



An
Bord
Pleanála

Inspector's Report ABP-309234-21

Development	Replace existing 16m floodlight with new 20m high structure carrying telecommunications.
Location	St Mary's GAA, Pairc Mhuire, Saggart, Co. Dublin
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD20A/0221
Applicant(s)	CK Hutchison Networks Ireland
Type of Application	Permission
Planning Authority Decision	Grant with Conditions
Type of Appeal	Third Party
Appellant(s)	<ol style="list-style-type: none">1. St. Mary's National School Parents Ass.2. Pairc Mhuire Residents
Observer(s)	None
Date of Site Inspection	15 th of April 2021
Inspector	Caryn Coogan

1.0 Site Location and Description

- 1.1. The subject site is St. Mary's GAA club and playing pitch located in the heart of Saggart village, Co. Dublin.
- 1.2. The club is accessed via *Pairc Mhuire* housing estate. The access and the carpark area associated with the GAA club are positioned along the western site boundary. The club house is to the north of the site. The subject location of the telecommunications structure is along the southern site boundary adjoining a cul de sac of houses (6No. houses), *Coldwater Lakes*.
- 1.3. Along the eastern site boundary is St. Mary's National School, which is a contemporary two storey building extending nearly the full length of the GAA pitch along its eastern axis.
- 1.4. Adjacent to the subject location of the telecommunications mast, are goal posts and netting poles.

2.0 Proposed Development

- 2.1. To replace existing 16m floodlight with a new 20metre high structure carrying telecommunications equipment and floodlights, in addition there will be ground level equipment cabin.

3.0 Planning Authority Decision

3.1. Decision

South County Dublin Co. Co. decided to grant planning permission for the development subject to 6No. conditions relating to lighting, aviation safety, co-location, noise and reinstatement of site.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The proposals consist of additional floodlighting which is in keeping with the zoning

- The proposal is for mobile voice and data coverage, to provide Three with enough overlap in the area
- There were no existing base stations in the area identified. The applicant has provided details of all telecommunication structures within 2Km and why these are not suitable, based on these findings sufficient information has been provided in terms of site selection feasibility.
- EHO has no objection from health grounds, in additional Circular PL 07/12 states planning authorities do not have competence for health and safety matters.
- The proposal is visually acceptable given the backdrop of mature trees.
- No negative impact to residential amenities

3.2.2. Other Technical Reports

Environmental Health Office: No objections

Roads Department: No objections

Roads: No objections

3.3. Prescribed Bodies

Department of Defence: No objections

3.4. Third Party Observations

Submissions were received from third parties citing the following concerns:-

- Visually obstructive
- Overlooking primary school
- Health concerns
- No stamen with compliance with international guidance
- Zoning of land
- Alternative sites

4.0 Planning History

No relevant planning history.

5.0 Policy Context

5.1. Development Plan

South Dublin Co.Co. :-

The subject site is zoned 'OS' – *To preserve and provide open space and recreational amenities.*

Policy IE4 Information and Communications Technology

It is the policy of the Council to promote and facilitate the sustainable development of a high quality ICT network throughout the County in order to achieve balanced social and economic development, whilst protecting the amenities of urban and rural areas.

IE4 Objective 3: To permit telecommunications antennae and support infrastructure throughout the county subject to high quality design, the protection of sensitive landscapes and visual amenity.

IE4 Objective 4: To discourage a proliferation of telecommunication masts in the County and promote and facilitate the sharing of facilities.

Section 11.6.2 Information and Communications Technology

In their consideration for telecommunications antennae and support structures, applicants will be required to demonstrate:

- Compliance with the Planning Guidelines for Telecommunications Antennae and Support Structures (1196) and Circular Letter 07/12 issued by the DECLG (as may be amended) and to other publications and materials as may be relevant in the circumstances
- On a map, the location of all existing telecommunications structures within a 2Km radius of the proposed site, stating why it is not feasible to share existing facilities

- Degree to which the proposal will impact on the amenities of occupiers of nearby properties or the amenities of the area
- The significance of the proposed development as part of the telecommunications network

5.2 Government Policy

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

The aim of the “Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, 1996” is to offer general guidance on planning issues so that the environmental impact is minimised, and a consistent approach is adopted by the various planning authorities.

