



Inspector's Report

PL-500764-SO-26

Development	Erection of a telecommunications mast and associated site works. This application is accompanied by a Natura Impact Statement (NIS)
Location	Creggyconnell, Rosses Point, Co. Sligo
Planning Authority	Sligo County Council
Planning Authority Reg. Ref.	2560469
Applicant(s)	Hibernian Cellular Networks Ltd
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Hibernian Cellular Networks Ltd
Observer(s)	None
Date of Site Inspection	21 st April 2026
Inspector	Ronan Murphy

1.0 Site Location and Description

- 1.1. The appeal site is located within the townland of Creggyconnell, Rosses Point, Co. Sligo which is a rural area punctuated with single dwellings located c.1.28km to the north-east Rosses Point.
- 1.2. The appeal site which has a stated area of c. 0.105 ha has an irregular shape. At present there is a partially made access path / road which traverses the site from north winding its way south through the site.
- 1.3. The topography of the site is noteworthy, with the site rising steeply from the road frontage to the north of the site, before flattening out to the south. The appeal site is bounded by a local road (L-7311), which is identified as a scenic route to the north, and agricultural fields to the north, east and west.
- 1.4. The site is in proximity to the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627) (to the east of the site). In addition to this, there is a recorded monument (SLOO678) to the south-west of the site.

2.0 Proposed Development

- 2.1. The proposed development comprises of the erection of a telecommunications support structure including antennas and dishes together with associated ground-based equipment all enclosed in security fencing. The proposal includes the upgrade of the existing access track.
- 2.2. The proposed telecommunications support structure would have a maximum height of c.36.3m (including lighting). The structure would have a maximum width of c.3.15m at the bottom which tapers down to c.1.775m closer to the top.
- 2.3. The structure would have 6 No. 600mm dishes and 6 No. 2000m dishes attached close to the top of the structure.
- 2.4. At ground level the proposal includes a compound which includes cabinets. The cabinets would have heights of c.1.6m and widths ranging from 0.66m to c.1.34m which would have a Goosewing Grey pressed metal finish.

3.0 Planning Authority Decision

3.1. Decision

3.1.1 By order dated 14/1/26 the Planning Authority decided to refuse planning permission, for 1 reason as outlined below:

1. Policy P-LCP-1, P-LCP-2, P-LCP-3, P-LCP-5, P-TEL-1 and the provisions at section 33.11.3 of the Sligo County Development Plan (CDP) 2024-2030 seek to protect the visual amenity of the rural and coastal landscapes of the county as well as make specific reference to landscape classifications of the CDP and to the appropriateness and assessment of telecommunications development.

Having regard to the proposed location of the telecommunications support structure on an elevated and exposed site and in close proximity to Scenic Routes and Visually Vulnerable landscapes as per the landscape classifications in the CDP, and given the height, scale and design of the structure, it is considered that a satisfactory justification has not been provided for the proposed structure and in this location. It is also considered that the proposed development would be visually obtrusive and would adversely injure the visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area and would set an undesirable precedent for other similar developments in the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.1.1 There is one planning report on file, dated 12/1/26. In their report, the area planner outlines concerns that the applicant has not provided specific justification evidence in terms of demonstrating a need for this site or what alternatives have been considered.

3.2.1.2 In addition to this, the area planner outlines concerns that the proposed development, on an elevated location, would be a discordant feature within the landscape and would have a detrimental impact on both the rural and coastal landscape and that there would be no opportunity to screen the development. It was concluded that the proposal is contrary to policies P-LCP-1, P-LCP-2, P-LCP-3, P-LCP-5, P-TEL-1, and the provisions at section 33.11.3 of the CDP.

3.2.2. Other Technical Reports

- **Area Engineer:** Report dated 5/12/25 requesting further information relating to the need to provide design details of the entrance and verification of sightlines.

3.3. Prescribed Bodies

3.3.1 No responses on file.

3.4. Third Party Observations

3.4.1 3 submissions were received by the Planning Authority; a summary of the issues is set out below:

- The development will appear as a permanent visually dominating feature on the rural and coastal landscape appear incongruous, be visually intrusive, result in skyline intrusion.
- The development will result in a negative impact on the amenity of nearby residents.
- The development would set an undesirable precedent for similar developments.

4.0 Planning History

4.1. There is no relevant planning history relating to the appeal site.

Site to the north-east

Reg. Ref. 2560408: Application for a 36m high lattice support structure carrying antennas and dishes together with associated ground-based equipment all enclosed in security fencing, upgrade of an existing access track and the provision of a new access track, proposed site access taken from an existing site access from the L-7311 and all ancillary site works. The application was incomplete.

5.0 Policy Context

5.1 Development Plan

5.1.1 The operative plan for the area is the *Sligo County Development Plan 2024-2030*. The site is located within an area of Normal Rural Character as per the Landscape Characterisation Map of the *Sligo County Development Plan 2024-2030*.

- 5.1.2 The road to the north (L7311) is a Scenic Route (No 33) and the coastline to the north and south is identified as being 'Visually Vulnerable'. Other Scenic Routes and 'Visually Vulnerable' areas including Scenic Route to the N15 to the northeast (No 1), Scenic Route to R291 to the south (No 9) and locations both to the east side and northside of Drumcliffe bay and southside of Sligo Bay and which includes areas of 'Sensitive Rural Landscapes'.
- 5.13 The following policies and objectives are relevant to the proposed development:

P-LCP-1: which seeks to protect the physical landscape, visual and scenic character of County Sligo and seek to preserve the County's landscape character.

P-LCP-2: which seeks to discourage any developments that would be detrimental to the unique visual character of designated Visually Vulnerable Areas.

P-LCP-3: which seeks to preserve the scenic views listed in Appendix C and the distinctive visual character of designated Scenic Routes by controlling development along such Routes and other roads, while facilitating developments that may be tied to a specific location or, in the case of individual houses, to the demonstrated needs of applicants to reside in a particular area...in all cases, strict location, siting and design criteria shall apply, as set out in Section 33.4 Housing in rural areas (development management standards).

P-LCP-5 which seeks to protect the County's Sensitive Rural Landscapes from the visual intrusion of large-scale energy and telecommunications infrastructure.

P-BD-1 which seeks to protect, conserve, enhance and sustainably manage the natural heritage, biodiversity, geological heritage, landscape, and environment of County Sligo.

P-BD-3: which seeks to ensure that the ecological impact of all development proposals on habitats and species are appropriately assessed by suitably qualified professionals.

P-BD-4: which seeks to minimise adverse impacts of proposed developments on existing habitats (whether designated or not).

P-DSNC-1: which seeks to protect and maintain the conservation status of all natural heritage sites designated or proposed for designation.

P-DSNC-4: which seeks to ensure that all development proposals are subject to the process of Screening for Appropriate Assessment.

Section 31.5.2 Mobile telecommunications infrastructure which 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.

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.

Section 3.11.3 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 Cuillra 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).

5.2 Relevant National or Regional Policy / Ministerial Guidelines

National Guidance

The Telecommunications Antennae and Support Structures Guidelines for Planning Authorities (DELG, July 1996) The Guidelines state that the rapid expansion of mobile telephone services in Ireland has required the construction of base station towers in urban and rural areas across the country.

This is an essential feature of all modern telecommunications networks. In many suburban situations, because of the low-rise nature of buildings and structures, a supporting mast or tower is needed.

Section 4.3 of the Guidelines refers to visual impact and states that the visual impact is among the more important considerations which have to be taken into account in arriving at a decision on a particular application. In most cases the applicant will only have limited flexibility as regards location, given the constraints arising from radio planning parameters.

The Guidelines also state that some masts will remain quite noticeable despite best precautions. For example, local factors must be taken into account in determining the extent to which an object is noticeable or intrusive. This may include intermediate objects (buildings or trees), topography, the scale of the object in the wider landscape, the multiplicity of other objects in the wider panorama, the position of the object with respect to the skyline, weather, lighting conditions, etc. Softening of the visual impact can be achieved through a judicious choice of colour scheme and through the planting of shrubs, trees etc. as a screen or backdrop.

Circular Letter PL 07/12 (DECLG, October 2012) revised elements of the Telecommunications Guidelines. It provides guidance to planning authorities on time limits, minimum separation distances, bonds, monitoring arrangements on health and safety and future development contributions.

5.3 Updated National Planning Framework April 2025

National Strategic Outcome 6 states that ‘The practical impact of digitalisation will only increase in the years ahead and this will pose both opportunities and challenges which will require a coherent and informed policy response’. It further states that ‘in the short term, opportunities provided by access to high quality broadband services will be fully exploited through the roll-out of the State intervention segment of the National Broadband Plan, delivering a step-change in digital connectivity and ensuring that coverage extends to remoter areas including villages, rural areas and islands’.

