



An
Bord
Pleanála

Inspector's Report

ABP-307642-20

Development	Construct a 24 metre high multi-user lattice tower telecommunications structure carrying antenna and dishes enclosed within a 2.4 metre high palisade fence compound, together with associated ground equipment and associated site works.
Location	Quinns Farm, Garristown Td, Garristown, Co. Dublin.
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F20A/0118
Applicant(s)	Signal Infrastructure Limited.
Type of Application	Permission.
Planning Authority Decision	Refuse
Type of Appeal	First Party
Observer(s)	None.
Date of Site Inspection	29 th September 2020
Inspector	Barry O'Donnell

1.0 Site Location and Description

- 1.1. Quinn's Farm is located south-east of Garristown, on an elevated and exposed ridgeline in north County Dublin. The site is in a pleasant, rural setting and is visible in a number of views, particularly from the south and west.
- 1.2. The site forms part of a farmyard complex, which includes a bungalow which is adjacent to the public road and a number of agricultural and equine-related structures, including barns and stables, and a ménage. The appeal site itself measures 0.009ha and is located at the south end of the farmyard, to the rear of a barn and manure store.
- 1.3. There are a number of adjoining residential properties to the east and west, which are each set back from the road and which are directly in line with the subject site. The closest adjoining house is c.100m to the east.

2.0 Proposed Development

- 2.1. The development proposed at the application stage consisted of a 24m high multi-user lattice tower telecommunications structure, carrying antenna and dishes, enclosed within a 2.4 metre high palisade fence compound, together with associated ground equipment and associated site works.
- 2.2. As part of the appeal the applicant has amended the proposal and now seeks permission for a 21m monopole structure. The other elements of the proposal remain as originally proposed. This amendment follows the Planning Authority's decision on the application and is discussed in detail at Section 6.1 of this Report.
- 2.3. The proposed compound measures 11m long and 8.25m wide and would be located immediately to the rear (south) of an existing shed, within the central part of the farmyard complex and around 80m back from the public road.
- 2.4. A detailed justification of the need for the proposed tower has been provided, outlining that the service provider Eir has identified a requirement to install a new site within an identified search area, to resolve a coverage situation and to provide indoor coverage and the capacity of the network to Garristown and the surrounding area. The applicant clarifies that they themselves are a telecommunications infrastructure provider, working with mobile network operators, semi-state bodies and commercial organisations to develop infrastructure which improves the coverage and capacity of

mobile phone and wireless broadband services in urban and rural settings. Signal is part of a multinational group which operates over 40,000 sites around Europe and was formed in 2015 following the acquisition of tower locations from Coillte.

3.0 Planning Authority Decision

3.1. Decision

On 26th June 2020 Fingal County Council refused permission for the development, for 2 reasons as follows:

- 1. The proposed development by reason of its scale, height, design and siting on a visually prominent and exposed ridgeline within designated sensitive landscape would form a visually obtrusive and discordant feature at this location and would be seriously injurious to the landscape character and visual amenities of the area including designated preserved views. The proposed development would also lead to a proliferation of telecommunications infrastructure on visually prominent ridgelines within designated sensitive landscapes within the County. Accordingly, the proposed development would be contrary to the rural zoning objective and vision for these lands which seeks the protection and promotion of the rural area and its intrinsic value and Objectives IT07, IT08, NH35 NH36, NH37, NH38 and DMS144 of the FDP 2017-2023 which seeks to ensure appropriate siting and design of telecommunications infrastructure and the protection of sensitive landscape settings. As such, the proposed development would be contrary to the proper planning and sustainable development of the area.*
- 2. The proposed development by reason of scale, height, design and proximate location relative to existing dwellings would have a significant negative impact on existing dwellings in the area, would adversely impact on their residential amenity and would subsequently lead to a devaluation of these properties. If permitted, the proposed development would also lead to a highly undesirable precedent for co-locating similar structures within farmyard settings in the area. As such, the proposed development would be contrary to the proper planning and sustainable development of the area.*

3.2. **Planning Authority Reports**

3.2.1. Planning Report dated 26th June 2020, which reflects the decision to refuse permission. The report cited particular concerns relating to the design of the proposed tower, including associated elements and equipment, and its impact on both the character of the surrounding landscape and the residential amenity of neighbouring properties. The recommended reasons for refusal are generally in accordance with the Planning Authority's decision to refuse.

