appellant also contends that there was a lack of engagement by the planning authority with the matters raised in the submission with no attempt to address Policy Objective ICT3 of the Development Plan, requiring compliance with the Telecommunications Antennae and Support Structures- Guidelines for Planning Authorities 1996 / Circular Letter PI07/12. Given the perceived failure of the application to demonstrate compliance with the Guidelines and Development Plan requirements, it is contended that the development materially contravenes Policy Objective ICT3.

8.3.2. I refer the Commission to Section 7.8.2 of the Galway County Development Plan relating to telecommunications, noting that while the Plan is generally supportive of such infrastructure, it prescribes compliance with certain requirements in assessing development applications. In this regard, Policy Objective ICT3 seeks to ensure the orderly development of telecommunications throughout the County in accordance with the requirements of the *Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities, DECLG, 1996*, except where they conflict with Circular Letter Pl07/12 and any subsequent revisions or expanded guidelines in this area. Furthermore, Policy Objective ICT 4 requires co-location of antennae support structures and sites, where feasible, with operators required to submit documentary evidence as to the non-feasibility of this option in proposals for new structures.

8.3.3. No specific detail is provided in the planning application with respect to justifying the use of the subject site for the intended purpose, or to the examination and discounting of alternative locations. I note separately that the first party in their response to the appeal, refers to a cover letter in support of the application, indicated as being lodged with the application. The Commission is advised that the letter referred to does not form part of the documentation on file. While the issue of Site Justification and Evaluation is examined in detail in the following

section, I examine below the manner in which the proposal seeks to comply with specific provisions of the Development Plan with regard to this form of development.

8.3.4. DM Standard 42 Telecommunications Masts prescribes criteria for compliance in assessing such applications, with the principle of development governed under umbrella Policy Objective ICT 3 *'to ensure the orderly development of telecommunications throughout the County in accordance with the requirements of the Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities, DECLG, 1996, except where they conflict with Circular Letter Pl07/12 which shall take precedence, and any subsequent revisions or expanded guidelines in this area'.* The DM Objective requires compliance with prescribed standards (a) – (f).

8.3.5. I have assessed the proposal in light of remaining requirements of DM Standard 42, noting with regard to (a) landscape sensitivity and (c) landscape impacts, that photomontages have been provided to assist in determining visual impact. The town is within the Urban Environs Landscape Character Type, with a low sensitivity to change. The Galway Clifden and Lough Corrib Scenic Routes commence at Maigh Cuilinn. I do not consider that the proposal would have a significant negative visual impact on the streetscape given its location, set back from the carriageway and the existence of existing landscape features, including power lines, existing timber monopole and landscaping.

8.3.6. In relation to criteria (b) -amenity impacts, the Development Plan requires that masts should be located away from existing residences and schools. The subject proposal would be located c. 30m from the northeastern boundary of residential property in Páirc na gCaor. The separation distance has been increased from that permitted under Reg. Ref. 20/2011 and I note the requirements of Circular PL07/12 – Telecommunications Antennae & Support Structure Guidelines and the need for Development Plans to avoid prescribing minimum separation distances. I refer to the Guidelines which indicate that only as a last resort and if the alternatives are either unavailable or unsuitable, should free-standing masts be located in a residential area or beside schools. If such a location should become necessary, sites already developed for utilities should be considered and masts and antennae should be designed and adapted for the specific location.

8.3.7. In relation to criteria (d) operators are required to co-locate by sharing a single mast or, if necessary, locate additional masts in cluster form. 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. This criterion is examined in further detail under Section 8.4 below.

8.3.8. In relation to criterion (e) and (f) security and redundancy, I am satisfied that the mast compound would be secure and that redundancy could be addressed by way of a suitable planning condition.

8.3.9. Additionally, I note the requirement of the DM Standard 42 that 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. This requirement has not been addressed in the documentation provided. If the Commission is minded to award permission, consideration should be given to requesting same.

8.4. Site Justification and Evaluation

8.4.1. Concern is expressed in the appeal that the location of the mast has been predetermined and is not based on technical justification relative to the particular location. The third party indicates that assessment of alternative locations for the sharing of existing structures is not provided and is a key requirement of national and local planning policy in relation to telecom masts.

8.4.2. The first party in its response states that the proposed development is required to house equipment for another operator. Appendix A of the response refers to correspondence from Vodafone (Cellular Engineering-Mobile Access) dated December 2025 in which it is stated that the company is in the process of expanding and upgrading its network infrastructure and is currently located on the rooftop of a mixed-use building, 80m to the southeast of the Exchange. Subject to Towercom receiving the necessary planning consent, it is intended that Vodafone would enter into an agreement to co-locate on the new telecom support structure with Eir.