5.4 Natural Heritage Designations

5.4.1 The subject site is not located within a European Site but is adjacent to the Cummeen Strand/ Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627) The Drumcliff Bay SPA (Site Code: 004013) is located c. 0.3km from the site.

5.4.2 In addition to this, the appeal site is adjacent to the Cummeen Strand/Drumcliff Bay (Sligo Bay) pNHA.

6 EIA Screening

6.4 The proposed development is not a class of development set out in Schedule 5, Part 1 or Part 2 of the Planning and Development Regulation 2001 (as amended) and therefore no preliminary examination is required. Please see from 1.

7 The Appeal

7.4 Grounds of Appeal

7.1.1 A first party appeal has been received from Jennings O'Donovan and Partners Limited on behalf of the applicant; the appeal can be summarised as follows:

- The layout of the Development was designed using best practice principles to enhance the durability and function of the site, while minimising its visual intrusion where possible.
- The structure height and compound size are the minimum necessary to ensure functionality for transmission and future requirements. The design and layout of the Development are in accordance with the guidance set out in 'Telecommunications Antennae and Support Structures-Guidance for Local Authorities.'
- The NDP recognises the importance of delivering broadband in rural locations and seeks to strengthen rural economies and communities.
- The 'National Remote Work Strategy,' on January 15th, 2021, recognises the importance of remote working alternatives as a permanent feature in the Irish workplace.
- The appeal proposal site is located within an area of 'Normal Rural Character' as per the Landscape Characterisation Map and 'Appendix G - County landscape designations' of the 'Sligo CDP 2024-2030'.

- While the road to the north of the Appeal Proposal Site (L7311 at Rosses Lower) is a ' Scenic Route' (No. 33), the coastline to the north and south is identified as being ' Visually Vulnerable Areas' with both to the east side and northside of Drumcliff bay and southside of Sligo Bay being areas identified as ' Sensitive Rural Landscapes.
- The interaction between the appeal proposal site and the surrounding landscape must be balanced against the actual physical screening present on the ground such as intermediate objects (buildings or buildings or layers of mature vegetation) and natural topography of the peninsula.
- The appeal proposal site and Lattice Support Structure is located in the opposite direction to the principal aspect of visual amenity along this route, which is northwards across the coastline and Drumcliff Bay where such views are available.
- The appeal proposal site is located approximately 0.9km north of the R291 from Sligo to Rosses Point which is designated as ' Scenic Route. The visual amenity of this designation is looking away from the Appeal Proposal Site with views directed north toward the site from the R291 considered to not be intrusive for most of the time as viewers may not be facing the Lattice Support Structure due to there being no distinct sense of visual amenity which would lead to intermittent and incidental views of the slender and visually permeable Lattice Support Structure.
- The Appeal Proposal Site's significant setback distance from the R291, the natural topography of the area, and the presence of robust existing screening to the north of the R291 which includes a variety of mature trees, tall hedgerows and immature woodlands, the perceived visual presence from this ' Scenic Route' would not be intrusive.
- The Appeal Proposal Site is located approximately 2.9km southwest of the N15 from Bunduff Bridge (Leitrim County boundary) to Sligo at its closest the achieved set back distances between the Appeal Proposal Site and Lattice Support Structure and this ' Scenic Route' creates a low degree of visual contrast against the skyline, diminishing its perceived visual presence.
- The Appeal Proposal Site is located approximately 4.5km northeast of N59 Caltragh to Camcuill and is designated as ' Scenic Route 9' for views overlooking the "Atlantic Ocean and Ox Mountains" and is a major road/tourist route to Strandhill.
- The Appeal Proposal would have a minimal visual presence and would be difficult to discern from the ' Scenic Route' even in the clearest viewing conditions and absence

of intermediate objects (buildings or trees), and therefore it would not intrude overly on the general views of the Atlantic Ocean.

- The Appeal Proposal Site is located approximately 10km southwest of Upperwood road (L-7202) and is designated as ' Scenic Route 28' for views overlooking the "Dartry Range, Streedagh Point, Conors Island, and Inishmurray.
- The Appeal proposal is screened naturally due to the topography of the landscape north of the Appeal Proposal Site located across Drumcliff Bay being elevated due to the area being within the foothills of the Dartry Range.
- It is noted in the 'Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities, 1996' that some lattice support structures will remain quite noticeable in spite of the best precaution.
- Landscape Architect experts at Macro Works Ltd. carried out a detailed assessment of the Appeal Proposal surrounding environs to ensure that the Appeal Proposal is appropriate and fit for purpose through the preparation of a Landscape and Visual Impact Assessment.
- The 7 no. Viewpoints were taken from a range of different receptor types, distances, and angles to illustrate the surrounding landscape's ability to absorb the 36m high Lattice Support Structure with associated ground-based equipment.
- The 7 no. representative Viewpoints (VP) represented a variety of receptor types, view orientations and viewing distance within the study area and were assessed regarding the magnitude of visual effects at the operational stage of the Appeal Proposal.
- VPI and VP6 both share the same Significance / Quality / Duration of Effect seeing Imperceptible / Neutral / Permanent landscape effects.
- VP3, VP4 and VP5 all share the same Significance / Quality / Duration of Effect seeing Slight / Negative / Permanent landscape effects.
- VP2 is the only viewpoint holding its own Significance / Quality / Duration of Effect seeing Slight-imperceptible / Neutral-negative / Permanent landscape effects.
- Overall, the significance of landscape effect from the VPs is deemed to be no greater than ' Slight,' and of a ' Negative–neutral' quality within the immediate site context, reducing to Slight–imperceptible and Imperceptible within the wider surrounding landscape.

- Based on the detailed analysis set out in the Macro Works Ltd. Photomontage & LVIA Report it is considered that the Appeal Proposal (MS0031) will resolve existing coverage deficits experienced currently on networks and provide important new capacity for existing and future network technologies for this area.
- The 'Normal Rural Landscape' of which the Appeal Proposal Site is located has the capacity to absorb the 36m high Lattice Support Structure with associated ground-based equipment while having a very limited physical impact on the receiving landscape context as the Lattice Support Structure and associated ancillary structures would only occupy a small footprint within the overall Appeal Proposal Site.
- The impacts on the receiving landscape character demonstrated that the Appeal Proposal would result in a very limited degree of intensity and scale of development within this context due to the achieved set back distances from the more distinctive parts of the Rosses Point peninsula.
- The Macro Works Ltd. Photomontage & LVIA Report also concluded that the 'Slight to Imperceptible' residual significance of visual effect stems from the limited visual presence of the Lattice Support Structure with the principal aspect of visual amenity of the Scenic Routes at Rosses Point peninsula in the opposite direction to the Appeal Proposal outlook over the coastal parts of the peninsula.
- Additionally, with the slender and visually permeable design of the Lattice Support Structure the Appeal Proposal would not appear incongruous and would not detract from the more susceptible and scenic parts of the surrounding landscape and seascape.
- The Lattice Support Structure has been kept to a minimum height of 36m consistent with effective operation.
- The Lattice Support Structure's lower-lying built elements such as outdoor cabinets, security fencing and other ground-based equipment will be finished in muted green, grey tones to better assimilate with the surrounding vegetation.
- The Appeal Proposal will incorporate new sections of native hedgerow planting around the proposed compound such as whips and a high proportion of advance nursery stock trees (c.3m planted height), to enhance local biodiversity value. This planting will be allowed to mature up to a maintained height of 3-4m.

- The Appeal Proposal has taken into consideration the Guidelines laid down for planning authorities in accordance with paragraph '4.2 Design and Siting', '4.3 Visual Impact', '2.3.2Masts – Support Structures' and various other general guidelines.
- A rigorous site selection process was carried out as part of the pre-planning process. The site selection process was carried out in conjunction with mobile network operators in order to identify areas with coverage deficits.
- Through the development of the proposed Lattice Support Structure, the Appeal Proposal will cater for Mobile Network Operators'/Wireless Broadband companies' transmission of high-capacity wireless data and broadband services such as 3G and high-speed 4G and 5G broadband services.
- Customer base of Radio Stations and Blue-Light services have the opportunity to be bolstered by the Appeal Proposal which will future proof this part of County Sligo for the transmission of communications services.
- The development approach adopted by the Appellant has represented a best practice approach, minimising the potential impact of the appeal proposal through multiple design iterations and modifications/mitigation.
- The appeal proposal site is of low ecological value, dominated by agricultural scrubland with hedgerows and mature treelines bordering the Site.
- The appeal proposal site is not located within any European Sites/ Natura 2000 sites.
- Key consideration was given to archaeology and cultural heritage.
- The appeal proposal will make a positive and sustainable contribution to the wider community by providing critical infrastructure.
- The appeal proposal will provide an economic role in terms of providing critical infrastructure.
- The appeal proposal also plays a social role in so far as it will allow for better connectivity for residents. The appeal proposal will enable the provision of enhanced mobile communications services to the surrounding area from a single Lattice Support Structure, providing improved services for 3G, 4G and 5G technologies.
- The appeal proposal will not have any negative impacts on the environment. This has been assessed in terms of the submitted Appropriate Assessment Screening report and Natura Impact Statement (NIS) provided by Jennings O'Donovan.