3.2.2. Other Technical Reports

Water Services Department – Report dated 22nd April 2020, which outlined no objection to the development.

Archaeology – Report dated 9th April 2020, which advised that the proposed development is located within the zone of archaeological notification of recorded monument DU003-006 and that archaeological monitoring should be required as part of any grant of permission.

Transportation Planning Section – Reference is made within the Planner's Report to a report from Transportation, which outlined no objection to the development. No copy of this report was provided as part of the appeal documentation.

3.3. **Prescribed Bodies**

3.3.1. **Irish Water** submission dated 24th April 2020, which requested a number of standard planning conditions as part of any grant of permission.

3.3.2. Reference is made within the Planner's Report to consultations with the Department of Culture, Heritage and the Gaeltacht, An Taisce and the Heritage Council and that no responses to these consultations were received.

3.4. **Third Party Observations**

3.4.1. A submission from a local resident was received, objecting to the development on the grounds of its visual impact.

3.4.2. Garristown Community Council also made a submission, objecting to the development. Concerns raised within the submission related to the impact of the

development of a highly sensitive landscape, its impact on the visual amenities and character of the area, its impact on an adjacent recorded monument, impact on public health, the need for an additional tower where there is an existing tower in close proximity and the speculative nature of the application.

4.0 Planning History

F19A/0358 - Permission refused on 2nd October 2019 for retention and completion of agricultural ground improvement/importation of soil material and increasing of ground levels on lands to the south of the farmyard complex, but within the same land ownership. The refusal reasons related to non-compliance with the zoning objective and the absence of a demonstrate need for the development, failure to demonstrate that the development would not result in adverse impacts on the receiving environment, which includes Natura 2000 sites in proximity, and the failure to demonstrate safe access to the site.

F16A/0218 - Permission granted on 28th November 2016 for demolition and removal of two horse walkers and the erection of a portal frame agricultural shed for the storage of fodder and machinery.

F06A/1353 - Permission and retention permission granted on 9th November 2006 for demolition of existing bungalow and construction of a replacement dormer bungalow, which included the retention and completion of a side extension approved under (Reg. Ref. F00B/0681).

Relevant Nearby Planning Records

F18A/0588 - *Lands within Garristown village*: Permission refused on 4th October 2019 for construction of a 24 metre high monopole with telecommunications equipment & ground based cabinets. The reasons for refusal related to visual impact and impact on the character of the landscape and impact on both the Garristown Architectural Conservation Area and protected structures on adjoining sites.

F20A/0397 - *Lands to the east*: Permission refused on 5th October 2020 for removal of an existing 13m telecommunications support structure and

replacement with a new 24m multi-user free standing support structure and including supporting elements and equipment. The reasons for refusal related to the impact of the development on a highly sensitive landscape and its impact on the residential amenity of nearby residential properties.

The Board should note that the appeal period for this application runs until 2nd November 2020.

5.0 Policy Context

5.1. Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996)

- 5.1.1. The Guidelines outline that in suburban and rural areas, antennae arrays will typically on freestanding support structures or masts. In reference to the height of such structures, the Guidelines state that, when the requirements of the network are taken into account, they can range from 12m to 60m though most typically they will be between 20m and 40m. The most usual support structure will be a tripod lattice construction.
- 5.1.2. In relation to the location of these structures, the Guidelines advise that topography and population density will dictate to a large extent the location of the base station. While each base station has its own locational requirements, it must also fit into the national network. For this reason, there may not always be great flexibility regarding a given location. Where substantial local flexibility is required it may mean moving other sites in the network or providing additional alternative base stations. However, some flexibility should almost always be available.
- 5.1.3. In relation to design and siting, it is advised that this will be dictated by radio and engineering parameters. However, there may be limited scope for design change and applicants should be asked to explore the possibility of other available designs.
- 5.1.4. Visual impact is among the more important considerations which have to be taken into account in the assessment of such proposals. In most cases the applicant will only have limited flexibility as regards location, given the constraints arising from radio planning parameters, etc. The visual impact will vary, depending on the

locational context, however great care will have to be taken when dealing with fragile or sensitive landscapes, with other areas designated or scheduled under planning and other legislation.

