



An  
Bord  
Pleanála

## Inspector's Report ABP 303304-18.

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<b>Development</b>	Erection of telecommunications flagpole and transmission dish.
<b>Location</b>	The Horse & Hound, Convent Road, Delgany, Co. Wicklow.
<b>Planning Authority</b>	Wicklow Co. Council.
<b>Planning Authority Reg. Ref.</b>	181106.
<b>Applicant</b>	Signal Infrastructure Ltd.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Refuse permission.
<b>Type of Appeal</b>	First Party
<b>Appellant</b>	Signal Infrastructure Ltd.
<b>Observers</b>	(1) Aileen Lennon (2) David Sullivan (3) Gareth Madden (4) Alice O'Donnell
<b>Date of Site Inspection</b>	7/3/2019

**Inspector**

Siobhan Carroll

# Contents

1.0 Site Location and Description .....	4
2.0 Proposed Development .....	4
3.0 Planning Authority Decision .....	4
3.1. Decision .....	4
3.2. Planning Authority Reports .....	5
3.3. Third Party Observations .....	5
4.0 Planning History.....	5
5.0 Policy Context.....	6
5.1. Greystones/Delgany & Kilcoole Local Area Plan 2013 – 2019.....	6
5.2. Wicklow County Development Plan 2016 – 2022.....	6
5.3. Architectural Heritage Protection, Guidelines for Planning Authorities, DoEHLG, 2011 .....	7
5.4. Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, Department of the Environment, July 1996.....	7
5.5. Natural Heritage Designations .....	7
5.6. Environmental Impact Assessment (EIA).....	8
6.0 The Appeal .....	8
6.1. Grounds of Appeal .....	8
6.2. Planning Authority Response.....	13
6.3. Observations.....	13
7.0 Assessment.....	15
8.0 Recommendation.....	20
9.0 Reasons and Considerations.....	20

## 1.0 Site Location and Description

- 1.1. The appeal site, which has a stated area of 0.18 hectares, is located in centre of Delgany Village. The site is occupied by the Horse and Hound public house and restaurant. The premises also include a guest house and a self-catering apartment. To the rear of the property there is a car parking associated with the public house.
- 1.2. Adjoining uses include residential development in the form existing housing developments of Convent Court to the north and Hunter's Brook to the south. To the west and on the opposite side of Convent Road is Bellevue Lawn. To the south of the site adjoining the public road on Convent Road there is a delicatessen.

## 2.0 Proposed Development

- 2.1. Permission is sought for the erection of an 8.5m high flagpole replica telecommunications support structure to internally house antenna at the rear gable end of the Horse and Hound. The development will also include the erection of 1 no. transmission dish at the roof level including radio units, together with associated ground equipment cabinets and associated site works.

## 3.0 Planning Authority Decision

### 3.1. Decision

Permission was refused for the following reason;

Having Regard to:

- (a) The location of the proposed structure within the immediate surrounds of a residential area,
- (b) The location of the proposed structure on a prominent site within the Delgany Village Architectural Conservation Area,
- (c) The failure of the applicants to adequately demonstrate that there is not a more appropriate location for this development,

(d) The failure of the applicants to submit a statement of compliance with the International Radiation Protection Association (IRPA) Guidelines (Health Physics, Vol. 54, No. 1(Jan) 1988) or the equivalent European Pretender 50166-2

It is considered that the proposed development would be contrary to the development standards for mast and telecommunications structures as set out in the Wicklow County Development. The proposed development therefore has the potential to impact upon the residential amenities of the area and to detract from the character of the Delgany Village Architectural Consecration area. To permit this development would therefore be contrary to the proper planning and sustainable development of the area.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

- It was concluded that the proposed telecommunications structure would be visible and would appear incongruous in the streetscape and that it would detract from rather than enhance the character of the ACA. It was also considered that the proposed development would be contrary to the development standards for mast and telecommunication structures as set out in the Wicklow County Development Plan.

### **3.3. Third Party Observations**

- 3.3.1. The Planning Authority received six submissions/observations in relation to the application. The main issues raised are similar to those set out in the observations to the first party appeal.