Section 4.3 of the Guidelines states with respect to Visual Impact:

Some masts will remain quite noticeable in spite of the best precautions. The following considerations may need to be taken into account:

- *Along major roads or tourist routes, or viewed from traditional walking routes, masts may be visible but yet are not terminating views. In such cases it might be decided that the impact is not seriously detrimental*
- *Similarly along such routes, views of the mast may be intermittent and incidental, in that for most of the time viewers may not be facing the mast. In these circumstances, while the mast may be visible or noticeable, it may not intrude overly on the general view or prospect*
- *There will be local factors which have to be taken into account in determining the extent to which an object is noticeable or intrusive – intermediate objects (buildings or trees), topography, the scale of the object in the wider landscape, the multiplicity of other objects in the wider panorama, the position of the object with respect to the skyline, weather and lighting conditions, etc.*

5.2. **Natural Heritage Designations**

The site is not located in or close to any European sites.

5.3. EIA Screening

Having regard to the nature and scale of the proposed development and the absence of any significant environmental sensitivity in the vicinity, the absence of any connectivity to any sensitive location, 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 Following are the third-party appellants on this appeal. I have summarised their grounds of appeal collectively in order to avoid undue repetition.

(i) *Pairc Mhuire Residents*

(ii) *Saggart, Parents Association of St. Mary's National School*

- **Co-location Opportunities**

The facilitation of third party site sharing will not be free of charge, and there will be a fee charged taking the site to a commercial state that was not envisaged by South Dublin Co. Co. . The terms of the permission are too loose, who are the third party entities and what is their business? It is of huge concern that 5G will be installed on the mast, as it has harmful effects.

- **Irish Water Report**

The Vice Chairman of St. Mary's GFC and the main driving force behind the planning application on behalf of the club is also a member of the senior management of Irish Water, and there is a clear conflict of interest regarding the report on file from Irish Water.

- **Proximity to local schools**

There was no mention of St. Mary's primary school (700 children) on the site maps. The proposed mast should not be in close proximity to the mast. The mast may omit noise and this will impact on children in the ASD classes. The masts are located

alongside the playing courts. The EU Resolution states masts should not be placed beside schools. It is dangerously close to the school, and if it became structurally damaged it could impact on the school and playgrounds.

- The mast will be an eyesore and visually obtrusive taking away from the heritage ethos of Saggart. The setting of the GAA pitches and club is beautiful, with the church, the school and the mountains, and the mast will negatively impact on such a beautiful setting.
- The residents were not notified or consulted about the proposal which is ill considered in a highly populated area.
- The land is zoned recreational and not commercial.
- **Health implications**

There are genuine health concerns and proven impacts relating to the telecommunications structure. It is not good for the environment releasing electromagnetic radiation. It is positioned too close to people. They should only be considered in a built up area as a last resort.

The pitch is a very important amenity to all ages in the local community, therefore why is a mast considered on the side line.

- The mapping including the site location and site layout maps are lacking in detail as the adjoining St. Mary's National School is not included on the drawings, and it is one of the primary affected stakeholders.
- The mast is visually obtrusive and will have a significant overbearing impact on the school and adjoining residences.
- Certain countries have banned 5G due to health implications, and this might be upgraded to 5G
- Towns and villages should be a last resort, and alternative sites need further consideration.
- Communities have not been able to meet to discuss this mast due to Covid restrictions

6.2. Applicant Response

The following is a summary of the applicant's response on appeal:-

- **Structure Requirement**

The proposed structure is required to provide Three Ireland with 2G voice, 3G and 4G data services for Saggart village. The most proximate are on roof tops. The proposed arrangement is mutually beneficial to the club and the applicant.

- **Development Plan Requirements and Policy**

Setting out all masts within a 2km radius is not helpful, the area is comparable to Dublin City Centre, whereby the area is too large, and the number of installations are too numerous and too remote from the site to give a reasoned assessment. A more localised assessment was undertaken to review the proximity of structures to the site.

The 20metre monopole is modest by industry standards. The equipment cabinets are located alongside the hedgerow, separating the development from the Cold Water Lakes housing development. The structure is 120metres from Pairc Mhuire residential estate.

- **Visual Impact**

At 22m south east of Church Road the application site is not within the immediate surrounds of Saggart village. The monopole has been adapted to replace existing floodlighting serving the St. Mary's GAA. The proposed structure is slim and only 4m above the existing structure it is replacing, there will not be a significant visual impact.

