



**Comhairle Contae
Dhún na nGall**
Donegal County Council



**Comhairle Contae
Dhún na nGall**
Donegal County Council

Planning Services

RECEIVED DATE: 05/11/2025

SECTION 5 APPLICATION

FOR DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Completed application form & supporting documentation to be returned to the Planning Authority by email to planning@donegalcoco.ie

Name of Applicant(s):	
Agent Name: (if applicable)	
Location of Proposed Development / Works: (Townland or postal address as appropriate and Eircode if available)	
Description of Proposed Development including details of works (where applicable): (Only works listed below will be assessed under <u>this</u> section 5 application)	



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Is the development a Protected Structure or within the curtilage of a Protected Structure?	Yes	No
Has a declaration under Section 57 of the Planning and Development Act 2000 (as amended) been requested or issued in respect of the property.	Yes	No
Applicant(s) Interest in the site:		
If not the Owner of the site, please provide the name of the Landowner:		
Please list types of plans, drawings etc. submitted with this application:		
Planning History - list any relevant planning application reference numbers:		
Are you aware of any enforcement proceedings connected to the site? If so, please supply details:		

I hereby certify that the information provided is true and accurate	
Signature of Applicant/Agent:	<i>John Corridan</i>
Date:	

Planning Department
Donegal County Council
County House
Lifford
County Donegal
F93 Y622



5th November 2025

Re: SECTION 5 APPLICATION; Exemption Clarification Query; to replace an existing telecommunications structure for a new telecommunications structure at Letterfad , Termon , Letterkenny Po , Co. Donegal

A Chara

On behalf of Vantage Towers Ltd, we request clarification regarding replacement of an existing telecommunication structure at Letterfad.

This referral seeks the local authority's declaration on whether the proposed telecommunications works is or is not an exempted development within the meaning of the Act.

In this regard we specifically seek clarification in respect of exempted development in accordance with the conditions outlined in Schedule 2 Part 1 Class 31 (j) of the Exempted Development Planning & Development Regulations (as amended). The full list of these conditions is attached end the end of this letter.

The Proposed Works

The proposal is to remove one 26m lattice telecommunication structure with a replacement 26m telecommunications monopole.

The existing antennas, dishes and RRU's will be relocated to new tower. The existing compound and access will not be changed.

In accordance with Class 31 (j), the replacement structure is within 20 metres from the existing structure, the height does not change, the base width of the existing structure is 1.2m approximately and the proposed replacement structure base width is 1.4m approximately.

Planning History

97/2372 – Permission granted to Bord Telecom Eireann for the erection of a 26m telecommunications support structure, antennae, containerised equipment shelter, access and associated development works.

HEAD OFFICE: HQ, 27 Market Street, Listowel, Co. Kerry, V31 Y436
T: 068 57463 **E:** info@chtc.ie **www.chtc.ie**

99/4917 – Temporary retention permission granted to Vodafone Ireland Ltd for a 26m support structure , antennae, containerised equipment shelter access and associated development works.

05/7020 – Temporary retention permission granted to Vodafone Ireland Ltd for a 26m support structure, antennae, equipment shelters, fencing, access road and associated works.

10/40104 – Temporary retention permission granted to Vodafone Ireland Ltd for the erection of a 26 metre high antennas support structure, antennae, equipment shelters, fencing, access track.

16/51533 – Retention permission for an existing 26 metres high antennae support structure, carrying associated antennas and link dishes, equipment cabins, security fencing, access track.

Application 16/51533 was granted consent 01/12/2016 subject to three conditions.

- 1) No material change of use of the telecommunications support structure can be made without a prior grant of planning permission.
- 2) The transmitter tower output, antennae type, and mounting configuration shall be in accordance with the details submitted with this application and shall not be altered without a prior grant of planning permission.
- 3) a. Not later than 8 weeks following cessation of use of the development hereby permitted, the telecommunications support structure, attached dishes and antennas, and associated cabins, cabinets and containers shall be removed from the site, and the site shall be reinstated to the satisfaction of the Planning Authority.
- 3) b. Precise details in relation to the site reinstatement works required by Condition 3 (a) above, shall be agreed in writing with the Planning Authority not later than 4 weeks prior to the removal of equipment off-site. Thereafter, site reinstatement works shall proceed strictly in accordance with the agreed details.

The conditions have been complied with.

Planning Framework Used in Our Assessment

The documents assessed in determining the query are as follows:

- Donegal County Council Development Plan
- Past planning applications at ownership lands, specifically planning reference 16/51533 referred to above.
- Local Government Planning and Development Regulations 2001 – 2023 (Unofficial Consolidation)
- Article 5 – Interpretation of terms
- Article 6 – Exempted Development
- Article 9 – Restrictions on Exemption
- Schedule 2 – Part 1, Exempted Development General
- Class 31 (f) cabinets forming part of a telecommunications system.
- Class 31 Class 31 (j) an antenna support structure in place of an existing antenna support structure,

Attached with this letter and the application form is set of drawings detailing the proposed replacement works. As a result of the works it is submitted the general and overall visual impact resulting in a monopole style structure without a head-frame may be regarded as being slightly

improved, nevertheless, overall the visual impact will be unchanged. The plans do not include signage or steel notes, earthing or power line diagrammatic. Only necessary details are included.

Development Plan

We have studied the Development plan and associated documents and note the following;

- The site is not situated within a Special Area of Conservation
- The site is not situated within a Special Protection Area
- The site is not situated within a Natural Heritage Area or Proposed Natural Heritage Area
- There are no Recorded Monuments near to the application site
- There are no items of Architectural Heritage or Records of Protected Structures near to the application site.

We note that the Leanann River SAC is situated 375m southwest of the application site. However bearing in mind the existence of the current installation, nature and scale of the development and the distance it is submitted that the proposal will have no impact on the River.

Assessment

The existing structure has been in existence for almost 30 years and is today an integral part of the Vantage portfolio and network for all three of Ireland's operators. The structure is reaching the end of its structural life and must be replaced. The replacement structure is the same height however does not include the triangular style headframe.

The existing structure complies with the conditions of grant for the planning retention.

The proposal does not conflict with any matters within the County Development Plan.

The Proposal meets the requirements of the exempted development rules.

Conclusion

It is the opinion of this office that the proposal does fall within the exempted rules for development, however for the avoidance of any doubt we seek Council's clarification.