## **4.0 Planning History**

- None relevant

## 5.0 Policy Context

### 5.1. Greystones/Delgany & Kilcoole Local Area Plan 2013 – 2019

- 5.1.1. The site is zoned Village Centre/VC with a stated objective ‘to protect, provide for, and improve a mix of village centre services and facilities, which provide for the day to day needs of the local community.
- 5.1.2. The site is located within Delgany Village Architectural Conservation Area.
- 5.1.3. Objective – HER12: To preserve the character of Architectural Conservation Areas (ACAs), in accordance with Appendix B. The following objectives shall apply to ACAs:
- Development will be controlled in order to protect, safeguard and enhance the special character and environmental quality of ACAs.
  - The placing of satellite dishes, television aerials, solar panels, telecommunications antennae and alarm boxes on front elevations or above the ridge lines of buildings or structures will generally be discouraged within Architectural Conservation Areas, except where the character of the ACA is not compromised.

### 5.2. Wicklow County Development Plan 2016 – 2022

5.2.1. Section 9.4 refers to telecommunications

5.2.2. Section 9.4.3 – Telecommunications Objectives

T1 – To facilitate the roll out of the National Broadband Plan and the development/expansion of communication, information and broadcasting networks, including mobile phone networks, broadband and other digital services, subject to environmental and visual amenity constraints.

T2 – The development of new masts and antennae shall be in accordance with the development standards set out in Appendix 1 of this plan.

T3 – To ensure that telecommunications structures are provided at appropriate locations that minimise and /or mitigate any adverse impacts on communities, and the built or natural environment.

5.2.3. Appendix 1 – Section 10 refers to Energy and Telecommunications

**5.3. Architectural Heritage Protection, Guidelines for Planning Authorities, DoEHLG, 2011**

5.3.1. Section 13.8 refers to development affecting the Setting of a Protected Structure or an Architectural Conservation Area

**5.4. Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, Department of the Environment, July 1996.**

5.4.1. Section 4.2 of the Guidelines relate to design and siting. It notes that location will be substantially influenced by radio engineering factors. In terms of the visual impact it is stated that great care will have to be taken when dealing with fragile or sensitive landscapes with other areas designated or scheduled under the Planning Acts or other legislation.

**5.4.2. Circular Letter PL07/12**

5.4.3. This Circular Letter revises elements of the 1996 Guidelines. In particular, Section 2.2 advises Planning Authorities to cease attaching time limiting conditions to telecommunications masts, except in exceptional circumstances. Section 2.6 relates to 'Health and Safety Aspects' and states that:

“The 1996 Guidelines advise that planning authorities should not include monitoring arrangements as part of planning permission conditions nor determine planning applications on health grounds. This Circular Letter reiterates that advice to local planning authorities. Planning authorities should be primarily concerned with the appropriate location and design of telecommunications structures and do not have competence for health and safety matters in respect of telecommunications infrastructure. These are regulated by other codes and such matters should not be additionally regulated by the planning process.”

**5.5. Natural Heritage Designations**

The nearest Natura 2000 sites are;

- Glen of the Downs SAC c.900m to the west
- Bray Head SAC c.2.9km to the north-east
- Carriggower Bog SAC c.5km to the south-west
- The Murrough Wetlands SAC c.3.8km to the south-east
- The Murrough SPA c.4.6km to the south-east

## 5.6. Environmental Impact Assessment (EIA)

- 5.6.1. The proposed development does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations and therefore is not subject to EIA requirements.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

A first party appeal was lodged by 4Site on behalf of the applicant Cignal Infrastructure Ltd. The main issues raised are as follows;

- It is submitted that the proposed development is in accordance with 'Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, Department of the Environment, July 1996' which states that in urban and suburban areas the use of tall buildings or other existing structures is always preferable to the construction of an independent antennae support structure.
- The coverage requirement is within an area which is primarily residential in the village centre of Delgany. There are no existing telecommunications sites in the area to co-locate equipment onto or other suitable acquirable alternative sites that meet the coverage objective of Delgany village.
- There are no sites of an industrial nature in the area or commercial buildings of sufficient height to meet the coverage requirements. Alternative sites and premises in the search area were investigated including the Wicklow Arms Hotel premises and Christ Church premises however they were not



progressed further as the owners did not demonstrate any interest in proposals to position telecommunications equipment.