8.4.3. I have verified existing levels of mobile coverage for this area using ComReg's coverage maps and note that for a number of providers, including Vodafone, Eir and Three, the centre of Moycullen is identified as having Very Good 4G coverage, while 5G coverage is classified as Very Good for Eir and Three and classified as Fringe for Vodafone. Very Good is defined on the coverage maps as *'strong signal with very good connections/maximum data speeds'*. Fringe is classified as *'marginal or poor connections/data speeds with disconnections likely to occur'*.

8.4.4. In consideration of alternative sites/infrastructure which could facilitate co-location, the matter is not examined in the planning application and is briefly addressed in the appeal response of the first party, with a focus on antennae positioned at roof level of commercial buildings to the south-east. Three mobile network operators occupy this location; however, it is stated that due to its limited height and layout, the required coverage cannot be provided, and it has been discounted as a possible site. Further constraints associated with the roof top include inability to structurally accommodate new or updated equipment; ground level cabinets requiring long cable runs; congestion; reduced coverage due to parapets and the clipping of signals by adjoining buildings. The first party contends that the proposed 18m mast, given it is taller than the nearby commercial rooftop, would provide for a greater level of coverage.

8.4.5. Reference is made to potential sites to the north, close to light industrial uses and to woodlands. While the locations of such alternative sites are not expanded upon or illustrated nor their exact positions identified, it is stated that they would also require the construction of a mast if selected. In the case of the woodland site, a taller structure would be required.

8.4.6. Overall, limited information is provided in relation to the identification and examination of alternative sites or opportunities to co-locate. Other than discounting the roof top to the southeast, the focus remains on the use of the Exchange Building site as the preferred option. The subject site currently has a 12m high slender timber pole with no antennae affixed thereon and would remain on site. Having regard to the forgoing, I consider that the applicant has not provided an in-depth evaluation of alternative sites for the purposes of co-location and the justification for the structure at the appeal site is not considered sufficiently robust given the limited detail provided.

8.4.7. Also, in terms of site suitability, I refer the Commission to Policy Objective ICT3 Telecommunications Antennae and Support Structures of the Development Plan which requires compliance *with the Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities, DECLG, 1996, except where they conflict with Circular Letter Pl07/12.* I refer in this regard to the criteria of 'last resort' as referenced in the above Guidelines wherein Section 4.3 Visual Impact states *'only as a last resort should free-standing masts be located within or in the immediate surrounds of smaller towns or villages. If such location should become necessary, sites already developed for utilities should be considered and masts and antennae should be designed and adapted for the specific location. The support structure should be kept to the minimum height consistent with effective operation*'. The Guidelines draw a distinction with larger towns and city suburbs where operators should endeavour to locate in industrial estates/industrial zoned lands.

8.4.8. The appellant refers in the appeal to the requirements of the Guidelines and to the classification of Maigh Cuilinn as a 'Small Growth Town' as per Volume 2 of the Galway County Development Plan.

8.4.9. I confirm that Volume 2 identifies the settlement as a Small Growth Town for the purposes of the Galway County Settlement Strategy. Other Settlement Typologies within the Strategy include centres within the Metropolitan Area, Key Towns (Ballinasloe and Tuam) and Small Growth Villages (e.g Ceathrú Rua, An Spiedal, Ballygar, Dunmore). Given the range in categorisation, it is reasonable to conclude that Maigh Cuilinn comes within the scope of a Smaller Town as envisaged within the Guidelines.

8.4.10. I do not infer from the Guidelines the intent of invoking a blanket exclusion on such infrastructure within small towns and villages and I refer to the emphasis placed on the measure of 'last resort' when determining the suitability of such settlements for free-standing masts. However, in arriving at such a conclusion, it is evident that a proposer must demonstrate that alternative locations/solutions have been examined and discounted as unsuitable for stated reasons. As set out in forgoing sections of this report, it is not apparent in the documentation provided that such in-depth and robust examination has been undertaken. Note: The first party appeal response was not circulated for comment to other parties. If the Commission is minded to award planning permission for this development, it may be appropriate to circulate this response.