- The appeal proposal can rectify coverage deficits within Rosses Point and the surrounding areas while providing both important economic and social roles without impacting biodiversity.
- The appeal proposal is for a Lattice Support Structure, and all associated site works which will allow operators to deploy 3G and high speed 4G and 5G broadband services including future technology upgrades within a rural area.
- The vital services provided to the area by the proposed Lattice Support Structure is a material consideration in the determination of this appeal proposal offering Mobile Network Operators, Wireless Broadband companies, Radio Stations, and Blue-Light services 'point to point' links.
- The proposal will not injure residential amenity such as overshadowing or loss of light having regard to the definition identified above with the most notable amenity within the area surrounding the appeal proposal site relating to the coastline and its associated ' Scenic Routes.'
- The need for digital connectivity such as new Lattice Support Structures as set out in the NWRA RSES will contribute to the NPF as one of the shared goals in the National Strategic Outcomes (National Strategic Outcome 2).
- The Applicant analysed the whole Rosses Point area and chose the only location ascertained was of suitable height above sea level to provide the required coverage and that was outside the identified Cummeen Strand/ Drumcliff Bay (Sligo Bay) SAC and Drumcliff Bay SPA or any other European site.
- The appeal proposal Site was subject to appropriate assessment under Article 6(3) of the Habitats Directive. The submitted Appropriate Assessment Screening report and Natura Impact Statement (NIS) provided by Jennings O'Donovan is compliant with Article 6(3) of the Habitats Directive.
- The Competent Authority noted the information, methodology and conclusion of the screening report and found that the mitigation and monitoring measures contained within the NIS were sufficient and that the Appeal Proposal will not have any significant adverse impacts on the Cummeen Strand/ Drumcliff Bay (Sligo Bay) SAC and Drumcliff Bay SPA or any other European site.

7.5 Planning Authority Response

- 7.2.1 Letter dated 9/3/26 stating the consideration has been given to the additional documents and assessment provided with the appeal and it is considered that the appellants have not submitted any additional information that would alter the Planning Authority's decision on this application.
- 7.2.2 The proposed development would be unsuitable at this location and is inconsistent with the policies and other relevant provisions of the Sligo County Development Plan 2024-2030. No Zone of theoretical visibility has been provided. This is a common methodology for LVIA to establish a baseline.
- 7.2.3 There is no viewpoint taken from the east and from Drumcliff Bay. The N15 is a scenic route (No.1) between Drumcliff North and Drumcliff South and the lowland / estuary area of the bay are recognised as a Scenic Rural Landscape as per the Landscape Characterisation Map of the CDP 2024-2030. Views of the visually vulnerable 'Atlantic Coast' from the N15 / Scenic Route No.1 are important. The appeal only emphasises the views of the highlands to the east of the scenic route. There is no rationale provided for not selecting a viewpoint from this location. There are views from this scenic route / area where the Roses Point peninsula and its ridgeline would appear prominently and as coherent feature with limited built development being visible particularly to raised ground.
- 7.2.4 The lower-level structures being finished in a 'muted grey-green tone was not detailed in the initial planning application. This would be of a limited benefit in terms of mitigation the impact of the development given that this change would not be the visually prominent part of the development.
- 7.2.5 Additional tree planting, however, no site layout plan has been provided on the exact location of this planting. Given the limited scope of the 'red line' of the application it will not be possible to deliver these works within the scope of the application site, and they could potentially be beyond the land ownership details provided. For this reason, it is therefore considered that limited weight should be attributed to this proposed mitigation. This mitigation may help with the lower levels, but it would not assist in mitigating the most visually prominent part of the development being the lattice support structure and equipment mounted on to it.

7.6 Observations

- 7.3.1 There are no observations on file.

7.7 Further Responses

7.4.1 There are no further responses on file.

8 Assessment

8.4 Having examined the appeal details and all other documentation on file, including submissions and responses, the report of the local authority and inspected the site. I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Site Selection (Alternatives Considered)
- Visual Impact
- Transport
- Appropriate Assessment

8.2 Principle of Development

8.2.1 The appeal site is identified as being within an area of County Sligo with a 'Normal Rural Character' as shown on the Landscape Characterisation Map. Section 23.2.2 of the *Sligo County Development Plan 2024-2030* states that normal rural landscapes generally have the capacity to absorb a wide range of new development forms – these are farming areas and cover most of the County.

8.2.2 In broad terms, the *Sligo County Development Plan 2024-2030* supports the expansion of telecommunications infrastructure, including broadband and mobile networks, across the county. It promotes improved digital connectivity as a driver of economic development, remote working, and rural sustainability. The plan facilitates telecom infrastructure such as masts and fibre networks, subject to environmental, visual, and residential amenity considerations, and encourages infrastructure sharing to minimise impacts.

8.2.3 In view of the emphasis placed in national and regional policy documents on the provision of adequate telecommunications including broadband and the fact that the policies and objectives of the current *Sligo County Development Plan 2024-2030* also support adequate telecommunication infrastructure, I consider the principle of the development to be acceptable, subject to a full planning assessment.

8.3 Justification / Rationale

- 8.3.1 The applicant stated that the development is required to rectify coverage deficits within Rosses Point and the surrounding areas.
- 8.3.2 While it is noted that neither the application material of the first party appeal documentation details how the service would improve if the development were in place, I make the Coimisiún aware that I have considered the Com Reg coverage maps (available at [Service Coverage - Commission for Communications Regulation](#)) and I note that service coverage for 4G and 5G in the Rosses Point area ranges from fringe to fair.
- 8.3.3 In broad terms I am satisfied that the proposed development would assist in improving the existing network coverage in the area which would be in line with national, regional, and local policy to improve communications technology infrastructure.

8.4 Site Selection (Alternatives Considered)

- 8.4.1 The first party appeal states that there is an identified need in Rosses Point peninsula for improved telecoms and broadband coverage and that due to the identified need, the appeal site was selected to rectify coverage deficits within Rosses Point and the wider surrounding area. With respect to consideration of alternative and consideration of co-location alternatives, the first party appeal states that the applicant analysed the whole of Rosses Point and chose the only location ascertained was of a suitable height above sea level to provide the required coverage that was outside any Natura 2000 sites.
- 8.4.2 The Telecommunications Antennae and Support Structures Guidelines for Planning Authorities 1996 sets out National planning policy in relation to telecommunications structures and address issues relating to, inter alia, site selection; minimising adverse impact; sharing and clustering of facilities; and development control. It must be noted that the Guidelines are generally supportive of high-quality telecommunications facilities, however, they do seek to avoid an unnecessary proliferation of masts. In this regard, owners would be expected to facilitate co-location of antennae with other operators where possible.
- 8.4.3 In addition to this, I note that point C of Section 33.11.3 of the *Sligo County Development Plan 2024-2030* states that operators should seek to co-locate their services by sharing a single mast or, if necessary, locating additional masts in an existing cluster.
- 8.4.4 Having read the application material and considered the information provided with the first party appeal; I have concerns that the applicant has not provided any evidence to suggest

they have actively considered any alternative site locations in the Rosses Point area. I note that in both the initial application and in the subsequent first party appeal, that broad statements were made to the effect that the applicant analysed the whole Rosses Point area and chose the only location ascertained was of a suitable height above sea level to provide the required coverage. In my view, these statements are high level in nature and do not provide the detailed information required and as such is not adequate for the Coimisiún to be satisfied that the applicant has considered all potential alternative sites.

8.4.5 In addition to the above, the first party has not outlined if there are any co-location opportunities in the area. In this regard I note that there are existing facilities at Ballinacar (c.3.17km to the south-east) and at Tully Hill (c.4.18km to the east) and whilst it may not be possible or feasible to co locate with this existing telecommunications infrastructure, the applicant has not adequately demonstrated such.

8.4.6 Accordingly, having reviewed the information in the planning application and appeal, I am not satisfied that the applicant has been proactive in assessing alternative sites to address the coverage issue, within the Rosses Point area.

8.5 Visual Impact

8.5.1 Reason No. 1 for refusal states that having regard to the height, scale, and design of the proposed structure on an elevated and exposed site in close proximity to Scenic Routes and visually vulnerable landscapes that the proposed development would be visually obtrusive and would adversely injure the visual amenities of the area.