- It is submitted that the site at the Horse and Hound public house was the only viable option where there was agreed terms and conditions in place.
- The proposed telecommunications structure is required to provide 3G, 4G voice and data service provision as well as plan for future 5G services. The uptake of wire handheld 4G enabled devices has put substantial pressure on the existing infrastructure. To meet the growing demand it is necessary to upgrade existing base stations and acquire new sites to improve mobile voice and data coverage in the village.
- It is submitted that there are no sites within the Delgany area providing specific coverage into the village.
- Five sites were identified and considered for co-location. (1) H3G site at Kindlestown Wood 1.7km to the north of the site. However due to tree cover this site is unable to provide coverage to the target area. (2) H3G site at Greystones RFC 1.8km to the east of the site. This existing telecommunications site would be unable to provide coverage to Delgany village. (3) Eir site at Charlesland Centre is 1.9km to the south-east. This site is low and only serves the Charlesland area. Therefore, it is unable to cover the target area for Delgany village. (4) Eir site at ESB pylon 53 is located 2km to the south-west. This site is unable to serve Delgany village due to heavy tree clutter between it and the village. (5) H3G site at Glen of the Downs is located 2.1km west of the site. The coverage from this site to Delgany village is blocked by Bellevue Woods.
- The provision of a new site would address capacity as well as the coverage potential of the network.
- The site is zoned Village Centre in the Greystones/Delgany & Kilcoole Local Area Plan 2013 – 2019. It is set out in the LAP that uses generally appropriate for centres include utility installations and ancillary development for town centre uses. The development is considered to be a utility installation given its nature as a telecommunications installation it is considered an appropriate use. The site is not within a residential area and

therefore it is consistent with development plan policies to avoid telecommunications development within residential area.

- In relation to potential visual impact, it is submitted that a degree of visual impact is inevitable with wireless telecommunication equipment given the physical requirement to be above obstructions and therefore positioned at a height.
- A visual impact assessment was carried out and 13 no. viewpoints were considered within a 200m radius.
- It is noted that there is a protected view beginning at the Horse and Hound, V2 -Views southwards at the Horse and Hound in Delgany Village towards Drummin Hill. This view is not considered in the visual impact assessment as the view is directed south away from the proposed works.
- Viewpoints no's 1, 2 and 3 are taken from the lane and car park to the rear of the Horse and Hound. It is submitted that the proposed telecommunications structure would be visible against the backdrop of the building and skyline as it would extend 4m above the ridge level of the building and chimney stack. The impact was described as medium given the scale of the structure. The presence of trees, chimney stacks and TV aerials and other elements in the streetscape will help to assimilate the structure.
- Viewpoint no. 4 is taken from outside the Horse and Hound and facing south-east. It is considered that 2-3m of the proposed telecommunications structure would be visible from street level. This is submitted as having a low to moderate impact. It is stated that the flagpole structure positioned over the roof line would blend into the backdrop of the village. It is submitted that the proposed telecommunications structure would not be visible from Viewpoint no. 5 from Bellevue Housing Estate.
- Viewpoints no. 6 & 7 are taken from Convent Road facing north 2-3m of the proposed telecommunications structure would be visible on the skyline. The potential impact is considered to be low.
- Viewpoints no. 8 & 9 are taken from Convent Road facing southwards the upper section of the proposed telecommunications structure circa 3-4m would

be visible. The impact is considered to be low to moderate given the existing features in the skyline.

- Viewpoint no. 10 is taken from Convent Court facing south towards the site. It is stated that the upper portion of the telecommunications structure would be visible from certain positions near the entrance of Convent Court. The impact is considered to be low given the distance and foreground of trees.
- Viewpoints no. 11 & 12 are taken from Hunter's Brook facing west towards the site. The entirety of the telecommunications structure would be visible the impact is considered to be moderate to high.
- Viewpoint no. 13 is taken from the Carmelite Monastery south-east towards the site. The upper section of the proposed telecommunications structure would be visible from certain locations within the Monastery. The impact is considered to be low given the extensive foliage.
- In relation to the visual impact it is concluded that the telecommunications structure will be visible from a number of viewpoints within Delgany Village. The range of impacts experienced in the village setting is expected to be low when viewed from residences in the wider area and medium when viewed from closer proximity. The highest level visual impact is expected to be from Hunter's Brook residential area. It is concluded that given the sites urban and commercial nature where telecommunications coverage for the operator is poor the proposed rooftop location is considered to be appropriate.
- The site is located within Delgany ACA. The ACA recognises the core of the village as a place of local, social, cultural and historical interest. Policy HER 12 of the Greystones/Delgany & Kilcoole LAP seeks to preserve the character of ACA's. Features of Delgany Village ACA are outlined in the LAP including the location and history, protected structures, protected views and the condition of the built fabric. Elements of the village described as important refer to the historic layout, topography and views south of the village. The Horse and Hound is not a protected structure. However, there are a number of protected structures in the general vicinity. The closest is the Wicklow Arms Public House 80m to the south-west and no's 8-14 Main Street an Arts & Crafts house which is circa 200m south of the site.