- 5.1.5. In reference to upland locations such as the appeal site, the Guidelines advise that masts on hilltops will by definition remain visible. Yet, if an authority were to rule out every hilltop as a possible location, the consequence would be that the operator might not be able to service the area or that a number of structures might be required to provide the same level of service, resulting in greater visual intrusion. It is also advised that the sharing of these installations will normally reduce the visual impact on the landscape. All applicants will be encouraged to share and will have to satisfy the authority that they have made a reasonable effort to share.
- 5.1.6. When the antennae and their support structures are no longer being used by the original operator and no new user has been identified they should be demolished, removed and the site re-instated at the operators' expense. This should be a condition of permission and the authority should consider a bonding arrangement to this effect.

5.2. Development Plan

- 5.2.1. The site is zoned 'RU' under the Fingal County Development Plan 2017-2023.
- 5.2.2. The site is located in the 'High Lying Character Type' landscape character area, which is identified on development plan sheet 14, Green Infrastructure, as a 'highly sensitive landscape'. In relation to this landscape character type, the development plan states:
'The High Lying Character Type is categorised as having a high value. The elevated area is very scenic, with panoramic views and strong hedgerows...There is little obtrusive or inappropriate development in the area and there is a pronounced absence of any substantial coniferous woodland. The area's importance is highlighted by the High Amenity zoning covering substantial parts of the area.'
- 5.2.3. Objective IT08 is relevant to proposals for telecommunications infrastructure, outlining an objective to:

‘Secure a high quality of design of masts, towers and antennae and other such infrastructure in the interests of visual amenity and the protection of sensitive landscapes, subject to radio and engineering parameters.’

5.2.4. Section 12.10 ‘Telecommunications Antennae and Support Structures’ is also relevant, containing a number of objectives to control the development of such infrastructure:

Objective DMS143: *‘Require the co-location of antennae on existing support structures and where this is not feasible require documentary evidence as to the non-availability of this option in proposals for new structures.’*

Objective DMS144: *‘Encourage the location of telecommunications based services at appropriate locations within the County, subject to environmental considerations and avoid the location of structures in fragile landscapes, in nature conservation areas, in highly sensitive landscapes and where views are to be preserved.’*

5.3. Natural Heritage Designations

5.3.1. The subject site is not located within or adjacent to any designated European Site.

5.4. EIA Screening

5.4.1. Having regard to the limited nature and scale of the proposed development it is considered that there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The grounds of appeal can be summarised as follows:

- Refusal reason No. 1

- The application was accompanied by a photomontage, together with a supporting visual impact appraisal. A revised version is provided as part of the appeal.
- The site forms part of high-lying lands, it is not within any designated site and is not within the curtilage of a protected structure or architectural conservation area but, it is within the zone of notification of a recorded monument. The site is within a designated 'highly sensitive landscape' and there are preserved views in a number of locations surrounding the site.
- It was determined that 15 viewpoints, at various locations within a 2km radius of the site would provide an accurate representation of the visual impact of the development. The chosen viewpoints are roughly north, west and south-west of the site.
- Viewpoints 1-15 are assessed, in terms of the visual impact of the development, and it is considered that impacts ranging from 'slight' to 'moderate' arise. The structure will be exposed in a number of views, as shown on viewpoints 12 and 13, but it will not have an overbearing impact from these locations and will be viewed in the context of existing telecommunications structures, telegraph poles and agricultural buildings.
- The site is located in a highly sensitive landscape, but the site itself cannot be said to be highly sensitive. The site is considered suitable because it is located outside of the Garristown architectural conservation area and is located adjacent to existing telecommunications installations and within a farm complex where there are a number slatted sheds and agricultural buildings.
- Telecommunications infrastructure development by its nature creates a visual impact and it is an acceptable principle that such impacts are necessary to provide essential infrastructure.
- A design modification is proposed as part of the appeal, to reduce the visual impact of the development by reducing its height, width and bulk. A 21m monopole structure is now proposed and revised drawings and photomontages have been provided as part of the appeal.