8.5.2 The appellant states that the appeal proposal site is located within an area of ' Normal Rural Character' as per the Landscape Characterisation Map and 'Appendix G - County landscape designations' of the '*Sligo County Development Plan 2024-2030*' and that the site has the capacity to absorb the 36m high Lattice Support Structure with associated ground-based equipment while having a very limited physical impact on the receiving landscape.

8.5.3 The Development Plan outlines that the County has a varied natural landscape including a diverse coastline comprising low-lying cliffs, indented shoreline, and sandy beaches. These topographic features combine to give Sligo an outstanding landscape setting.

8.5.4 Based on the Landscape Characterisation Map of the *Sligo County Development Plan 2024-2030* the appeal site is located within the Normal Rural Landscape. Section 23.2.2 of the *Sligo County Development Plan 2024-2030* states that such areas generally have the capacity to absorb a wide range of new development forms. However, it is further stated that

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.

- 8.5.5 The appeal site comprises of an elevated site which is prominent within the Rosses Point peninsula and, in my view, would have superior visual quantities having regard to this topography. Having considered Section 23.2.2 of the *Sligo County Development Plan 2024-2030* in my view, the site has limited capacity for development.
- 8.5.6 I make the Coimisiún aware that the road immediately to the north of the site (L-7311) is designated as a Scenic Route (No.33). In addition to this, given the elevated nature of the site, the development maybe visible from other identified scenic routes in the area including the N-15 which is located to the north-east of the (Scenic Route No.1), and the R291 (Scenic Route No. 9) which is located to the south of the site. Scenic routes are described as public roads passing through or close to Sensitive Rural Landscapes, or in the vicinity of Visually Vulnerable Areas, and affording unique scenic views of distinctive natural features or vast open landscapes. Further to this, the entire coastline of Sligo is designated as a Visually Vulnerable area.
- 8.5.7 The proposed 36m-high mast would be positioned at 41.5m above sea level according to the Site Layout Plan submitted as part of the initial application material, which would be approximately 21.5m above the L-7311 local road to the immediate north of the appeal site.
- 8.5.8 I make the Coimisiún aware that the first party appeal states that Appendix C includes a Photomontage and LVIA report, however, I note that only the photomontages are included. The Coimisiún may be of a mind to request that the applicant provide the LVIA by way of Further Information. However, having reviewed all of the information on file including the drawings and having carried out a site visit, I am satisfied that sufficient details have been provided and combined with my site visit to allow a full appraisal of the proposed development.
- 8.5.9 Having considered all of the submitted photomontages I am of the view, that while the proposed telecommunications tower would be visible from distant views (as depicted in views 1 and 2 to the north of the site, generally from the Drumcliff area) that the proposal would not be visually overbearing from these distant views. I have come to this conclusion

having regard to the lattice design which provides a reasonably transparent outline which allows the proposal to blend into the background.

8.5.10 Notwithstanding the above, I do have concerns with respect to the impact of the proposed development on the visual amenity of the area as depicted in views 4 and 5. These views clearly show that the proposed development would be visually prominent in the area. View 4 is a particular concern, as this view is taken from the L-7311 which is part of Scenic Route No. 33 as set out in Appendix C of the *Sligo County Development Plan 2024-2030*. In my opinion, the proposed development would form a substantive and obtrusive new element within this elevated landscape. The appearance of the structure would be obtrusive and prominent when viewed from this viewpoint.

8.6.11 While view 5 is not taken from a designated scenic route, it does show that the proposed development would project from the landscape in an incongruous manner and would impact on views to upland areas to the north of the site.

8.5.12 Having considered the foregoing, I recommend that planning permission be refused for the proposed telecommunications mast due its visual prominence within the local area which would be contrary to Policies P-LCP-3, P-TEL-1, and Section 33.11.3 of *the Sligo County Development Plan 2024-2030*.

8.5.13 The 'Telecommunications Guidelines' refer to the potential for softening the visual impact of masts via the planting of shrubs and trees as a screen or a backdrop. The first party appeal details that the lower lying built elements such as the outdoor cabinets, security fencing and other ground level equipment will be finished in a muted green and that the proposal will incorporate new sections of native hedgerow planting around the proposed ground compound. The planting would be allowed to mature up to 3-4 metres in height.

8.5.14 While I accept that this screening proposal would effectively screen the lower portions of the proposed development, my concerns relate to the sites elevated position and the openness of this landscape.

Conclusion

8.5.15 In conclusion, the proposed development would introduce a substantive new and obtrusive element onto an elevated and prominent site within this area of Rosses Point. Accordingly,

I recommend that permission be refused for the proposed development for reasons relating to the siting of the telecom infrastructure and its visual impact on the area.

9 AA Screening

9.1 In accordance with obligations under the Habitats Directives and implementing legislation, to take into consideration the possible effects a project may have, either on its own or in combination with other plans and projects, on a Natura 2000 site, there is a requirement on the Coimisiún, as the competent authority in this case, to consider the possible nature conservation implications of the proposed development on the Natura 2000 network, before making a decision.

Screening summary

9.2 Table 4.1 of the NIS identifies 13* Natura 2000 designated sites within 15km of the application site. Having consulted the EPA mapping I am satisfied that all applicable Natura 2000 sites have been identified and assessed.

9.3 The proposed development is identified as being within the Zone of Influence of Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (000627), Benbulbin, Gleniff and Glenade Complex SAC (000623), Lough Gill SAC (001976), Unshin River SAC, Union Wood SAC (001403), Bunduff Lough and Machair/Trawalua/Mullaghmore SAC (000625), Drumcliff Bay SPA (004013), Cummeen Strand SPA (004035), Sligo/Leitrim Uplands SPA (004187), Ardboline Island and Horse Island SPA (004135), Ballintemple and Ballygilgan SPA (004129), Ballysadare Bay SPA and Inishmurray SPA (004068).

9.4 *Table 4.1 outlines 15 sites, however, two of the sites are counted twice (Cummeen Strand SPA (004035) and Ardboline Island and Horse Island SPA (004135)).

9.5 However, notwithstanding the above, using the Source Pathway Receptor (SPR) principle, the report identifies three European Sites which fall within the 5km Zone of Influence of the Project, namely the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (000627) situated 8cm from the project boundary. The next nearest European Site to the Project is 300m north

namely the Drumcliff Bay SPA. The last Site is Cummeen Strand SPA situated 1.1km south of the site.

9.6 Table 1 below provides a summary of each of the three sites within the Zone of Influence:

European Site	Distance	Qualifying Interests	Screened in / Out
Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (000627)	c. 8cm north of the appeal site	<p>Estuaries [1130]</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Embryonic shifting dunes [2110]</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p> <p><i>Juniperus communis</i> formations on heaths or calcareous grasslands [5130]</p> <p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites) [6210]</p> <p>Petrifying springs with tufa formation</p>	<p>Screened in-</p> <p>The terrestrial QI habitats and species will not be impacted from the Development due to proximity and no connectivity.</p> <p>It is concluded that there is hydrological connectivity between the location of the proposed telecommunications structure through proximity to the SAC.</p> <p>In addition, historical mapping indicates an indirect surface water network may flow into the SAC.</p>

		<p>(Cratoneurion) [7220]</p> <p>Vertigo angustior (Narrow-mouthed Whorl Snail) [1014]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p> <p>Phoca vitulina (Harbour Seal) [1365]</p>	
Drumcliff Bay SPA (004013)	0.3km to the south	<p>Sanderling (Calidris alba) [A144]</p> <p>Bar-tailed Godwit (Limosa lapponica) [A157]</p> <p>Wetland and Waterbirds [A999]</p>	<p>Screened In –</p> <p>It is concluded that there is potential connectivity between the SPA and the Site of the proposed telecommunication. structure.</p>

<p>Cummeen Strand SPA (Site Code: 004035)</p>	<p>1.1km south</p>	<p>Light-bellied Brent Goose (Branta bernicla hrota) [A046]</p> <p>Oystercatcher (Haematopus ostralegus) [A130]</p> <p>Redshank (Tringa totanus) [A162]</p> <p>Wetland and Waterbirds [A999]</p>	<p>Screened in –</p> <p>During operation, there is a potential for collision risk to birds. However, the proposed structure does not have guy wires, most towers that result in large bird mortality have such wires. Structures placed on migratory flight paths have been shown to present the greatest risk of collision, which tend to be along a broad front or topographical feature, such as mountain passes or river valleys.</p> <p>It is concluded that there is potential connectivity between the SPA and the Site of the proposed telecommunication structure</p>
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9.7 Site specific conservation objective has been prepared for the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627) which is summarised as to maintain the favourable conservation condition of Estuaries in CummeenStrand/Drumcliff Bay (Sligo Bay) SAC, to maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC, to maintain the favourable conservation condition of Embryonic shifting dunes in Cummeen

Strand/Drumcliff Bay (Sligo Bay) SAC, to restore the favourable conservation condition of Shifting dunes along the shoreline with *Ammophila arenaria* ('white dunes') in Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC, to restore the favourable conservation condition of Fixed coastal dunes with herbaceous vegetation ('grey dunes') in Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC, to restore the favourable conservation condition of *Juniperus communis* formations on heaths or calcareous grasslands in Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC, to restore the Favourable conservation condition of Semi-natural dry grasslands and scrubland facies on calcareous substrates (*Festuco-Brometalia*) (* important orchid sites) in Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC, to maintain the favourable conservation condition of Petrifying springs with tufa formation (*Cratoneurion*) in Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC, to maintain the favourable conservation condition of Narrow-mouthed Whorl Snail in Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC, to restore the favourable conservation condition of Sea Lamprey in Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC, to maintain the favourable conservation condition of River Lamprey in Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC and to maintain the favourable conservation condition of Harbour Seal in Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC.