There are no locally zoned industrial lands that can receive the subject structure within the target coverage area. The most proximate high structure is 1.5km at the Rathcoole Garda Station..

In terms of the school, the applicant accepts the proximity to the school, but it is located at the most southerly point away from the entrance to the school.

- **Health and Safety Aspects**

Planning authorities do not have the competence adjudicate on health issues associated with telecommunications masts. There are tennis, soccer, GAA and

other community sports grounds that host masts and cater for all ages across the community.

- The applicant is satisfied with the grant of permission and the conditions attached.

6.3. Planning Authority Response

There is no further comment from the planning authority to the appeal.

7.0 Assessment

I have read the contents of the file, and had particular regard to the planning authority's decision, the grounds of appeal, and the submissions made to the Board by the applicant. I have visited the site, and I consider the salient issues in the assessment of the appeal are as follows:

- Impact on Visual and Residential Amenities
- Compliance with Development policy
- Consideration of Alternatives
- Compliance with National Guidelines
- Appropriate Assessment

7.2 Impact on Visual and Residential Amenities

The receiving environment is a built-up urban area of Saggart village, on the eastern side of the village, alongside a new primary school. The site is positioned in the corner of an existing GAA club which is bordering and accessed via a residential estate. There were third-party objections to the proposal at planning application stage from local resident groups and the parents' association associated with the adjoining national school.

The proposed structure is a 20metre monopole structure, which is to replace an existing 16metre monopole floodlight. The drawings describe it as a monopole, however, I would consider the proposal to be a robust structure containing a multitude of antennas, cluster poles and new flood lighting, which appears as bulky

equipment at the top of the tower. It is to be positioned alongside a new two storey national school at the south-eastern extremity of the GAA grounds. There are floodlights in close proximity to the proposed location and these are 16metres in height, in addition to tall netting poles behind the goal posts along the southern site boundary. There is also a backdrop of mature trees bounding the local gold club further east from the site. From my site inspection I considered the proposed setting may appear at first glance to be conducive to the receiving environment given the height of pole structures beside the site, however, the primary school is the dominant visual feature from the pitches, and its close proximity to the subject site is disconcerting.

The GAA grounds is located to the east of Saggart village centre and is surrounded by residential developments and community facilities (Church, and National School) The proposed structure will be visible from the surrounding properties along the perimeter of the GAA grounds and will be highly visible from within the GAA grounds itself. It will be visible from the adjoining dwellings at Coldwater Lakes, and Pairc Mhuire and it will be highly visible from the adjoining national school and associated play grounds.

Notwithstanding the existing tall structures on site in terms of the flooding lighting and goal posts and netting posts, I consider the siting of the proposed structure to be indiscreet and discernible when viewed from the surrounding area and the GAA grounds. I do not accept the argument stated by the applicant that the site accommodates existing tall structures, therefore the positioning of the proposed structure alongside the existing poles, floodlighting and mature trees will reduce the overall visual impact in the context of the site. The existing tall structures are integral and synonymous with the amenity use of the grounds. There is nothing to assist obscuring or mitigating against the adverse visual impact of the structure particularly when viewed along from the school and the Coldwater Lakes cul de sac.

As states, the Board should note the area is an urban area with access to the GAA grounds via a housing estate along the western site boundary (Pairc Mhuire). It is not a sensitive urban location and there are no protected views associated with area.

I would accept telecommunications structures have become part of the urban landscape, and are seen on certain sports grounds, they are usually erected on rooftops, alongside garda stations or utility buildings, and not within urban amenity grounds unless it is parkland with trees to absorb the visual impact.

In conclusion, I do consider the proposed telecommunications structure will have an adverse impact on the visual amenities of the area because of its conspicuous siting within the GAA grounds leaving it highly visible from the surroundings residential properties and the school which overlooks and backs on to the GAA grounds. Whilst I accept this is an urban setting with a number of existing tall structures on site, I consider the structure will appear industrial in appearance on the amenity grounds.

7.3 Compliance with Development Plan

Sections 7.4 and Section 11.6 are the relevant sections of South Dublin County Development Plan 2016-2022 relating to telecommunications structures. In line with national policy, the development plan is favourable disposed towards supporting telecommunications structures and enhancing the broadband network.

The subject site is zoned as Open space in the current development plan. Telecommunication structures fall under the definition of 'Public Services' which are 'Open for Consideration' under the open space zoning.