If you have any further queries in relation to the matter, please contact us at your earliest convenience.

We look forward to receipt of the local authority's determination on this referral.

Yours sincerely,



Michael Foody,
Charterhouse
Agent for Vantage Towers

Attached; Plans of the proposal and completed application form.

PLANNING AND DEVELOPMENT REGULATIONS 2001 – 2023 (Unofficial Consolidation)

Exempted Development: Article 6 (1) - Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Typical reasons for Non-Applicability of Exemptions test

Article 9 (1) (a) (i) - contravenes a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act.

Article 9 (1) (a) (vi) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

Article 9 (1) (a) (vi): consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,

Article 9 (1) (a) (vii): consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,

Article 9 (1) (a) (viiA): consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12 (1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,

Article 9 (1) (a) (viiB): comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,

Article 9 (1) (a) (xii): further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area

an antenna support structure in place of an existing antenna support structure,

1. The replaced structure shall be removed no later than 4 weeks following its decommissioning.

2. Where, for reasons of the integrity of the network or other operational reasons, the structure to be replaced remains in use during the construction of the replacement structure, the replacement structure shall be located as near as possible to the existing structure having regard to construction activity and safety requirements and, in any case, no replacement structure shall be located more than 20 metres from the replaced structure (measured from the base).

3. (a) The height of the replacement structure shall not exceed the height of the replaced structure.

(b) (i) Subject to sub-paragraph (ii), the width of the replacement structure shall not exceed the width of the replaced structure.

(ii) Where the replaced structure was 2 metres or less in width, the width of the replacement structure may not be more than twice the width of the replaced structure, all measurements to be taken at the widest point.

(c) Where the replaced structure did not incorporate an antenna platform, the replacement shall not incorporate such a platform.

4. (a) Subject to sub-paragraphs (b) and (c), the antennae to be attached to the replacement structure shall not exceed the number of antennae on the replaced structure.

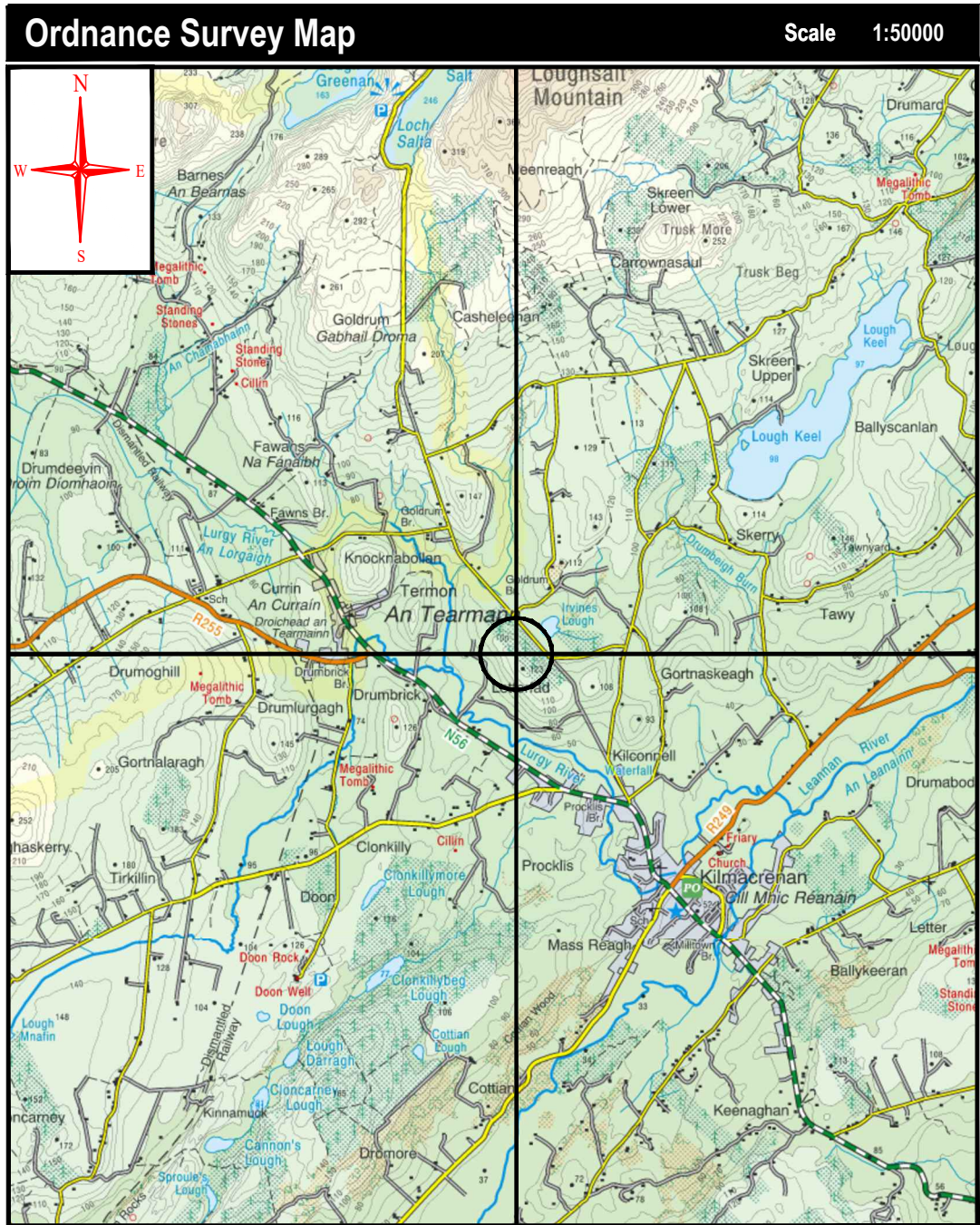
(b) For structure under 15 metres in height, an additional 12 antennae for mobile telephony may be attached to the replacement structure, of which not more than 8 of the additional 12 antennae shall be of the dish type (whether shielded or not).

(c) For structures of 15 metres or over in height, an additional 18 antennae for mobile telephony may be attached to the replacement structure, of which not more than 12 of the additional 18 antennae shall be of the dish type (whether shielded or not).

5. (a) The dimensions of any additional antenna for mobile telephony shall not exceed the greatest length, width or depth of any antenna for mobile telephony of corresponding type on the replaced structure.