9.8 Site specific conservation objectives have been prepared for the Drumcliff Bay SPA (004013) which is summarised as to maintain the favourable conservation condition of Sanderling in Drumcliff Bay SPA, to maintain the favourable conservation condition of Bar-tailed Godwit in Drumcliff Bay SPA and to maintain the favourable conservation condition of wetland habitat in Drumcliff Bay SPA.

9.9 Site specific conservation objectives have been prepared for the Cummeen Strand SPA (Site Code: 004035) which is summarised as to maintain the favourable conservation condition of Light-bellied Brent Goose in Cummeen Strand SPA, to maintain the favourable conservation condition of Oystercatcher in Cummeen Strand SPA, to maintain the favourable conservation condition of Redshank in Cummeen Strand SPA and to maintain the favourable conservation condition of wetland habitat in Cummeen Strand SPA.

9.10 I am satisfied that no other Natura sites are likely to be affected by the proposed development. I am satisfied that the listed habitats and species are those likely to be affected by the proposed development.

9.11 Section 5 of the Natura Impact Statement identifies the following risks:

- Emission of contaminating substances from activities associated with the proposed development to the receiving aquatic environment.
- Contaminants could be released to the ground water table.
- During operation, there is a potential for collision risk to birds.

Mitigation measures

9.12 The following mitigation measures are proposed during the various stages of the development:

Construction Phase

9.13 I note that the NIS identifies a number of mitigation measures in relation to the construction phase of the proposed development. In summary these include the following:

- All site personnel will be made aware of their environmental responsibilities at the site.
- All topsoil removed will be scrapped over and covered with plastic and surrounded by a silt fence to avoid run-off.
- When foundations are being dug all material will be stored on-site in a suitable location away from any surface water drainage.
- Requirements for contractors will include contingency plans to deal with spillages, should they occur.
- Land disturbance will be kept to minimum and disturbed areas will be stabilised as soon as possible.
- Soil excavation should be undertaken during dry periods.
- An Environmental Manager will also be appointed who will have responsibility for ensuring attenuation measures are appropriately maintained.

- A double-edged silt fencing will be erected along the edge of the existing drain during the construction period.

9.14 The following measures for Dewatering of Excavations & foundation installations (if required) are set out:

- Groundwater or rainfall runoff collected in excavations will be discharged via settlement ponds or filter strips prior to entry to the receiving water environment.
- Any settlement lagoons or filter strips associated with dewatering will be regularly inspected, particularly after periods of heavy rainfall and prior to periods of forecast heavy rainfall.
- Maintenance (to clear blockages or remove silt) will be carried out in periods of dry weather where practicable.

9.15 The following construction methodology for the foundation if ground water is encountered are set out:

- Includes installation of an impermeable liner as part of the turbine base construction detail, to be placed at formation level before commencing work to construct the Base within the excavation.
- The liner will cause a break in the pollution pathway for any accidental spills from • mechanical plant and from cementitious material used in the concrete base pour.
- After installation of the liner there is no pathway and no risk to the groundwater resource.

9.16 The following measures to avoid the release of Silts & Fines are set out:

- Silts & Fines – a continuous silt fence will be installed along the southern and western boundary of the site so that surface water running off to the west and south are treated prior to discharge to the drain. The silt fence will be installed as per the silt fence specifications detailed in Section 18.6.12 of the CIRIA guidance document “Control of Water Pollution from Linear Construction Projects, Technical Guidance (C648)”. The geotextile/fabric membrane will be buried in a trench (measuring 100mm X 100mm) to ensure that water does not flow under the silt fence barrier. The purpose of this

membrane will be to prevent any sediment discharge from draining north towards the drainage ditch.

- Silt & Fines – A buffer distance of 5m will be implemented between the footprint of the mast foundation and the drainage ditch to the south of the project. The buffer strip will remain vegetated and managed as a grassland buffer strip. This grassland buffer strip will retard surface water runoff flows north to the drainage ditch and will attenuate silt and fines within the vegetation.
- Silt & Fines: Maintenance – maintenance of the silt fence will be undertaken throughout the duration of site works which will be for a period of 1no. working week. Site management will be required to monitor the integrity of the silt fence on a daily basis and where required will make all necessary repairs and replacements to the silt fence such that its integrity and effectiveness to entrain silt and fines is sustained throughout the duration of the project.

9.17 The following control measures will be required to be implemented to avoid the release of cement-based pollutants:

- No batching of wet-cement products will occur on site. Ready-mixed supply of wet concrete products and where possible, emplacement of pre-cast elements, will take place.
- Where possible, pre-cast elements for culverts and concrete works will be used.
- No washing out of any plant used in concrete transport or concreting operations will be allowed on-site.
- Where concrete is delivered on site, only the chute need be cleaned, using the smallest volume of water possible. No discharge of cement contaminated waters to the construction phase drainage system or directly to any drain will be allowed. Chute cleaning water is to be tanked and removed from the site to a suitable, non-polluting, discharge location.
- Use weather forecasting to plan dry days for pouring concrete.
- Ensure pour site is free of standing water, and plastic covers will be ready in case of sudden rainfall event.
- Disposal of raw or uncured waste concrete will be controlled to ensure that watercourses or other sensitive areas will not be impacted.

- No cement will be required for works associated with horizontal directional drilling under watercourses and no cement will be stored in the vicinity of watercourses during such works.

9.18 Other measures are set out as:

- No refuelling of construction vehicles or plant will take place within 50m of the existing drain.
- Undertaking refuelling of plant, equipment and vehicles will only be undertaken on impermeable surfaces.
- No maintenance of construction vehicles or plant will take place within the site.
- All fuels, lubricants and hydraulic fluids shall be kept in secure bunded areas at least 50m from any watercourse or excavation. The bunded area shall accommodate 110% of the total capacity of the containers within it. Containers shall be properly secured to prevent unauthorised access and misuse. An effective spillage procedure shall be put in place with all staff properly briefed. Any waste oils or hydraulic fluids shall be collected, stored in appropriate containers, and disposed of offsite in an appropriate manner.
- The plant and machinery used will be regularly inspected for leaks and fitness for purpose.
- Spill kits will be readily available to deal with accidental spillage at all times.
- A segregated waste storage will be available at the site during the construction phase.
- Waste will be removed regularly from the site.
- Any accidental spills of fluids required on site during the construction phase will be cleaned up immediately and waste material stored in a suitable container before being removed from site and appropriately disposed of. All plant and machinery will be fully stocked with spill kits, hydrocarbon absorbent packs and absorbent material and operators will be fully trained in the use of this equipment.
- An inventory of any necessary chemicals, e.g. paints, on site will be kept. It will include:
 - Procedures for storage of all materials listed.
 - Location details of all materials listed.
 - Volume and description of all substances stored on-site.

- Waste disposal records, including copies of all Waste Transfer Notes (WTN) detailing disposal routes and waste carriers used.
- Surplus excavated soil will be removed from the site as it is being excavated.
- Any subsoil or topsoil retained onsite for re-use will be covered with heavy gauge polythene to prevent mobilization during heavy rain.

9.19 The following measures to deter Corvids are set out:

- The installation of bird spikes on potential perches on the telecommunication structure will be used to deter corvids utilising this structure as a look out point.

Conclusion with regard to the mitigation measures

9.20 I am satisfied that the implementation of the mitigation measures proposed for the construction, operation phase and to deter Corvids will ensure that the proposed development will not adversely affect the integrity of European sites in view of the sites Conservation Objectives.

Cumulative Impacts

9.21 I make the Coimisiún aware that I have reviewed the submitted NIS, the Department of Housing, Local Government and heritage's National Planning Application database and EIA Portal and the Sligo County Council's planning register. While there are a large number of planning applications in a radius of 2km in the last 5 years, these applications are predominantly of a residential scale, including new dwellings and extensions to existing dwellings. I am satisfied that there are no other plans of projects for potential in-combination effects in the Creggyconnell or surrounding areas.