- The Planner's Report states that no justification was submitted in support of the propose design approach and no alternative design solutions were investigated, in the context of the sensitive landscape setting. Attention is drawn to the '*Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities*', which identify that the design and siting of such structures is to a large extent dictated by radio and engineering parameters. They also advise that there is limited flexibility in relation to location, given the constraints from radio planning parameters.
- Eir's coverage objectives dictate the location of the structure and the site needs to be positioned close to where the identified coverage problem is. In this instance, Eir provided a technical justification for the requirement to install a new site within the identified search area. The requirement is to resolve a coverage situation by locating equipment onto the proposed tower, to provide indoor coverage and the capacity of the network to Garristown and the surrounding area. The site is designed to support mobile and broadband communications for two mobile network operators and one wireless broadband provider, extending the reach of communications into areas poorly served in terms of wireless mobile voice and data services. Heat maps have been provided, which depict existing and predicted coverage. An outdoor coverage map has also been provided, which indicates a level of service for 4G service which is below expected standards.
- Following a review of potential sites, it was determined that the installation of the subject site was the best possible solution. A table of other telecommunications sites investigated in the area has been provided, which includes a reason for discounting each individual site.
- The need for the development is supported by operators and letters to this effect have been provided by Vodafone, Eir and Imagine Ireland, in support. The function of the structure is to allow co-location of multi-operator equipment.
- The cost of providing such infrastructure is high and this is the reason that companies such as the applicant have entered the market. It is unlikely that there would be a saturation of such structures in the area, rather operators will seek to existing installations where suitable and available.

- Refusal reason No. 2
 - The county development plan recognises the importance of developing high quality telecommunications infrastructure in assuring the competitiveness of the county's economy and its role in supporting regional and national development. Garristown is designated as a key village and forms part of a network of villages which function as local centres that provide services to a wide hinterland.
 - It is accepted that there will be views of the structure, as shown on viewpoints 12 and 13, however it is considered that the structure would not produce any overbearing impact and will be viewed in the context of existing telecommunications structures and agricultural buildings associated within the farmyard complex.
 - The development will not obstruct views, reduce daylight or create shadow on adjoining properties, nor will issues such as light pollution, vibration, noise, traffic, etc arise. Whilst the structure would be visible, significant impacts should exist, to outweigh the wider public benefits. It is accepted in visual impact assessments that simply being able to see a development is not always a sufficient reason to find a visual impact unacceptable.
 - Having considered the Planning Authority's refusal, the applicant proposed a modification to the proposed design, which reduces the structure's bulk, width and overall height and will reduce its visual impact. It is considered the revised design will not produce significant adverse impacts on the amenities of adjoining properties and will be viewed in the context of other installations which have a similar visual impact. There will also be limited direct views of the structure from adjoining properties.
 - In relation to alleged depreciation of property values, the Board has previously adjudicated on such matters and found that without evidence or examples, then it should not be used as a reason for refusal. Property values in the area may be positively affected by an improvement in communication infrastructure. Broadband is now considered the fourth utility, behind electricity, water and gas. An example of a London School of Economics study into the impact of broadband on houses is provided, showing that house prices increased by 3% on average when broadband speeds doubled.