- The protected view listed as V2 southwards at the House & Hound towards Drummin Hill is directed south and is away from the proposed works.
- It is submitted that the proposed development would result in a limited change to the streetscape whereby a narrow pole would project above the existing roofline of the building. It is stated that the visible section of the pole which would be seen from street views will be restricted by buildings due to the vertical and horizontal alignment of the street. Therefore, it is expected that 2-3m of the telecommunications structure will be seen from street views. The proposed telecommunications structure with a height of 8.5m is a flagpole replica design. The design is considered contemporary and an appropriate and innovative solution for the location. It is submitted that the structure will not compromise the character of the village and its historic features given its scale and the extent to which it will be visible from the street.
- Regarding the requirement to submit a statement of compliance with the International Radiation Protection Association Guidelines as detailed in the Council's refusal reason, the applicant notes the guidance contained in the 1996 Telecoms guidelines and updated in Circular Letter PL07/12. In relation to health and safety aspects this advises that Planning Authorities should be primarily concerned with the appropriate location and design of telecommunications structures and do not have competence for health and safety matters in respect of telecommunications infrastructure.
- It is accepted that it is Wicklow Co. Council planning policy to require a statement of compliance with the International Radiation Protection Association (IRPA) Guidelines (Health Physics, Vol. 54, No. 1 (Jan) 1988. The appeal includes a statement from Three Ireland (Hutchison) Limited (H3G) stating that all H3G base station also comply with the International Commission on Non-Ionising Radiation Protection (ICNIRP) Guidelines.
- It is also confirmed that all base stations in Ireland adheres to the guidelines on limits of EMF exposure set by the International Commission on Non-Ionizing Radiation Protection.

- In conclusion, it is maintained that the proposed development is in line with national, regional and local planning policy, actively assisting in achieving the aims and objectives of the Co. Development Plan.

## 6.2. Planning Authority Response

- None received

## 6.3. Observations

The Board received four observations to the first party appeal. The main issues raised are outlined below;

### (1) Aileen Lennon

- The surrounding area is 95% residential. The local school is less than 300m away and there are circa dwellings within 50m and circa 200 dwellings within 150m of the site. The location of the proposed telecommunications structure within these distances of schools and residences is contrary to Development Plan policy.
- The observer raises concerns at the proposed location of the telecommunications structure within the centre of Delgany ACA. The Horse & Hound original building dates from 1790. There are numerous buildings, churches and burial grounds of architectural significance within 150m of the proposed location.
- The observer considers that the applicant has not satisfactorily addressed the matter of alternative suitable locations and the justification for the proposed location of the proposed telecommunications structure.
- Health concerns are raised.
- It is requested that the Board refuse permission for the proposed development.

### (2) Alice O'Donnell

- The maps submitted with the planning application do not show all the houses in the immediate vicinity of the proposed site at the Horse and Hound.
- Wicklow Co. County as part of planning applications for telecommunications infrastructure require a statement of compliance with International Radiation Protection Association (IRPA) Guidelines (Health Physics, Vol 54, No. 1 (Jan) 1988 or the equivalent European Pretender 50166-2 which has been conditioned by the licensing arrangements with the Department of Transport, Communications Energy & Natural Resources and to furnish evidence that an installation of the type applied for complies with the above Guidelines. The applicant has submitted a statement of compliance with the appeal. The observer states that there is considerable evidence that such masts are not recommended in close proximity to residential areas.
- The proposed development is contrary to development plan policy which states that new support structures shall not be permitted within or in immediate surroundings of a residential area or beside a school. It is noted that there are many residences within 100m of the proposed structure and that Delgany National school is also close to the proposed site.
- The site is located within Delgany Village ACA, the potential visual impact should also be considered.
- It is requested that the Board uphold the decision to refuse permission.

**(3) David Sullivan**

- The site is zoned 'VC' Village Centre. However, it is on the border between zones and the majority of surrounding uses are residential.
- The guidelines for locations for ACA's state that *"...the placing of satellite dishes, television aerials, solar panels, telecommunications antennae.....will generally be discouraged."*
- The applicant states that the Horse & Hound site was the only viable site to place the proposed structure.