(b) In any other case, the dimensions of any antenna provided shall not exceed: (i) in the case of any panel type antenna, 3 metres in length x 0.6 metres in width x 0.2 metres in depth, (ii) in the case of any co-linear type antenna, 5 metres in length x 0.1 metres in diameter, and (iii) in the case of any dish type antenna (whether shielded or not), 1.8 metres in diameter.

6. The replacement of an antenna support structure together with any replaced or additional antenna shall not result in the field strength of the non-ionising radiation emissions from the radio installations on the site exceeding the limits specified by the Commission for Communications Regulation.



Drawing No.	Drawing Title
DL023 - 001 - 01	O.S. Location Map and Photographs
DL023 - 001 - 02	Overall site Layout
DL023 - 001 - 03	Existing Site Layout Plan
DL023 - 001 - 04	Proposed Site Layout Plan
DL023 - 001 - 05	Existing South-West Elevation
DL023 - 001 - 06	Proposed South-West Elevation



Planning Services

RECEIVED DATE: 05/11/2025

Site Photographs



FIG. 1: EXISTING ACCESS



FIG. 2: EXISTING SITE ELEVATION



FIG. 3: EXISTING SATELLITE VIEW

Irish Grid Site Entrance Coordinates				Irish Grid Site Coordinates			
East	213059	North	422272	East	213013	North	422083
GPS Site Entrance Coordinates				GPS Site Coordinates			
Latitude	55.047667	Longitude	-7.796444	Latitude	55.045972	Longitude	-7.797167

Together, we accelerate a sustainably connected Europe

Notes:

- Do not scale.
- All dimensions are in mm otherwise specified.
- Assume all site details are existing unless otherwise specified.

Rev.	Description	By	Date
1	SECTION 5 DRAWING	SBS	26/08/25

Cabin/Cabinet Details	
Type:	CABIN
Dims:	-
Colour:	-
Structure Details	
Type:	MONOPOLE
Height:	26m

Purpose

SECTION 5 DRAWING

Site code	DL023	Survey date	01/04/25	Sheet Size	A3
Scale	As Shown	Drawn	SG	Checked	JN
Date	26/08/25	Date	26/08/25	Approved	DG
Date	26/08/25	Date	26/08/25	Date	26/08/25

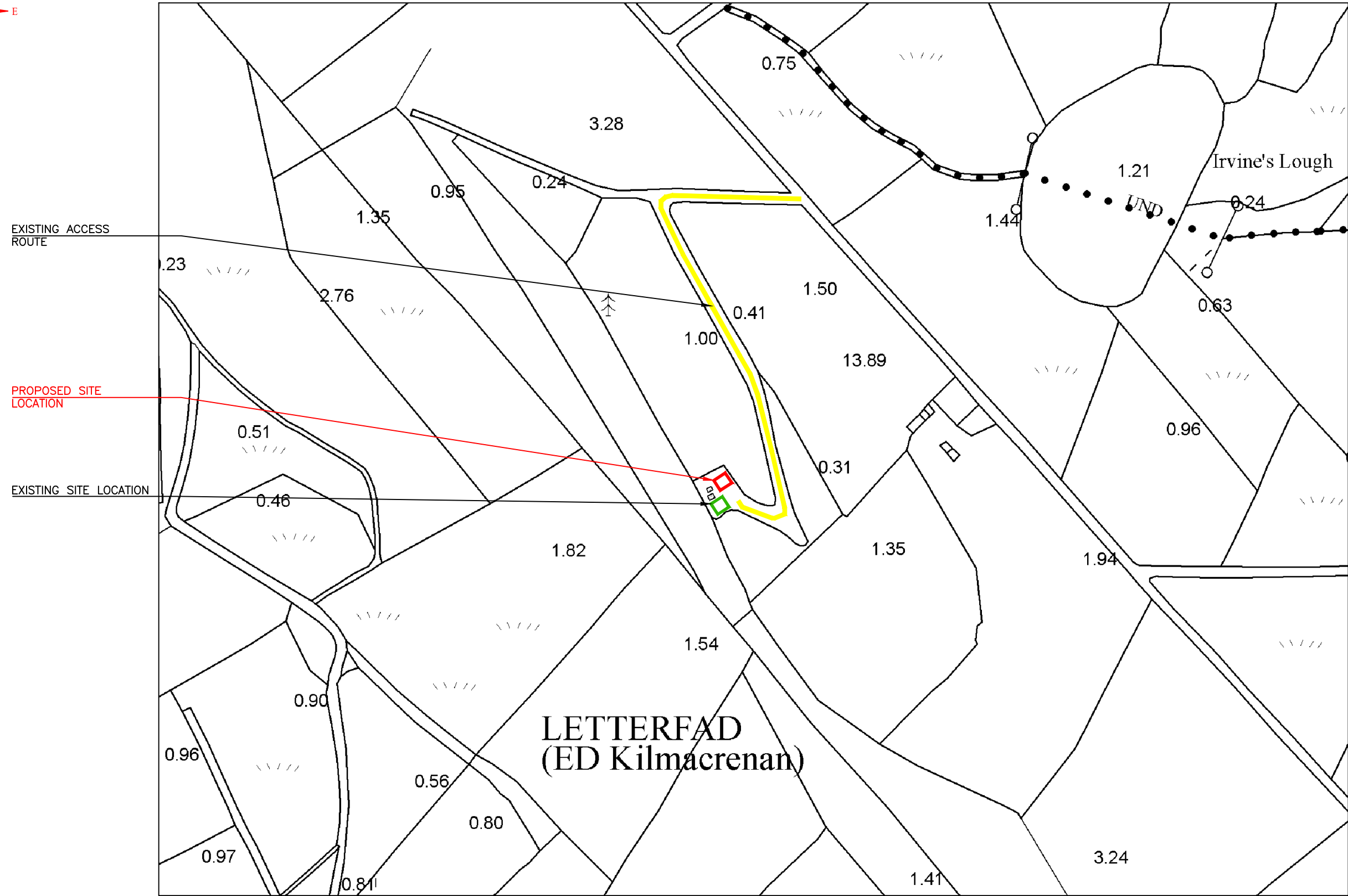
Title O.S. Location Map & Photos

Project PROPOSED VANTAGE TOWERS SITE AT
LETTERFAD
TERMON, LETTERKENNY
Co. DONEGAL

NOT FOR
CONSTRUCTION

Drawing No. DL023 / S5 / 01

Revision A



OVERALL SITE LAYOUT
SCALE 1:1000

VANTAGE
TOWERS

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Notes:

1. Do not scale.
2. All dimensions are in mm otherwise specified.
3. Assume all site details are existing unless otherwise specified.