9.22 Having considered all of the foregoing, I am satisfied that the subject application will have no cumulative impacts on the protected sites i.e. the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627), the Drumcliff Bay SPA (004013) and the Cummeen Strand SPA (Site Code: 004035) or any Natura 2000 site when considered in combination with properly assessed developments.

Appropriate Assessment Conclusion

9.23 The proposed development has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000 (as amended).

9.24 Following an Appropriate Assessment, it has been determined that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the European site Nos. 000627, 004013 or 004035 or any other European site, in view of the sites' Conservation Objectives.

9.25 This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable doubt as to the absence of adverse effects. Regard has been had in particular to the detailed mitigation measures outlined in the NIS submitted with the application.

10 Water Framework Directive

10.1 The purpose of the EU Water Framework Directive is an initiative aimed at improving water quality throughout the European Union. The Directive was adopted in 2000 and requires governments to take a new approach to managing all their waters; rivers, canals, lakes, reservoirs, groundwater, protected areas (including wetlands and other water dependent ecosystems), estuaries (transitional) and coastal waters.

10.2 An Coimisiún Pleanála and other statutory authorities cannot grant development consent where a proposed development would give rise to a deterioration in water quality.

10.3 The Cregg (Sligo)_010 (IE_WE_35C980970) is c.420m to the west of the site. This waterbody is currently under review at present. This is illustrated on the EPA mapping (<https://gis.epa.ie/EPAMaps/>).

10.4 I have assessed the proposal and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment

because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

10.5 The reason for this conclusion is as follows:

- The small-scale nature of the proposed development.
- The location of the subject appeal site, distance to the nearest water body and lack of direct hydrological connections.

11 Recommendation

11.1 I recommend that planning permission be refused.

12 Reasons and Considerations

1. Having regard to the grounds of appeal, the established pattern of development in the area, the policy framework provided by the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996) and the *Sligo County Development Plan 2024-2030* and on the basis of the information submitted with the application and appeal, the Coimisiún was not satisfied that the applicant has provided adequate information in relation to co-location and the offer thereof, to alternative sites, and to alternative methods of service provision for the area and for Rosses Point. The Appellant has therefore failed to follow the due processes set out in the Telecommunications Antennae and Support Structures Guidelines 1996. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
2. . Due to its height, and its proximity to designated scenic routes the proposed mast would conflict with Policies P-LCP-3, P-TEL01 and Section 33.11.3 of the *Sligo County Development Plan 2024-2030* which seek to : which seeks to preserve the scenic views listed in Appendix C and the distinctive visual character of designated Scenic Routes by controlling development along such Routes 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) landscape.. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

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

Ronan Murphy
Planning Inspector

25 May 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500764-26
Proposed Development Summary	Erection of telecommunications mast and associated site works.
Development Address	Creggyconnell, Rosses Point, Co. Sligo
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?	<input checked="" type="checkbox"/> Yes, it is a 'Project.' Proceed to Q.2.
	<input type="checkbox"/> 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)	

<p>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</p>	
<p><input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</p>	
<p><input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3</p>	
<p>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?</p>	
<p><input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5, or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p>	

<p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	
<p>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</p>	
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____

Date: _____

Appendix 2: Standard AA Screening Determination Template 2

Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects	
Case Reference Number: PL-500764-DL-26	
Step 1: Description of the project and local site characteristics The proposal comprises of the erection of a mast and associated site works in a rural area outside of Rosses Point at Creggyconnell, Co. Sligo. The site is a prominent hill within the Rosses Point peninsula, which is accessed via a single lane, rural road which is identified as a Scenic Route in the <i>Sligo County Development Plan 2024-2030</i> .	
Brief description of project	<p>The proposed development comprises of the erection of a telecommunications support structure including antennas and dishes together with associated ground-based equipment all enclosed in security fencing. The proposal includes the upgrade of the existing access track.</p> <p>The proposed telecommunications support structure would have a maximum height of c.36.3m (including lighting). The structure would have a maximum width of c.3.15m at the bottom which tapers down to c.1.775m closer to the top.</p> <p>The structure would have 6 No. 600mm dishes and 6 No. 2000m dishes attached close to the top of the structure.</p> <p>At ground level the proposal includes a compound which includes 6 No. cabinets. The cabinets would have heights of c.1.6m and widths ranging from 0.66m to c.1.34m which would have a Goosewing Grey pressed metal finish.</p>

Brief description of development site characteristics and potential impact mechanisms	<p>The subject site is not located within a European Site but is adjacent to the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (000627), the Drumcliff Bay SPA (004013) and the Cummeen Strand SPA (004035).</p> <p>In addition to this, the appeal site is adjacent to the Cummeen Strand/Drumcliff Bay (Sligo Bay) pNHA.</p>
Screening report	Yes. The report concludes no likely significant impact on any European Site
Natura Impact Statement	Yes
Relevant submissions	No third-party submissions received.

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

European Site (code)	Qualifying interests¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections²	Consider further in screening³ Y/N
Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627)	<p>Estuaries [1130]</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Embryonic shifting dunes [2110]</p>		Potentially via surface water run-off and indirect hydrological pathway	Yes

	<p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p> <p><i>Juniperus communis</i> formations on heaths or calcareous grasslands [5130]</p> <p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites) [6210]</p> <p>Petrifying springs with tufa formation (<i>Cratoneurion</i>) [7220]</p> <p><i>Vertigo angustior</i> (Narrow-mouthed Whorl Snail) [1014]</p> <p><i>Petromyzon marinus</i> (Sea Lamprey) [1095]</p> <p><i>Lampetra fluviatilis</i> (River Lamprey) [1099]</p>			
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	Phoca vitulina (Harbour Seal) [1365]			
Drumcliff Bay SPA (004013)	Sanderling (Calidris alba) [A144] Bar-tailed Godwit (Limosa lapponica) [A157] Wetland and Waterbirds [A999]		Potentially via surface water run- off.	Yes
Cummeen Strand SPA (Site Code: 004035)	Light-bellied Brent Goose (Branta bernicia hrota) [A046] Oystercatcher (Haematopus ostralegus) [A130] Redshank (Tringa totanus) [A162] Wetland and Waterbirds [A999]		Potentially via surface water run- off.	Yes
<p>¹ Summary description / cross reference to NPWS website is acceptable at this stage in the report</p> <p>² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species</p> <p>³ if no connections: N</p>				

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

The proposed development is not located within a designated European Site but is in close proximity to the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627), the Drumcliff Bay SPA (004013) and the Cummeen Strand SPA (Site Code: 004035).

The applicants NIS contained within the application material concludes that there is no potential for impacts on the QI habitats of the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627), the Drumcliff Bay SPA (004013) and the Cummeen Strand SPA (Site Code: 004035) as there is no pathway for connectivity. I concur with the conclusions reached in this regard.

The NIS contained in the applicant’s submitted report indicates that potential direct/indirect impacts generated by the construction and operational phases of the proposed development including contamination/pollution of surface and/or ground waters.

Sources of impact and likely significant effects are detailed in the table below:

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627) Estuaries [1130]	Direct: None Indirect Potential negative impacts from silt/contaminated surface water run-off	Potential negative impacts from silt/contaminated surface water run-off to which may affect the qualifying interests of the SAC at construction and operational stages.

<p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Embryonic shifting dunes [2110]</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p> <p><i>Juniperus communis</i> formations on heaths or calcareous grasslands [5130]</p> <p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210]</p> <p>Petrifying springs with tufa formation (Cratoneurion) [7220]</p> <p><i>Vertigo angustior</i> (Narrow-mouthed Whorl Snail) [1014]</p>		
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<p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p> <p>Phoca vitulina (Harbour Seal) [1365]</p>		
<p>Drumcliff Bay SPA (004013)</p> <p>Sanderling (Calidris alba) [A144]</p> <p>Bar-tailed Godwit (Limosa lapponica) [A157]</p> <p>Wetland and Waterbirds [A999]</p>	<p>Direct:</p> <p>None</p> <p>Indirect</p> <p>Potential negative impacts from silt/contaminated surface water run-off.</p> <p>During operation, there is a potential for collision risk to birds. However, the proposed structure does not have guy wires, most towers that result in large bird mortality have such wires.</p>	<p>Potential negative impacts from silt/contaminated surface water run-off to which may affect the qualifying interests of the SAC at construction and operational stages.</p> <p>Potential negative impacts on birds from collision during the operation phase.</p>
<p>Cummeen Strand SPA (Site Code: 004035)</p> <p>Wetland and Waterbirds [A999]</p> <p>Light-bellied Brent Goose (Branta bernicla hrota) [A046]</p>	<p>Direct:</p> <p>None</p> <p>Indirect</p> <p>Potential negative impacts from silt/contaminated surface water run-off.</p>	<p>Potential negative impacts from silt/contaminated surface water run-off to which may affect the qualifying interests of the SAC at construction and operational stages.</p> <p>Potential negative impacts on birds from collision during the operation phase.</p>