- The site is located at the highest point in the village and the proposed structure would be visible from all over the village.
- The observer raises health and safety concerns.
- The observer queries the technical justification for the location of the proposed telecommunications structure.
- It is requested that the Board refuse permission for the proposed development.

**(4) Gareth Madden**

- The potential visual impact of the proposed telecommunications structure is raised.
- The proposed telecommunications structure is not considered appropriate to be erected onto the building which dates from 1790. The proposed development would negatively impact upon the heritage and character of Delgany Village.
- Issues referring to health and safety considerations are raised.
- The Observer states that the existing mobile phone signals are strong within the village and in the surrounding area.
- The site adjoins residential areas. The Observer notes, Council policy that new support structures shall not be permitted within or in the immediate surroundings of a residential area.
- It is requested that the Board uphold the Council's decision to refuse permission.

## **7.0 Assessment**

The main issues in this appeal are those raised in the grounds of appeal and it is considered that no other substantive issues arise. The issue of appropriate assessment screening also needs to be addressed. The issues can be dealt with under the following headings:

- Development Plan policy

- Health and Safety issues
- Impact upon Delgany ACA
- Appropriate Assessment

## 7.1. Development Plan policy

- 7.1.1. The subject site is located at the Horse & Hound, Convent Road, Delgany, Co. Wicklow is zoned Objective 'VC' which aims 'to protect, provide for, and improve a mix of village centre services and facilities, which provide for the day to day needs of the local community'. The site lies within Delgany Village Architectural Conservation Area (ACA).
- 7.1.2. The Development Plan and the DoE Guidelines Telecommunications Antennae and Support Structures (1996) and circular letter PL07/12 place significant emphasis on the importance of co-location and new telecommunications structures being used by more than one operator.
- 7.1.3. In relation to planning policy, telecommunications are considered in section 9.4 of the Development Plan and states that the availability of higher capacity speed broadband is essential to the economic development of the country. The objectives set out in the Plan support this statement (Objective T1). Objective T2 requires that the development of new masts and antennae shall be in accordance with the development standards set out in Appendix 1 of the Plan. Objective T3 refers to the need to ensure that telecommunications structures are provided at appropriate locations that minimise and /or mitigate any adverse impacts on communities, and the built or natural environment. Development plan standards for the development of such structures are set out in Section 10 of Appendix 1. In terms of the requirements to satisfy the 'need for new installation' I note that the requirements set out are included. These include a map of the area concerned showing all antennae operated by the applicant; details of antennae operated by others and details of the area to be covered and a technical explanation. The covering letter submitted with the application and the appeal submission provides details on the matters required and I consider same to be acceptable. The second requirement is location and I consider



the requirements in respect of a map of existing support structures and a technical evaluation have been provided.

7.1.4. In relation to suitable locations for telecommunications structures the hierarchy is set out as (1) clustering with existing support structures (2) Industrial estates or on industrial zoned lands (3) Rooftop locations in commercial/retail zone (4) In parks/open space areas. It is set out in the Development Plan that new support structures shall not be permitted within or in the immediate surrounds of a residential area or beside schools. The subject site is in commercial use as a public house. However, the closest residential properties are located at Hunter's Brook, Bellevue Lawn, Convent Road and Convent Court and they are circa 30m-35m from the proposed telecommunications structure. Having regard to the close proximity of the location of the proposed telecommunications structure to existing dwellings, I consider that the proposal would be contrary to the provisions of the Development Plan as set out in Section 10 of Appendix no. 1.

## **7.2. Health and Safety issues**

7.2.1. The refusal reason issued by the Planning Authority refers to the failure of the applicants to submit a statement of compliance with the International Radiation Protection Association (IRPA) Guidelines (Health Physics, Vol. 54, No. 1(Jan) 1988) or the equivalent European Pretender 50166-2. This requirement is set out in Section 10 which refers to – Energy and Telecommunications of Appendix 1 of the Wicklow County Development Plan 2016 – 2022.

7.2.2. In response to this matter the applicant Cignal Infrastructure Ltd. has submitted a statement from Three Ireland (Hutchison) Limited (H3G) stating that all H3G base station also comply with the International Commission on Non-Ionising Radiation Protection (ICNIRP) Guidelines.

7.2.3. The observers to the first party appeal have also raised the issue of potential human impacts arising from the proposed development.