H					
G					
F					
E					
D					
C					
B					
A	STRUCTURE HEIGHT	JN	31/10/25		
-	SECTION 5 DRAWING	SBS	26/08/25		
Rev.	Description	By	Date		

Cabin/Cabinet Details	
Type:	CABIN
Dims:	-
Colour:	-
Structure Details	
Type:	MONOPOLE
Height:	26m

Purpose

SECTION 5 DRAWING

Site code	DL023	Survey date	01/04/25	Sheet Size	A3
Scale	As Shown	Drawn	SG	Checked	JN
		Date	26/08/25	Date	26/08/25
		Approved	DG	Date	26/08/25

Title Overall Site Layout

Project
PROPOSED VANTAGE TOWERS SITE AT
LETTERFAD
TERMON, LETTERKENNY
Co. DONEGAL

Drawing No. DL023 / S5 / 02

NOT FOR
CONSTRUCTION

Revision A



V

EXISTING OTHER OPERATOR
CABIN ON CONCRETE
PLINTH

EXISTING 2No.
GANTRY POLES

EXISTING RFE
UNIT

EXISTING OTHER OPERATOR
GANTRY POLE TO BE
DECOMMISSIONED

EXISTING VANTAGE CABIN
ON CONCRETE PLINTH

EXISTING VANTAGE CABLE LADDER WITH
GANTRY SYSTEM TO BE
DECOMMISSIONED

EXISTING OTHER OPERATOR CABLE
LADDER WITH GANTRY SYSTEM TO BE
DECOMMISSIONED

EXISTING VODAFONE 1No. GPS
ANTENNA TO BE DECOMMISSIONED

EXISTING 2.4m HIGH
CHAIN-LINK FENCE

EXISTING VODAFONE 2No. DISHES
TO BE DECOMMISSIONED

EXISTING VODAFONE 3No. RRU TO
BE DECOMMISSIONED

EXISTING VODAFONE 3No. ANTENNAS
TO BE DECOMMISSIONED

EXISTING MONOPOLE TO BE
DECOMMISSIONED

EXISTING OTHER OPERATOR
CABIN ON CONCRETE PLINTH

EXISTING RFE UNIT

EXISTING SITE
ACCESS GATE

0.0m GL

EXISTING SITE LAYOUT PLAN
SCALE 1:100

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TOWERS

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Notes:

1. Do not scale.
2. All dimensions are in mm otherwise specified.
3. Assume all site details are existing unless otherwise specified.

H					
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D					
C					
B					
A					
Rev.	Description	By	Date		

Cabin/Cabinet Details	
Type: CABIN	
Dims: -	
Colour: -	
Structure Details	
Type: MONOPOLE	
Height: 26m	

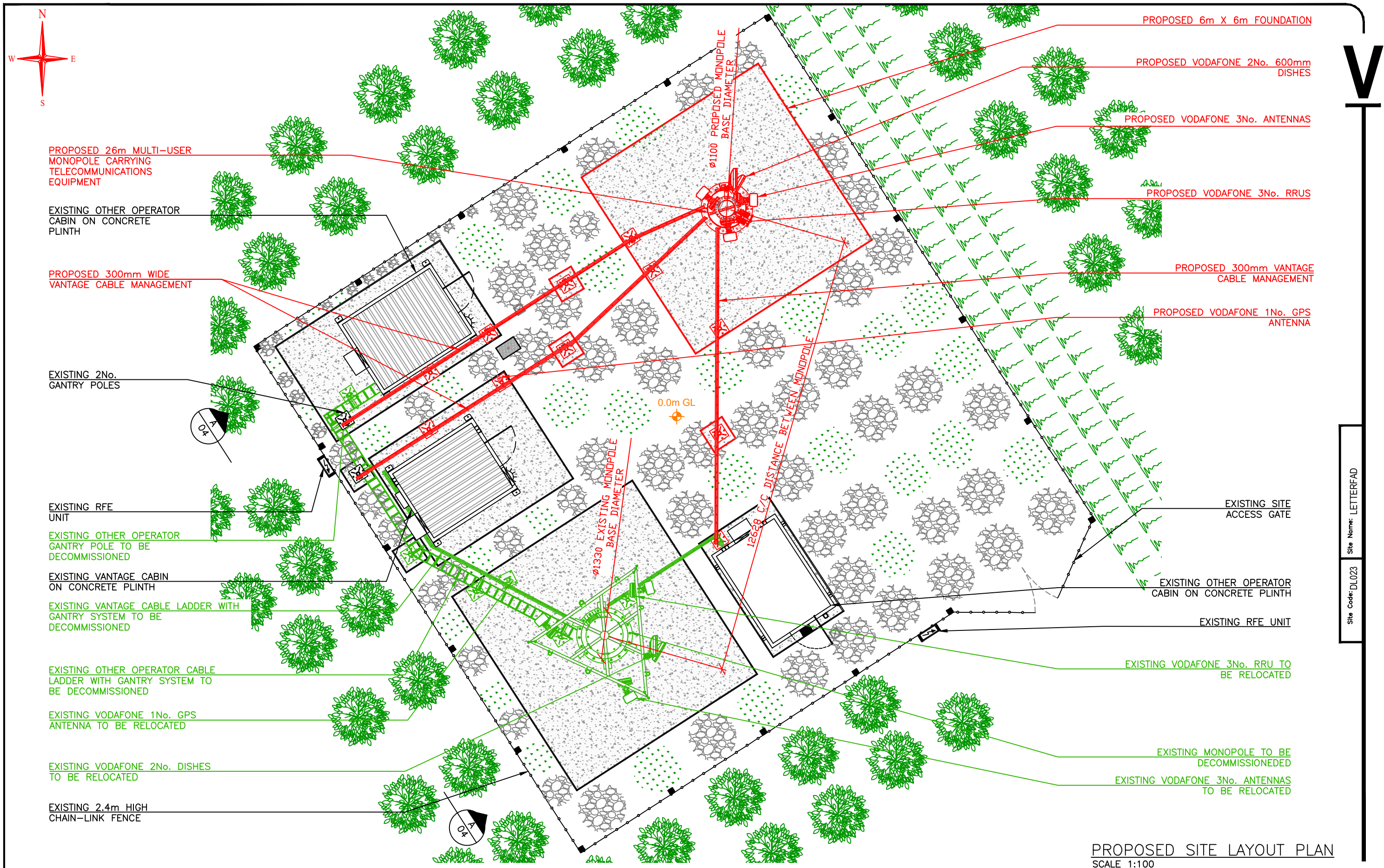
Purpose		SECTION 5 DRAWING							
Site code		DL023	Survey date		01/04/25	Sheet Size		A3	
Scale		Drawn	SG	Checked		JN	Approved		DG
As Shown		Date	26/08/25	Date	26/08/25	Date	26/08/25		