- The Garristown area is identified in the National Broadband Plan an area where high speed broadband services are planned, while the wider area is a target for state intervention of the National Broadband Plan.
- There is no policy objective at local, regional or national level which states that telecommunications infrastructure should be located within agricultural settings. Attention is drawn to the acknowledgement within the Planner's Report that such structures are open for consideration under the site's zoning objective. There is also exempted development provision for the attachment of antennae to agricultural buildings and planning permission has been granted in a number of instances for such developments around the country, in agricultural settings. The cases of a 27m lattice tower at Caulstown, Dunboyne, Co. Meath and a 36m lattice tower in Gortaskibbole, Knockmore, Co. Mayo are given as examples.
- The development is in accordance with policies and objectives of the development plan and in line with government guidelines on siting telecommunications infrastructure. The development will take up an area of less than 50sqm and will not restrict future activities on site.

6.2. Planning Authority Response

- 6.2.1. Submission dated 12th August 2020, outlining that the application was assessed having regard to existing government policy and guidelines relating to the provision of telecommunications infrastructure including the Fingal County Development Plan 2017-2023. The proximate location of the proposed structure to adjoining dwellings and the impact on residential amenity was also assessed. Whilst the applicant has demonstrated a need within the locality, it is considered that a less visible and more remote location needs to be identified. The Planning Authority remains of the opinion that permission should be refused for the reasons set out within the Planner's Report.
- 6.2.2. The Board is requested to uphold the decision of the Planning Authority. In the event of a grant of permission, provision should be made for a financial contribution.

6.3. Observations

None received.

6.4. **Prescribed Bodies**

The appeal was referred for comment to the Department of Culture, Heritage and the Gaeltacht, requesting comment on or before 29th September 2020. No response has been received.

6.5. **Further Responses**

None received.

7.0 **Assessment**

7.1. Having inspected the site and considered the contents of the appeal in detail, the main planning issues in the assessment of the appeal are as follows:

- Principle of development;
- Visual impact;
- Investigation of alternative sites;
- Impact on neighbouring residential properties;
- Other issues; and
- Appropriate assessment.

7.2. **Principle**

7.2.1. 'Utility installations' are consistent with the 'RU' zoning under the Fingal County Development Plan 2017-2023.

7.2.2. In relation to the need for the proposed development, the appellant has provided a clear outline of the need for an additional telecommunications tower in the Garristown area and the benefits which would accrue to the community, and, indeed, has provided a clear outline of their role in the provision of such infrastructure. In this context, whilst I consider the development is speculative in nature, in that it is proposed by a commercial entity rather than by a statutory undertaker, I am satisfied that a need has been demonstrated for the development. However, careful consideration must be given to the site's location in a highly sensitive landscape, in the context of the provisions of Objective DMS144, which seeks to avoid the location

of structures in fragile landscapes, in nature conservation areas, in highly sensitive landscapes and where views are to be preserved.

7.3. Visual Impact

- 7.3.1. I would firstly draw the Board's attention to the amended design proposed as part of the appeal; the proposed development now comprises a 21m monopole structure. A number of comparative images have been provided as part of the appeal, which depict the appearance and impact of the amended design.
- 7.3.2. The appeal site is set on a local high spot, above the 140m contour, based on available OSI mapping. It was evident on my visit to the site that it is exposed in multiple views, particularly from the south-west and west, where there are protected views identified in the development plan. As can be seen from photomontage viewpoints 12 and 13, the landscape in this area is relatively unspoilt, characterised by agricultural lands with rural housing interspersed and there are panoramic views available. The farmyard buildings immediately adjoining the appeal site extend over the ridgeline and whilst not overly prominent or incongruous, they are a noticeable feature in these views. I agree with the development plan's conclusion that it is a highly sensitive landscape.
- 7.3.3. I consider the addition of a 21m monopole tower to the site, which would be particularly exposed in these views, would intrude on the character of the area, extending significantly above the other buildings within the farmyard complex and also extending over the ridgeline, providing a visually obtrusive and incongruent new landmark. The most exposed views of the site are to the south and south-west, which are protected views and in my opinion the impact of the development on these views would be significant.
- 7.3.4. The impact of the development in close range views would also be significant, as can be seen from photomontage viewpoints 2 and 14. I do not agree with the appellant's assessment that the structure would be read as part of the existing farmyard buildings complex, rather I consider it would be a dominant and stark feature in such views.
- 7.3.5. The appeal includes mitigation, in the form of landscaping around the compound. This landscaping, whilst beneficial in screening views from within the farmyard and

views of the compound from neighbouring residential properties, does not provide any relief from the wider visual impact.