8.5. Other Matters

8.6. Site Notice

The appellant states it is concerning that no public submissions were received in relation to the application and questions if public notice requirements were complied with. Matters relating to public notice procedures as set out in planning and development legislation come within the remit of the planning authority and are not a matter for the Commission. Notwithstanding, I note in this regard reference within the planning report to site notice inspection being conducted by the planning authority with the notices found to be visible and legible. I have no reason to conclude therefore, that matters relating to public notices and adherence to planning and development legislation with respect to such procedures, have not been complied with.

9.0 AA Screening

I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act 2000, as amended. The appeal site is located on zoned, serviced lands and relates to the Eir Exchange at Maigh Cuilinn Co. Galway. The separation distances between the appeal site and Natura 2000 sites situated in the wider area are set out below:

Lough Corrib SPA (Site Code 004042) c.2.5km

Connemara Bog Complex SPA (Site Code 004181) c.10.6km

Lough Corrib SAC (Site Code 000297) c.2.17km

Ross Lake and Woods SAC (Site Code 001312) c.3.0km

Connemara Bog Complex SAC (Site Code 002034) c.4.0km

The development comprises the removal of an existing storage shed and the erection of an 18m high telecommunications monopole together with antennas, dishes and all associated equipment. No connections to public waste water or water supply are proposed. The Planning Authority undertook Appropriate Assessment Screening, determining that there was no real likelihood of significant effects on a European Site.

No nature conservation concerns were raised in the planning appeal. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further

assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows:

- Nature of the works i.e. erection of an 18m high telecommunications monopole with antennas, dishes and all associated equipment.
- Location and distance from the nearest European site and lack of connections.
- Taking into account determination of the Planning Authority.

I conclude on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

Likely significant effects are excluded and thereafter Appropriate Assessment (under Section 177V of the Planning and Development Act 2000), as amended, is not required.

10.0 Water Framework Directive

10.1. The subject site concerns the Eir Exchange, Clifden Road, Maigh Cuilinn Co. Galway and relates to the removal of a storage shed and the erection of an 18m high telecommunications monopole together with antennas, dishes and all associated equipment. The appeal site is separated by a distance of approximately 1.3km from the River Ballycuirke_010 to the north-west and is approximately 780m from the River Ballycuirke_010 to the north-east. The River Loughkip_010 is approximately 1.6km to the south-east. The site is within the Corrib ID30 Water Framework Directive Catchment.

10.2. I have assessed the development seeking permission and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows:

- Nature of works concerned, providing for removal of a storage shed and the erection of an 18m high telecommunications monopole together with antennas, dishes and all associated equipment
- Distance from nearest water bodies and/or lack of hydrological connections.

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

I recommend that permission be refused for the reasons and considerations set out below:

12.0 Reasons and Considerations

Having regard to:

(a) the Guidelines relating to Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities issued by the Department of the Environment and Local Government in July 1996,

(b) the provisions of the Galway County Development Plan 2022 – 2028,

(c) Policy Objective ICT 3 Telecommunications Antennae and Support Structures

(d) Policy Objective ICT 4 Co-location of antennae

(e) DM Standard 42 Telecommunications Masts

(f) the location of the site within the Smaller Growth Town of Maigh Cuilinn and proximate to residential properties and to Protected Structure RPS 711

(g) the absence of clear rationale for selecting the subject site and clear demonstration as to the unsuitability of alternative locations:

It is considered that the proposed development would fail to demonstrate compliance with the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities 1996, and would be contrary to the provisions of Policy Objectives ICT 3 and ICT 4 of Volume 1 of the Galway County Development Plan 2022-2028 and would fail to demonstrate compliance with DM Standard 42 in relation to Telecommunications Masts as set out in Chapter 15 Development Management Standards of the Development Plan. The proposal does not satisfactorily demonstrate sufficient reasoned justification for the proposed development at this location and would therefore be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

_____

Patricia Byrne

Planning Inspector

20th April 2026.

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500394-GY-25
Proposed Development Summary	To remove an existing storage shed and erect an 18m high telecommunications monopole together with antennas, dishes and all associated equipment. The application supersedes a previous application planning reference 20/2011
Development Address	Eir Exchange Clifden Road, Gortyloughlin Moycullen.
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?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ No, No further action required.
(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)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified **in Part 1.** **EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.**	

☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☒ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. **No Screening required.**	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. **EIA is Mandatory. No Screening Required**	
☐ Yes, the proposed development is of a Class but is sub-threshold. **Preliminary examination required. (Form 2)** **OR** **If Schedule 7A information submitted proceed to Q4. (Form 3 Required)**	
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	

Yes ☐	
No ☒	

Inspector: _____ Date: _____