Title	Existing Site Layout Plan		
Project	PROPOSED VANTAGE TOWERS SITE AT LETTERFAD TERMON, LETTERKENNY Co. DONEGAL		
Drawing No.	DL023 / S5 / 03		
Revision	A		

Site Name: LETTERFAD

Site Code: DL023

NOT FOR
CONSTRUCTION



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Notes:

1. Do not scale.
2. All dimensions are in mm otherwise specified.
3. Assume all site details are existing unless otherwise specified.

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A					
Rev.	Description	By	Date		

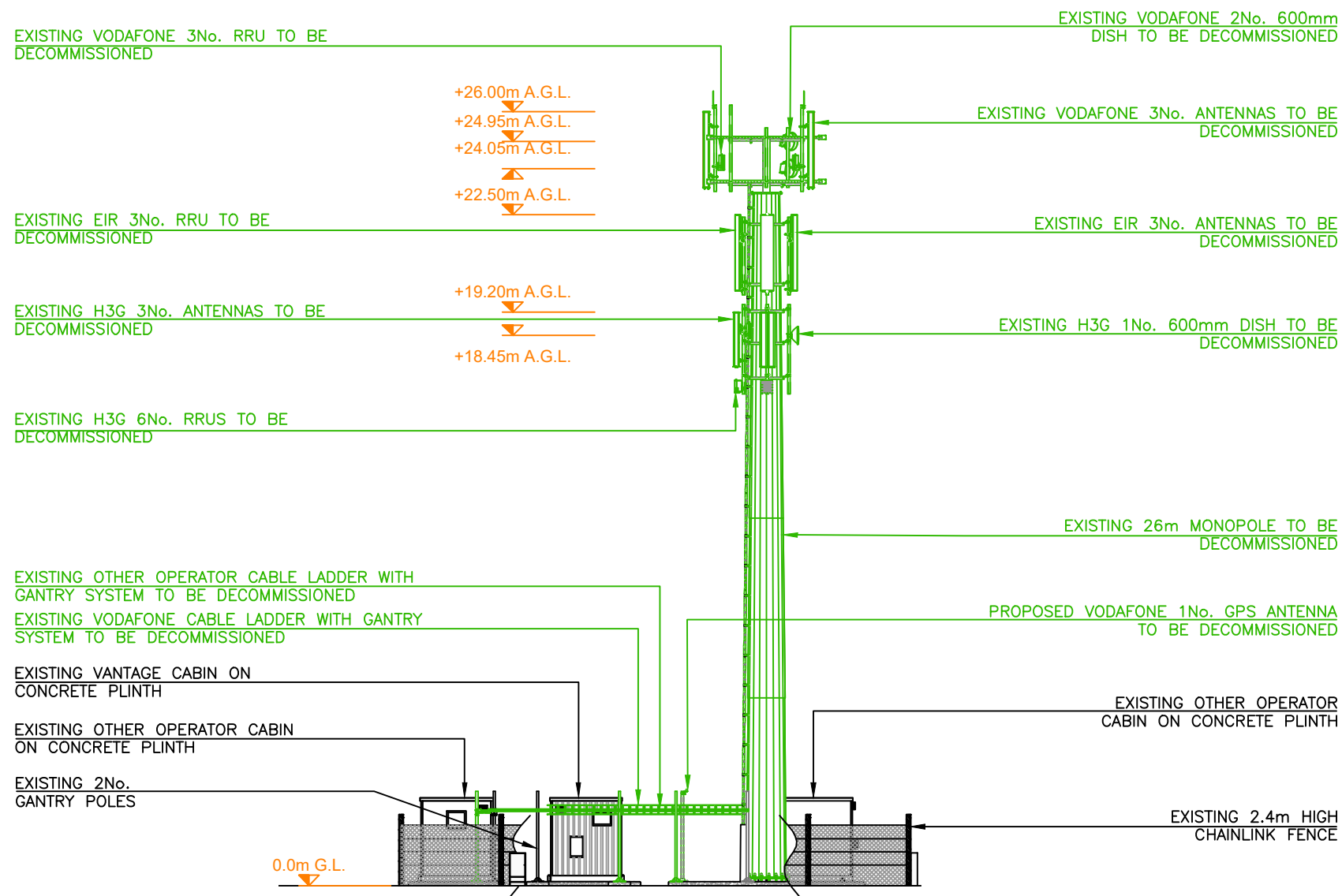
Cabin/Cabinet Details	
Type: CABIN	
Dims: -	
Colour: -	
Structure Details	
Type: MONOPOLE	
Height: 26m	

Purpose

SECTION 5 DRAWING					
Site code	DL023	Survey date	01/04/25	Sheet Size	A3
Scale	As Shown	Drawn	SG	Checked	JN
		Date	26/08/25	Approved	DG
		Date	26/08/25	Date	26/08/25

Title	Proposed Site Layout Plan	
Project	PROPOSED VANTAGE TOWERS SITE AT LETTERFAD TERMON, LETTERKENNY Co. DONEGAL	
Drawing No.	DL023 / S5 / 04	Revision
		A

NOT FOR
CONSTRUCTION



EXISTING SOUTH-WEST ELEVATION
SCALE 1:200

Notes:

1. Do not scale.
2. All dimensions are in mm otherwise specified.
3. Assume all site details are existing unless otherwise specified.