7.2.4. In relation to these matters I note the provisions of Circular Letter PL07/12 issued by the Minister under section 28 of the Planning and Development Act 2000, as amended, which states that planning authorities should be primarily concerned with the appropriate location and design of telecommunications structures and do not have competence for health and safety matters in respect of telecommunications

infrastructure. The letter further advises that health and safety matters are regulated by other codes and such matters should not be additionally regulated by the planning process. Accordingly, the issue of health and safety will not be considered further within this report.

### **7.3. Impact upon Delgany ACA**

- 7.3.1. The site is located within Delgany Village Architectural Conservation Area. The ACA as described in the Greystones/Delgany & Kilcoole LAP comprises part of the existing village core from the old water pump on the western end of Christchurch to the eastern end. The village is formed with a tight clustering of late 18<sup>th</sup> and early 19<sup>th</sup> century buildings which radiate from an earlier monastic core. The distinctive S-shaped street pattern provides a distinct and strong village character and the buildings adhere to the contours of the land.
- 7.3.2. Architectural Heritage Protection Guidelines for Planning Authorities, DoEHLG, 2011 provides guidance in relation to development affecting the Setting of a Protected Structure or an Architectural Conservation Area. It states in Section 13.8 of the Guidelines that the extent of the potential impact of proposals will depend on the location of the new works, the character and quality of the proposed structure, its designed landscape and its setting, and the character and quality of the ACA. It is stated that proposals should not have an adverse effect on the special interest a protected structure or the character of the ACA.
- 7.3.3. Advice in relation to development within ACA's is provided in Section 9.2 of the Greystones/Delgany & Kilcoole LAP. Objective HER12 seeks to preserve the character of Architectural Conservation Areas. The objective states that the placing of satellite dishes, television aerials, solar panels, telecommunications antennae and alarm boxes on front elevations or above the ridge lines of buildings or structures will generally be discouraged within Architectural Conservation Areas. Except where the character of the ACA is not compromised.
- 7.3.4. The applicants consider that the proposal would not unduly impact upon the ACA as it would result in a limited change to the streetscape. They submitted that the proposed design is contemporary and that the visible section of the pole structure

would extend above the existing roofline by 2-3m and that the visible section of the pole which would be seen from street views will be restricted by buildings due to the vertical and horizontal alignment of the street.

- 7.3.5. The existing streetscape within Delgany Village ACA and along this section of Convent Road is relatively uncluttered and features the modern lighting columns. A visual impact assessment was submitted with the application. A total of 13 no. viewpoints were considered within a 200m radius of the site. The proposed telecommunications structure would be highly visible from close range views to the east including from viewpoints 1, 2 and 3 within the car park and to the rear of the Horse and Hound. From viewpoints no's 11 & 12 within Hunter's Brook to the south and east the full extent of the 8.5m high telecommunications structure would be directly visible.
- 7.3.6. From viewpoint no. 4 on Convent Road facing east towards the Horse and Hound the upper section of the proposed telecommunications structure circa 3m would be visible above the roof ridgeline. From viewpoint no. 6 on Convent Road facing north towards the site the upper 3m section of the structure would be visible in the streetscape. From viewpoint no's. 8 & 9 on Convent Road Viewpoints facing south towards the site the upper 3-4m section of the proposed telecommunications structure would be visible in the streetscape.
- 7.3.7. Having regard to the height of the proposed telecommunications structure and the extent of the structure which would be visible above the roof ridge level of the House and Hound within the streetscape within the ACA, I consider that it would form a visually intrusive feature which would adversely impact upon the character of Delgany Village Architectural Conservation.

#### 7.4. **Appropriate Assessment**

- 7.4.1. Having regard to the nature and scale of the proposed development and nature of the receiving environment together with the proximity to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## 8.0 Recommendation

8.1. To refuse permission for the following reasons and considerations.

## 9.0 Reasons and Considerations

1. The proposed development, by reason of its design, height and location set within Delgany Village Architectural Conservation Area would form a visually intrusive feature which would adversely impact upon the character of Delgany Village Architectural Conservation. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the proximity to existing dwellinghouses (approximately 30 meters), it is considered that the proposed development would, contravene the provisions of the Development Plan as set out in Section 10 of Appendix no. 1 and would be contrary to the proper planning and sustainable development of the area.

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Siobhan Carroll  
Planning Inspector

5<sup>th</sup> of April 2019