<p>Oystercatcher (Haematopus ostralegus) [A130]</p> <p>Redshank (Tringa totanus) [A162]</p> <p>Wetland and Waterbirds [A999]</p>	<p>During operation, there is a potential for collision risk to birds. However, the proposed structure does not have guy wires, most towers that result in large bird mortality have such wires.</p>	
	<p>Likelihood of significant effects from proposed development (alone):</p> <p>N</p>	
	<p>If No, is there likelihood of significant effects occurring in combination with other plans or projects?</p> <p>N</p>	
<p>Step 4: Conclude if the proposed development could result in likely significant effects on a European site</p>		
<p>Based on the information provided with the application and appeal, having conducted a site visit, having reviewed of the conservation objectives and supporting documents, I consider that in the absence of mitigation measures beyond best practice construction methods, the proposed development has the potential to result in significant effects on the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627), Drumcliff Bay SPA (004013) and the Cummeen Strand SPA (Site Code: 004035)</p>		
<p>Screening Determination:</p> <p>In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of objective information provided by the applicant, I conclude that it is not possible to exclude that the proposed development alone, or in combination with other plans and projects, will</p>		

give rise to significant effects on the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627), Drumcliff Bay SPA (004013) and the Cummeen Strand SPA (Site Code: 004035).

in view of the site's conservation objectives. It is therefore determined that Appropriate Assessment is required.

This determination is based on:

- The nature and scale of the proposed works.
- The location of the appeal site is in proximity to the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627), Drumcliff Bay SPA (004013) and the Cummeen Strand SPA (Site Code: 004035) and potential connectivity between the site and these European Sites.
- The nature and extent of the proposed mitigation measures, which may not be implemented in the absence of connectivity to a European Site.

Appendix 3: Appropriate Assessment (AA) and Appropriate Assessment Determination

Appropriate Assessment			
<p>The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, sections 177V of the Planning and Development Act 2000 (as amended) are considered fully in this section.</p>			
<p>Taking account of the preceding screening determination, the following is an appropriate assessment of the implications of the proposed development comprising of the erection of a telecommunications mast and associated works in view of the relevant conservation objectives of the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627) and the Drumcliff Bay SPA (004013) based on scientific information provided by the applicant.</p> <p>The information relied upon includes the following:</p> <ul style="list-style-type: none"> • Natura Impact Statement prepared by Jennings O'Donovan and Partners Limited and, • The other plans and particulars submitted with the application and appeal. <p>I am satisfied that the information provided is adequate to allow for Appropriate Assessment. And that all aspects of the project which could result in significant effects have been considered and assessed in the NIS and mitigation measures designed to avoid or reduce any adverse effects on site integrity can be reasonably assessed for effectiveness.</p>			
European Site			
Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627)			
Summary of Key issues that could give rise to adverse effects:			
<ul style="list-style-type: none"> • Potential for an indirect link for surface water emissions to flow into this Natura 2000 site. • Potential for an indirect link for ground water emissions to flow into this Natura 2000 site. • Potential for the structure to be used by corvids as a perch / lookout. • Potential for interruption of flight paths of waders. 			
Qualifying Interest features likely to be affected.	Conservation Objectives Targets and attributes	Potential adverse effects	Mitigation measures (summary)
Narrow-mouthed Whorl Snail Vertigo angustior [1014]r	To maintain the favourable conservation condition of Narrow-mouthed Whorl Snail in Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC,	<ul style="list-style-type: none"> • Contamination of surface water • Contamination of ground water • Risk of bird strikes 	See section 7 of the NIS and the section of the table below.

Sea Lamprey Petromyzon marinus Sea Lamprey Petromyzon Marinu [1095] s	To restore the favourable conservation condition of Sea Lamprey in Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC	<ul style="list-style-type: none"> • Availability of the structure for perch / lookout for corvids. • Interruption of flight paths of waders
River Lamprey Lampetra fluviatilis {1099}	To maintain the favourable conservation condition of River Lamprey in Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC	
Estuaries [1130]	To maintain the favourable conservation condition of Estuaries in Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC	
Mudflats and sandflats not covered by seawater at low tide [1140]	To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC	
Harbour Seal Phoca vitulina [1365]	To maintain the favourable conservation condition of Harbour Seal in Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC,	
Embryonic shifting dunes [2110]	To maintain the favourable conservation condition of Embryonic shifting dunes in Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC,	
Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120]	To restore the favourable conservation condition of Shifting dunes along the shoreline with Ammophila arenaria ('white dunes') in Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC	
Fixed coastal dunes with herbaceous vegetation (grey dunes)*[2130]	To restore the favourable conservation condition of Fixed coastal dunes with herbaceous vegetation ('grey dunes') in Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC,	
Juniperus communis formations on heaths or calcareous grasslands [5130]	To restore the favourable conservation condition of Juniperus communis formations on heaths or calcareous grasslands in Cummeen	

	Strand/Drumcliff Bay (Sligo Bay) SAC,		
Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210]	To restore the Favourable conservation condition of Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) in Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC		
Petrifying springs with tufa formation (Cratoneurion)*[7220]	To maintain the favourable conservation condition of Petrifying springs with tufa formation (Cratoneurion) in Cummeen Strand/Drumcliff Bay (Sligo Bay) SA		

Drumcliff Bay SPA (004013)

Summary of Key issues that could give rise to adverse effects:

- Potential for an indirect link for surface water emissions to flow into this Natura 2000 site.
- Potential for an indirect link for ground water emissions to flow into this Natura 2000 site.
- Potential for the structure to be used by corvids as a perch / lookout.
- Potential for interruption of flight paths of waders.

Qualifying Interest features likely to be affected	Conservation Objectives Targets and attributes	Potential adverse effects	Mitigation measures (summary)
Sanderling Calidris alba [A144]	To maintain the favourable conservation condition of Sanderling in Drumcliff Bay SPA	<ul style="list-style-type: none"> • Contamination of surface water • Contamination of ground water • Risk of bird strikes • Availability of the structure for perch / lookout for corvids. • Interruption of flight paths of waders 	See section 7 of the NIS and the section of the table below.
Bar-tailed Godwit Limosa lapponica [A157]	To maintain the favourable conservation condition of Bar-tailed Godwit in Drumcliff Bay SPA,		
Wetlands [A999]	To maintain the favourable conservation condition of wetland habitat in Drumcliff Bay SPA as a resource for the regularly occurring migratory waterbirds that utilise it.		

Cummeen Strand SPA (004035)

Summary of Key issues that could give rise to adverse effects:

- Potential for an indirect link for surface water emissions to flow into this Natura 2000 site.
- Potential for an indirect link for ground water emissions to flow into this Natura 2000 site.
- Potential for the structure to be used by corvids as a perch / lookout.
- Potential for interruption of flight paths of waders.

Qualifying Interest features likely to be affected	Conservation Objectives Targets and attributes	Potential adverse effects	Mitigation measures (summary)
Brent Goose Branta bernicla hrota [A046]	To maintain the favourable conservation condition of Light-bellied Brent Goose in Cummeen Strand SPA,	<ul style="list-style-type: none"> • Contamination of surface water • Contamination of ground water • Risk of bird strikes • Availability of the structure for perch / lookout for corvids. • Interruption of flight paths of waders 	See section 7 of the NIS and the section of the table below.
Oystercatcher Haematopus ostralegus [A130]	To maintain the favourable conservation condition of Oystercatcher in Cummeen Strand SPA,		
Redshank Tringa totanus [A162]	To maintain the favourable conservation condition of Redshank in Cummeen Strand SPA,		
Wetlands [A999]	To maintain the favourable conservation condition of wetland habitat in Cummeen Strand SPA		

Assessment of issues that could give rise to adverse effects view of conservation objectives of the abovenamed SAC and SPA.

(i) Habitat degradation

There is an identified hydrological pathway connecting the Project site to the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (000627), the Drumcliff Bay SPA (004013) and the Cummeen Strand SPA (004035)

Without the presence of mitigation measures, there is potential effects on the attributes of species in the SAC and the conservation objectives to 'maintain and restore the favourable conservation condition' of the bird species and wetland habitat of the SPA if quantities of pollution or silt entered the watercourse connecting these European Sites.

(ii) Water quality degradation

Water quality degradation could affect the habitats or species of the SAC and SPA. A hydrological pathway exists between the development site and the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (000627), the Drumcliff Bay SPA (004013) and the Cummeen Strand SPA (004035)

There is potential, in the absence of any mitigation, for surface waters run off containing pollutants such as hydrocarbons and silt to enter the abovenamed European Sites during the construction phase. This could arise from poor and/or inadequate management of site run-off could result in sediment and/or pollutants reaching the Qualifying Interest habitats within the European sites.