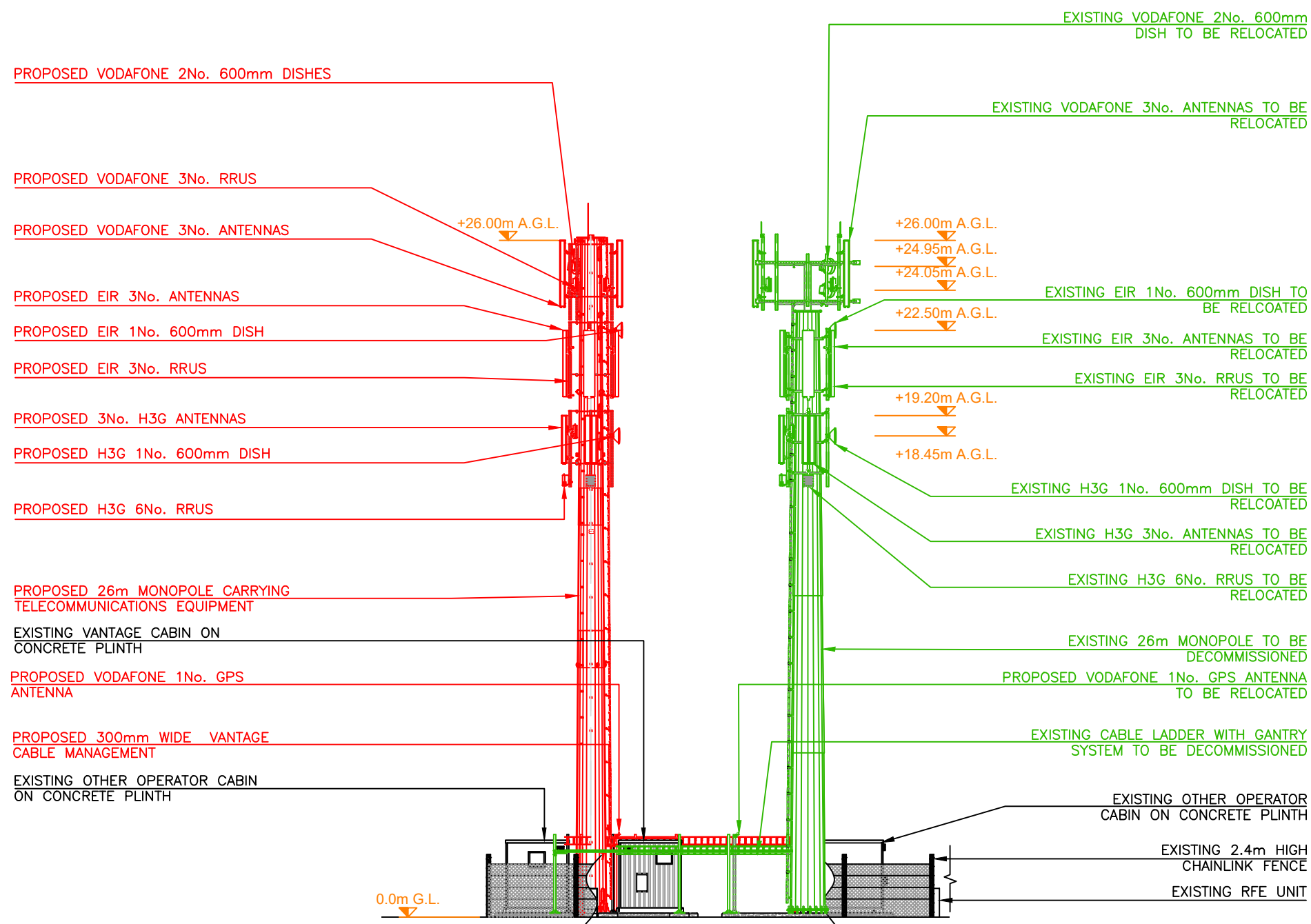
H					
G					
F					
E					
D					
C					
B					
A	STRUCTURE HEIGHT	JN	31/10/25		
-	SECTION 5 DRAWING	SBS	26/08/25		
Rev.	Description	By	Date		

Cabin/Cabinet Details
Type: CABIN
Dims: -
Colour: -
Structure Details
Type: MONOPOLE
Height: 26m

Purpose			
SECTION 5 DRAWING			
Site code	DL023	Survey date	01/04/25
Sheet Size	A3		
Scale	As Shown	Drawn	SG
		Checked	JN
		Approved	DG
		Date	26/08/25
		Date	26/08/25
		Date	26/08/25

Title	Existing South-West Elevation		
Project	PROPOSED VANTAGE TOWERS SITE AT LETTERFAD TERMON, LETTERKENNY Co. DONEGAL		
Drawing No.	DL023 / S5 / 05		
Revision	A		

NOT FOR
CONSTRUCTION



Notes:

1. Do not scale.
2. All dimensions are in mm otherwise specified.
3. Assume all site details are existing unless otherwise specified.

Rev.	Description	By	Date
A	STRUCTURE HEIGHT	JN	31/10/25
-	SECTION 5 DRAWING	SBS	26/08/25

Cabin/Cabinet Details	Structure Details
Type: CABIN	Type: MONOPOLE
Dims: -	Height: 26m
Colour: -	

Purpose	Site code	Survey date	Sheet Size	Scale	Drawn	Checked	Approved
SECTION 5 DRAWING	DL023	01/04/25	A3	As Shown	SG	JN	DG
		Date	Date	Date			
		26/08/25	26/08/25	26/08/25			

Title	Project	Drawing No.	Revision
Proposed South-West Elevation	PROPOSED VANTAGE TOWERS SITE AT LETTERFAD TERMON, LETTERKENNY Co. DONEGAL	DL023 / S5 / 06	A



**Comhairle Contae
Dhún na nGall**
Donegal County Council

Áras an Chontae,
Leifear,
Contae Dhún na nGall, F93 Y622

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W: www.ccdhunnangall.ie

Planning Services
E: planning@donegalcoco.ie

Issued by E-mail: michael.foody@chtc.ie

Our Ref: S525/93

5th November 2025

Vantage Towers Ltd
C/o Michael Foody
Charterhouse Infrastructure Consultants

**Re: Section 5 - Application for development at Letterfad, Termon, Letterkenny PO,
Co. Donegal.**

A Chara,

I wish to acknowledge receipt of your application received on 5th November 2025 in relation to the above.

Yours sincerely,

Donegal County Council
Planning Services



Donegal County Council

SECTION 5 REFERRAL REPORT – Ref. No: S5 25/93

BACKGROUND

Location

The subject site is located at Letterfad, Termon, Co. Donegal, within a rural upland area characterised by forestry, agricultural land and dispersed one-off dwellings.

