



An
Bord
Pleanála

Board Order ABP-321815-25

Planning and Development Acts 2000 to 2022

Planning Authority: Waterford County Council

Planning Register Reference Number: 24/60657

Appeal by On Tower Ireland Limited care of David Counihan of Indigo, Houston Hall, Ballycummin Avenue, Raheen Business Park, Limerick against the decision made on the 10th day of January, 2025 by Waterford County Council to refuse permission for the proposed development.

Proposed Development: Permission to install an 18-metre multi-user lattice type telecommunications support structure, carrying antenna and dishes enclosed within a 2.4-metre-high palisade fenced compound together with associated ground equipment cabinets and associated site works including a new access track and entrance onto the L4085 Knockroe Road on lands at Crooke, Passage East, County Waterford.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

Having regard to:

- (a) the proposed location of the telecommunications structure on an elevated and exposed site,
- (b) the predominately residential character of the area in the immediate surrounds of Crooke,
- (c) the close proximity to a 'most sensitive' landscape as designated in the Scenic Classification in the Landscape and Seascape Character Assessment of Waterford City and County Development Plan 2022-2028,
- (d) the height and design of the telecommunications structure,
- (e) the Telecommunications Antennae and Support Structures- Guidelines for Planning Authorities (1996),
- (f) the National Broadband Plan 2020,
- (g) Policy UTL 16 (ICT/Communications) of the Waterford City and County Development Plan 2022-2028, and
- (h) the totality of the documentation on file,

it is considered that a satisfactory justification has not been provided for the proposed lattice type support structure in this location. It is also considered that, the proposed development would be visually obtrusive and would seriously injure the amenities of the area and of property in the vicinity, would be contrary to the provisions of Policy UTL 16 (ICT/Communications) of the Waterford City and County Development Plan 2022-2028, and section 4.3 (Visual Impact) of the Telecommunications Antennae and Support Structures- Guidelines for Planning

Authorities (1996) and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board was not satisfied that the developer demonstrated sufficient justification for the proposed design in terms of the minimum height consistent with effective operation for the telecommunications structure as required under Section 4.3 (Visual Impact) of the Telecommunications Antennae and Support Structures- Guidelines for Planning Authorities (1996), or for the consideration of an alternative design to the proposed lattice type support structure as required under Policy UTL 16 (ICT/Communications) of the Waterford City and County Development Plan 2022-2028. The Board did not agree with the Inspector's assertion that the mast, while tall, is a thin structure and therefore would not be prominent or obtrusive. The Board considered the visual impacts of an 18-metre-high lattice type telecommunications structure on an elevated exposed site on nearby residences to the north, south and east unacceptable in this location, with particular reference to VP4, VP6 and VP7 of the Visual Impact Appraisal prepared by Indigo submitted on the 8th day of November, 2024.

The Board considered that the development is a project for the purposes of the Environmental Impact Assessment Directive. However, the Board concluded that the proposed development does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 to the Planning and Development Regulations 2001, as amended, and therefore no preliminary examination, screening for environmental impact assessment, or environmental impact assessment is required.



Mick Long

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this

9th day of *June*

2025.