(iii) Downstream Impacts

There is an identified hydrological pathway connecting the Project site to the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (000627), the Drumcliff Bay SPA (004013) and the Cummeen Strand SPA (004035). Without the presence of mitigation measures, there is potential effects if quantities of pollution or silt entered these European Sites.

Mitigation measures and conditions

I note that the focus of proposed mitigation measures during construction phase are guided at preventing ingress of pollutants and silt into surface water on-site and the receiving watercourse. The measures will be achieved via design, application of specific mitigation measures and monitoring effectiveness of said measures. Mitigation measures include the following:

Construction phase

- All site personnel will be made aware of their environmental responsibilities at the site.
- All topsoil removed will be scrapped over and covered with plastic and surrounded by a silt fence to avoid run-off.
- When foundations are being dug all material will be stored on-site in a suitable location away from any surface water drainage.
- Requirements for contractors will include contingency plans to deal with spillages, should they occur.
- Land disturbance will be kept to minimum and disturbed areas will be stabilised as soon as possible.
- Soil excavation should be undertaken during dry periods.
- An Environmental Manager will also be appointed who will have responsibility for ensuring attenuation measures are appropriately maintained.
- A double-edged silt fencing will be erected along the edge of the existing drain during the construction period.

Dewatering of Excavations & foundation installations

- Groundwater or rainfall runoff collected in excavations will be discharged via settlement ponds or filter strips prior to entry to the receiving water environment.

- Any settlement lagoons or filter strips associated with dewatering will be regularly inspected,
- particularly after periods of heavy rainfall and prior to periods of forecast heavy rainfall.
- Maintenance (to clear blockages or remove silt) will be carried out in periods of dry weather where practicable.

Construction methodology for the foundation if ground water is encountered.

- Includes installation of an impermeable liner as part of the turbine base construction detail, to be placed at formation level before commencing work to construct the Base within the excavation.
- The liner will cause a break in the pollution pathway for any accidental spills from mechanical plant and from cementitious material used in the concrete base pour.
- After installation of the liner there is no pathway and no risk to the groundwater resource.

Measures to avoid the release of Silts & Fines

- Silts & Fines – a continuous silt fence will be installed along the southern and western boundary of the site so that surface water running off to the west and south are treated prior to discharge to the drain. The silt fence will be installed as per the silt fence specifications detailed in Section 18.6.12 of the CIRIA guidance document “Control of Water Pollution from Linear Construction Projects, Technical Guidance (C648)”. The geotextile/fabric membrane will be buried in a trench (measuring 100mm X 100mm) to ensure that water does not flow under the silt fence barrier. The purpose of this membrane will be to prevent any sediment discharge from draining north towards the drainage ditch.
- *Silt & Fines – A buffer distance* of 5m will be implemented between the footprint of the mast foundation and the drainage ditch to the south of the project. The buffer strip will remain vegetated and managed as a grassland buffer strip. This grassland buffer strip will retard surface water runoff flows north to the drainage ditch and will attenuation silt and fines within the vegetation.
- Silt & Fines: Maintenance – maintenance of the silt fence will be undertaken throughout the duration of site works which will be for a period of 1no. working week. Site management will be required to monitor the integrity of the silt fence on a daily basis and where required will make all necessary repairs and replacements to the silt fence such that its integrity and effectiveness to entrain silt and fines is sustained throughout the duration of the project.

Release of Cement-Based Pollutants

- No batching of wet-cement products will occur on site. Ready-mixed supply of wet concrete products and where possible, emplacement of pre-cast elements, will take place;
- Where possible, pre-cast elements for culverts and concrete works will be used;
- No washing out of any plant used in concrete transport or concreting operations will be allowed onsite;
- Where concrete is delivered on site, only the chute need be cleaned, using the smallest volume of water possible. No discharge of cement contaminated waters to the construction phase drainage system or directly to any drain will be allowed. Chute cleaning water is to be tanked and removed from the site to a suitable, non-polluting, discharge location;

- Use weather forecasting to plan dry days for pouring concrete;
- Ensure pour site is free of standing water, and plastic covers will be ready in case of sudden rainfall event.
- Disposal of raw or uncured waste concrete will be controlled to ensure that watercourses or other sensitive areas will not be impacted
- No cement will be required for works associated with horizontal directional drilling under watercourses and no cement will be stored in the vicinity of watercourses during such works.

Release of Other Pollutants

- No refuelling of construction vehicles or plant will take place within 50m of the existing drain.
- Undertaking refuelling of plant, equipment and vehicles will only be undertaken on impermeable surfaces.
- No maintenance of construction vehicles or plan will take place within the site.
- • All fuels, lubricants and hydraulic fluids shall be kept in secure bunded areas at least 50m from any watercourse or excavation. The bunded area shall accommodate 110% of the total capacity of the containers within it. Containers shall be properly secured to prevent unauthorised access and misuse. An effective spillage procedure shall be put in place with all staff properly briefed. Any waste oils or hydraulic fluids shall be collected, stored in appropriate containers, and disposed of offsite in an appropriate manner.
- The plant and machinery used will be regularly inspected for leaks and fitness for purpose.
- Spill kits will be readily available to deal with accidental spillage at all times.
- A segregated waste storage will be available at the site during the construction phase.
- Waste will be removed regularly from the site.
- Any accidental spills of fluids required on site during the construction phase will be cleaned up immediately and waste material stored in a suitable container before being removed from site and appropriately disposed of. All plant and machinery will be fully stocked with spill kits, hydrocarbon absorbent packs and absorbent material and operators will be fully trained in the use of this equipment.
- An inventory of any necessary chemicals, e.g. paints, on site will be kept.
- Surplus excavated soil will be removed from the site as it is being excavated.
- Any subsoil or topsoil retained onsite for re-use will be covered with heavy gauge polythene to prevent mobilization during heavy rain.
- A silt fence or sandbags will surround any stored material to prevent silt laden waters running off the stockpiles and entering adjacent terrestrial areas. Stockpiles shall be at least 20m from drains.

Emergency response planning

- In the event of an environmental emergency, a procedure for Environmental Emergency Preparedness and Response will be developed prior to commencement of construction. The procedures will be implemented by the Contractor in order to minimise the potential for environmental emergency incident to occur.

Measures to deter Corvids

- The installation of bird spikes on potential perches on the telecommunication structure will be used to deter corvids utilising this structure as a look out point.

It is my view that the above are best practice standard construction management and surface water management measures which have not been designed or intended to avoid or reduce any

harmful effects of the project on a European Site and I do not consider that they include any specific measures that would be uncommon for a project of this nature.

I am also satisfied that preventative measures are aimed at interrupting the source-pathway-receptor are targeted at key threats to qualifying interests of Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (000627), the Drumcliff Bay SPA (004013) and the Cummeen Strand SPA (004035)). Moreover, by arresting these pathways or reducing possible effects to a non-significant level, adverse effects can be prevented.

In-combination effects

In terms of combination/cumulative effects of the proposed development with other known plans or developments in the vicinity of the site, I conducted a search on the Sligo County Council planning website for other developments in the vicinity of the proposed development. It is my view that it is unlikely that there will be cumulative impacts or an in-combination effect on the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (000627), the Drumcliff Bay SPA (004013) and the Cummeen Strand SPA (004035) as a result of the development. I am satisfied that in-combination effects has been assessed adequately in the NIS.

Findings and conclusions

The applicant determined that following the implementation of mitigation measures, the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of the above-mentioned European sites.

Based on the information provided with the appeal file, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for the European sites considered in the Appropriate Assessment. No direct impacts are predicted. Indirect impacts would be temporary in nature and mitigation measures are described to prevent ingress of silt laden surface water as well as entry of pollutants, such as hydrocarbons, to the nearby watercourse. I am satisfied that the mitigation measures proposed to prevent adverse effects have been assessed as effective and can be implemented.

Reasonable scientific doubt

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development will not affect the attainment of the Conservation objectives of the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (000627), the Drumcliff Bay SPA (004013) and the Cummeen Strand SPA (004035). Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.

Appropriate Assessment Conclusion: Integrity Test

In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (000627), the Drumcliff Bay SPA (004013) and the Cummeen Strand SPA (004035) in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U/ 177AE was required.

Following an examination, analysis and evaluation of the NIS, all associated material submitted and taking into account any observations/submissions received, I consider that adverse effects on site integrity of the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627) and the Drumcliff Bay SPA (004013) can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects. My conclusion is based on the following:

- Detailed assessment of construction and operational impacts.
- The proposed development will not affect the attainment of conservation objectives for Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (000627), the Drumcliff Bay SPA (004013) and the Cummeen Strand SPA (004035) prevent or delay the restoration of favourable conservation condition of species.
- Effectiveness of mitigation measures proposed.
- Application of planning condition in respect of the implementation of all mitigation measures set out in the NIS in the event of a grant of permission.