Site Description:

The site comprises an established telecommunications installation, containing a 26-metre lattice antenna support structure, associated antennae and dishes, two equipment cabins, ground-level infrastructure and security fencing. The compound occupies a small footprint within a wider agricultural/forested landscape. The installation is long-standing and is not located within or immediately adjacent to any Protected Structures, Architectural Conservation Areas, NIAH-recorded structures or National Monuments. It is noted the site is not within a Natura 200 site, however the Leannan River SAC lies approximately 375m to the south-west of the site. No land take, excavation or intensification of use is proposed, and the development footprint remains within the existing established compound.

Planning History

The planning history confirms that the telecommunications use is authorised and longstanding.

97/2372 – Permission granted for a 26m support structure, antennae, equipment shelter, access and associated works.

99/4917 – Temporary retention permission for 26m support structure and equipment.

05/7020 – Temporary retention permission for 26m structure, shelters, fencing and access road.

10/40104 – Temporary retention permission for 26m structure, shelters, fencing and access track.

16/51533 – Retention permission granted 01/12/2016 for the existing 26m structure, antennae and associated compound.

The agent confirms that the conditions of 16/51533 have been complied with.

THE QUESTION

The agent, Charterhouse, on behalf of Vantage Towers Ltd, has made a submission to Donegal County Council seeking a formal declaration under Section 5 of the Planning

and Development Act 2000 (as amended), requesting confirmation as to whether the following is exempt from planning permission:

““The replacement of the existing 26m lattice telecommunications structure with a 26m telecommunications monopole and the relocation of existing antennas, dishes and RRUs onto the new structure, with no changes to the existing compound, access, fencing or equipment cabins.”

The referral seeks clarification specifically under Class 31(j) of Schedule 2, Part 1 of the Planning and Development Regulations, 2001 (as amended).

EVALUATION

Planning and Development Act, 2000 (as amended)

Section 2(1)

In this Act, except where the context otherwise requires –

"structure" means any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined, and

(a) where the context so admits, includes the land on, in or under which the structure is situate ...

"works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal ...

Section 3(1)

"Development" in this Act means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

Section 177U(9)

“In deciding upon a declaration for the purposes of Section 5 of this Act a planning authority or the Board, as the case may be, shall where appropriate, conduct screening for appropriate assessment in accordance with the provisions of this section”.

Planning and Development Regulations, 2001 (as amended)

Article 6(1)

Subject to Article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Article 9

(1) Development to which article 6 relates shall not be exempted development for the purposes of the Act—

(a) if the carrying out of such development would—

(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,

- (ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,
- (iii) endanger public safety by reason of traffic hazard or obstruction of road users,
- (vi) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,
- (vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan, save any excavation, pursuant to and in accordance with a licence granted under section 26 of the National Monuments Act, 1930 (No. 2 of 1930),
- (viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use.

Class 31(j) of Schedule 2, Part 1

Class 31(j) provides for:

“an antenna support structure in place of an existing antenna support structure”

subject to limitations relating to:

1. The replaced structure shall be removed no later than 4 weeks following its decommissioning.
2. Where, for reasons of the integrity of the network or other operational reasons, the structure to be replaced remains in use during the construction of the replacement structure, the replacement structure shall be located as near as possible to the existing structure having regard to construction activity and safety requirements and, in any case, no replacement structure shall be located more than 20 metres from the replaced structure (measured from the base).
3. (a) The height of the replacement structure shall not exceed the height of the replaced structure.

(b)(i) Subject to sub-paragraph (ii), the width of the replacement structure shall not exceed the width of the replaced structure.

(ii) Where the replaced structure was 2 metres or less in width, the width of the replacement structure may not be more than twice the width of the replaced structure, all measurements to be taken at the widest point.

(c) Where the replaced structure did not incorporate an antenna platform, the replacement shall not incorporate such a platform.

4.(a) Subject to sub-paragraph (b), the antennae to be attached to the replacement structure shall not exceed the number of antennae on the replaced structure.

(b) An additional 12 antennae for mobile telephony may be attached to the replacement structure, of which not more than 8 of the additional 12 shall be of the dish type (whether shielded or not).

5. (a) The dimensions of any additional antenna for mobile telephony shall not exceed the greatest length, width or depth of any antenna for mobile telephony of corresponding type on the replaced structure.

(b) In any other case, the dimensions of any antenna provided shall not exceed:

(i) in the case of any panel type antenna, 1.5 metres in length × 0.4 metres in width × 0.15 metres in depth,

(ii) in the case of any co-linear type antenna, 5 metres in length × 0.1 metres in diameter, and

(iii) in the case of any dish type antenna (whether shielded or not), 1.8 metres in diameter.

6. The replacement of an antenna support structure together with any replaced or additional antenna shall not result in the field strength of the non-ionising radiation emissions from the radio installations on the site exceeding the limits specified by the Director of Telecommunications Regulation.

ASSESSMENT

Existing Use:

The existing installation comprises a 26m steel lattice support structure carrying antennas, dishes and RRUs.

Proposed development:

The proposal involves replacing the lattice tower with a 26m monopole located within the same secured compound, and transferring all existing antennae and equipment onto the new structure. No new cabins, fencing, access alterations or extensions of compound area are proposed. The proposed layout plan and proposed elevation confirm this.

Analysis of Development:

The removal of the existing tower and erection of a replacement constitutes development, but is exempt if all requirements of Class 31(j) are met.

The Planning Authority is satisfied that:

- The replacement structure is 26m in height, the same as the existing.

- The proposed base width of approx. 1.4m does not exceed twice the width of the existing structure (approx. 1.2m), as permitted for structures under 2m wide.
- The proposed monopole sits within the existing compound, well within 20m of the existing tower footprint.
- No antenna platform is introduced.
- The antennae and dishes to be placed on the new structure correspond to those on the existing structure and remain within the dimensional limits of Class 31(j).

The Planning Authority therefore considers that the proposal meets the conditions and limitations of Class 31(j).

Article 9 Considerations

There is no evidence that the proposal would contravene any conditions attached to permission 16/51533. The use continues as an authorised telecommunications installation and no material change of use arises.

The site is not within any protected landscape designation, protected structure setting, NIAH structure curtilage or archaeological zone.

No other Article 9 restrictions are triggered.

Appropriate Assessment

As the development involves the replacement of an existing structure within an established compound with no landtake, no intensification and no hydrological link capable of giving rise to significant effects, the Planning Authority concludes that the proposal is not likely to have a significant effect on a European Site and that AA is not required under Section 177U(9).