I note relevant development plan policies include:

Policy IE4 Information and Communications Technology

It is the policy of the Council to promote and facilitate the sustainable development of a high quality ICT network throughout the County in order to achieve balanced social and economic development, whilst protecting the amenities of urban and rural areas.

Policy IE4 Objective 3: To permit telecommunications antennae and support infrastructure throughout the county subject to high quality design, the protection of sensitive landscapes and visual amenity.

IE4 Objective 4: To discourage a proliferation of telecommunication masts in the County and promote and facilitate the sharing of facilities.

On balance and having regard to the state relevant policies, the proposed telecommunications structure is in line with the development plan policies and objectives.

7.4 Consideration of Alternatives

There is a large school with over 700 primary school pupils facing onto and contiguous to the subject St. Mary's GAA grounds, and a row of dwellings along Coldwater Lakes facing onto the grounds contiguous to the proposed telecommunications structure. Pairce Mhuire backs onto the grounds and provides access to the GAA complex.

The *Planning Guidelines for Telecommunications Guidelines and Support Structures (1996)* state any applicant of a telecommunications mast must investigate alternative site locations, and only as a last resort should masts be located in a residential area or beside schools. In this instance the applicant has stated the main reason behind the current site is to provide Three with an overlap of coverage to cater for the entire Saggart area. Section 9.1 of the applicant's submission on appeal (Section 3.2 in the Technical Report on the planning applications file) outlines the 6No. telecommunication structures in the area which the applicant considered are unable to provide adequate overlap coverage for Saggart. The applicant has examined co-location on the same sites and it has been ruled out as the coverage would be inadequate. The applicant may have examined existing sites, but there has been very little examination of alternative new sites in Saggart detached from schools and residential properties.

The Technical Justification report on the planning file states the site will provide voice and high speed data services to the surrounding residential areas and amenities in the Saggart/ Citywest area. The overlap in service created by the subject site will reduce cell shrinkage that occurs during high customer usage at peak times.

Upon examination of the applicant's appeal submission it is stated the applicant carried out a comprehensive search of the target area for a base station option in Saggart. The GAA grounds proved to be the optimum site replacing an existing floodlight structure against a backdrop of coniferous trees. I am not convinced by the applicant examined the area thoroughly, and I am not convinced by the report the subject site was the only location available to them in Saggart to provide the overlap coverage they require during peak times. I note the eastern axis of Saggart is not undergoing large scale residential or commercial development which would justify a greater demand in the immediate area for more telecommunication coverage. Therefore, I do not consider the applicant has fully justified the site location in the application documentation. Fundamentally, I consider the subject site is highly sensitive given its close proximity to a large primary school and associated playgrounds, and contiguous residential curtilages.

7.5 Compliance with National Guidelines

The guidelines on *Telecommunication Antennae and Support Structures* from 1996 state that only as a last resort should freestanding masts be located in a residential area or adjoining schools and hospitals. I have already argued above, that the subject site, is located in a residential area adjoining a school. I have argued that the subject site is located on amenity grounds and is highly visible from the surrounding properties, and within the GAA grounds. Taking into consideration the lack of evidence that the applicant approached other providers for co-location I am not convinced the proposed development complies with national policy in this regard. The applicant has failed to present a case that this site is the only available option and that the proposed site is a last resort. Therefore, I conclude it does not comply with the Guidelines.

7.6 Appropriate Assessment

Having regard to the nature and scale of development proposed and to the nature of the receiving environment, 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

I recommend that planning authority's decision to grant planning permission for the proposed development be overturned by the Board and refused for the following reason.

9.0 Reasons and Considerations

Having regard to:

(a) the Guidelines relating to Telecommunications Antennae and Support Structures which were issued by the Department of the Environment and Local Government to planning authorities in July, 1996,

(b) the highly visible context of the 20metres freestanding structure within amenity grounds in an urban setting and

(c) the close proximity of the proposed structure to an adjoining primary school and residential properties

(d) the lack of consideration of alternative greenfield sites in Saggart and co-location of existing sites;

it is considered that the proposed development does not comply with national guidelines as the applicant has failed to demonstrate sufficiently the subject site was a last and only location in Saggart to enhance the existing coverage in the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Caryn Coogan
Planning Inspector

13th of May 2021