- 7.3.6. There is an existing telecommunications structure to the west of the appeal site, a 13m monopole. This existing structure, which was recently the subject of a separate planning application for removal and replacement with a 24m lattice tower, is significantly lower than the proposed development and is, in my opinion, more akin to a telegraph pole and is read as such in views. Indeed, I note that this structure is not readily visible in the photomontage viewpoint images. I do not consider it establishes the acceptability of structures such as the current proposal in this landscape.
- 7.3.7. For the reasons outlined, I consider the development would be contrary to the zoning objective and vision for the area and also Objective DMS144.
- 7.3.8. In relation to visual impact assessment undertaken, it is unclear how the viewpoints were determined. It is unfortunate that there are no medium range images provided, which would have assisted in assessing the wider impact of the proposed structure on such an elevated site. The development plan's assessment of this landscape area outlines that '*There are a number of important visual ridges on these uplands, which are visible over a wide area of Fingal and Meath. Almost the whole County can be seen from the more elevated roads.*' On the basis of the information available, it is difficult to determine the wider impact of the proposal.

7.4. Investigation of Alternative Sites

- 7.4.1. The assessment of alternative sites focusses on existing telecommunications sites and, whilst I am satisfied that co-location would not be viable in this instance, no consideration appears to have been given to alternative sites that do not contain an existing structure. The subject site appears to have been the only greenfield site considered.
- 7.4.2. Given the sensitivity of the landscape to development, I believe a more wide-ranging investigation of alternative sites is required, which should include other greenfield locations, in order to arrive at a site location which has the lowest visual impact, whilst at the same time delivering the required telecommunications improvements. I agree with the Planning Authority that a less visible site should be found for this

installation, or failing this, a robust demonstration of why such alternative sites either do not exist or are not viable.

7.5. Impact on Neighbouring Residential Properties

- 7.5.1. There are a number of residential properties to the east and west, which would have close-range views of the proposed structure, as would the existing house within the farmyard complex. The adjoining houses are each set back from the road, so the structure would be directly in view. The structure's significant height and design, allied to the level of equipment it would contain, would make it a highly visible feature in views from these houses. Further, there is little that the property owners could do to alleviate the visual impact, given the height of the structure.

7.6. Other Issues

- 7.6.1. I note the comments of the Planning Authority's archaeology officer, that the site falls within the zone of archaeological notification for recorded monument DU003-006 and that archaeological monitoring should be required as part of any grant of permission.

7.7. Appropriate Assessment

- 7.7.1. Having regard to the nature and scale of the proposed development, which is outside of any Natura 2000 site, I do not consider that any Appropriate Assessment issues arise and I do not consider 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. I recommend that permission for the proposed development be refused, for the following reasons and considerations set out below.

9.0 Reasons and Considerations

1. The proposed development, by reason of its height and design, located on an elevated and exposed ridgeline within a highly sensitive landscape, would result in a visually obtrusive form of development which would be seriously injurious to the landscape character and visual amenities of the area, would impact on designated

preserved views and would also be injurious to the residential amenity of adjoining residential properties which are directly in line with the development. The proposed development would therefore be contrary to the RU zoning objective applying to the lands and Objective DMS144 of the Fingal County Development Plan 2017-2023, which seeks to avoid the location of such structures in fragile landscapes, in nature conservation areas, in highly sensitive landscapes and where views are to be preserved, and would also be contrary to the proper planning and sustainable development of the area.

Barry O'Donnell
Planning Inspector

14th October 2020.