Environmental Impact Assessment (EIA)

The proposed development does not fall within any class of development listed in Schedule 5, Parts 1 or 2 of the Planning and Development Regulations 2001 (as amended). No EIA is required.

CONCLUSION

It is considered that:

The proposed removal of the existing 26m lattice telecommunications structure and erection of a 26m monopole within the existing compound constitutes development within the meaning of Section 3(1) of the Planning and Development Act 2000 (as amended). The proposed development complies with Class 31(j) of Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended), and none of the restrictions under Article 9 apply. The development is therefore exempted development.

RECOMMENDATION

It is hereby recommended that a declaration be made that the subject matter of the request as above –

IS Development

&

IS Exempted Development within the meaning of the above act.

The proposal to:

Remove the existing 26m lattice telecommunications structure and erect a 26m monopole transmitting structure within the existing compound, relocating existing antennae and associated equipment.

The Planning Authority, in considering this referral, had regard particularly to:

- Sections 2, 3, 4, and 177U of the Planning and Development Act, 2000 (as amended).
- Articles 6(3), 9(1), and Class 31(j) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended); And concluded that:

The proposal IS DEVELOPMENT and IS EXEMPTED DEVELOPMENT, as it has been demonstrated that the development falls within the scope of Class 31(j) of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended) without contravening conditions of the prior permissions.



Executive Planner
Development Applications Unit
01/12/2025



Frank Sweeney
Senior Executive Planner
Community Development & Planning Services
02/12/2025

Chief Executive's Order No: 2025PH3484

Planning and Development Acts 2000 (as amended)

SECTION 5:-

Request received 5th November 2025 from Vantage Towers Ltd C/o Charterhouse (John Corridan), HQ 27 Market Street, Listowel, Co. Kerry V31 Y436 in relation to the removal of existing 26m lattice telecommunications structure and erection of a 26m monopole transmitting structure within the existing compound, relocating existing antennae and associated equipment at Letterfad, Termon, Letterkenny PO, Co. Donegal.

SUBMITTED:-

Written request received 5th November 2025 as above and report dated 1st December 2025 from the Executive Planner (Ref. No: S5 25/93 refers).

ORDER:-

Having considered the said request, the report of the Executive Planner, and the record forwarded to the Council by An Coimisiún Pleanála. in compliance with Sub-Section 6(c) of the said Section I have concluded that a declaration on the questions in the said request should be made in the terms of that in the Schedule to this Order, the main reasons and considerations therefore being detailed therein. I therefore Order that the declaration issue to the said requester and the owners/occupiers of the land concerned and, further, that it be entered in the Council's Planning Register in compliance with Sub-Section (5) of the said Section.


SENIOR EX. PLANNER

DATED THIS 2nd DAY OF DECEMBER 2025

LMG

Chief Executive's Order No: 2025PH3484

Ref.No: S5 25/93

SCHEDULE

IT IS HEREBY DECLARED THAT THE SUBJECT MATTER OF THE REQUEST AS ABOVE

IS Development

IS Exempted Development

WITHIN THE MEANING OF THE ABOVE ACT

The Planning Authority in considering this referral, had regard particularly to:

- Sections 2, 3, 4, and 177U of the Planning and Development Act, 2000 (as amended).
- Articles 6(3), 9(1), and Class 31(j) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

And concluded that:

The proposal **IS DEVELOPMENT** within the meaning of the Planning and Development Act, 2000 (as amended) and **IS EXEMPTED DEVELOPMENT**, as it has been demonstrated that the development falls within the scope of Class 31(j) of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended) without contravening conditions of the prior permissions.

JS 02/12



**Comhairle Contae
Dhún na nGall**
Donegal County Council

Áras an Chontae,
Leifear,
Contae Dhún na nGall, F93 Y622

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Ref. No: S525/93

2nd December 2025

VANTAGE TOWERS LTD
C/O CHARTERHOUSE (JOHN CORRIDAN)
HQ 27 MARKET STREET
LISTOWEL
CO. KERRY
V31 Y436

Re: Removal of existing 26m lattice telecommunications structure and erection of a 26m monopole transmitting structure within the existing compound, relocating existing antennae and associated equipment at Letterfad, Termon, Letterkenny PO, Co. Donegal.

A Chara,

I refer to your request received on 5th November 2025 under Section 5 of the Planning and Development Act, 2000 (as amended). Same has now been decided and I now issue to you herewith the Council's Declaration thereon. You are now advised that, in accordance with Section 5 (3) (a) of the Planning & Development Act, 2000 (as amended) where a Declaration is issued, any person issued with such a Declaration may, on payment to An Coimisiún Pleanála. of such fee as may be prescribed, refer a Declaration for review by the Commission within 4 weeks of the date of issuing of the Declaration.

Mise, le meas,



For Senior Ex. Planner
Planning Services
/jmcc

Planning and Development Acts, 2000 (as amended)
(Declaration and Referral on Development and Exempted Development)

DECLARATION

Chief Executive's Order No: 2025PH3484

Reference No: S525/93

Name of Requester: VANTAGE TOWERS LTD
C/O CHARTERHOUSE (JOHN CORRIDAN)
HQ 27 MARKET STREET
LISTOWEL
CO. KERRY
V31 Y436

Summarised Description of development the subject matter of request:

Removal of existing 26m lattice telecommunications structure and erection of a 26m monopole transmitting structure within the existing compound, relocating existing antennae and associated equipment

Location: Letterfad, Termon, Letterkenny PO, Co. Donegal.

IT IS HEREBY DECLARED THAT THE SUBJECT MATTER OF THE REQUEST AS ABOVE

IS Development

IS Exempted Development

WITHIN THE MEANING OF THE ABOVE ACT

The Planning Authority in considering this referral, had regard particularly to:

- Sections 2, 3, 4, and 177U of the Planning and Development Act, 2000 (as amended).
- Articles 6(3), 9(1), and Class 31(j) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

And concluded that:

The proposal **IS DEVELOPMENT** within the meaning of the Planning and Development Act, 2000 (as amended) and **IS EXEMPTED DEVELOPMENT**, as it has been demonstrated that the development falls within the scope of Class 31(j) of Part 1 of Schedule 2 of the Planning & Development Regulations 2001 (as amended) without contravening conditions of the prior permissions.



For Senior Ex. Planner
Planning Services

Dated this 2nd day of December 2025