



An
Bord
Pleanála

Inspector's Report

ABP309982-21

Development	Construction of an 18 metre high freestanding communications structure with associated antenna, communications dishes and ground equipment.
Location	Walsheslough, Rosslare, County Wexford.
Planning Authority	Wexford County Council.
Planning Authority Reg. Ref.	20210168
Applicant(s)	Eircom Ltd.
Type of Application	Permission.
Planning Authority Decision	Grant.
Type of Appeal	Third Party -v- Grant.
Appellant(s)	Bridget Breen and others.
Observer	Ethan Monks
Date of Site Inspection	21 st November 2021.
Inspector	Suzanne Kehely

1.0 Site Location and Description

- 1.1. The proposed telecommunications structure is located within the development area of Rosslare Strand - a seaside town in the coastal zone of Wexford. The site is 500m inland from the coast on the west side of the railway line. It is within a fenced Eircom exchange compound which is 20.2- 20.7m in length and 7.8-9.4m in width and is located in a wider grassed area/railway embankment on the western side of Rosslare Railway station. There is an existing water tower adjacent to the site. There is also an existing ESB pole within the compound and these poles also cross the lands and extend along the roads in the vicinity of the site. A light weight support structure related to the railway communications is 120m north of the site.
- 1.2. Access is via a public road off the R740 (Station Road) – the main access route from the N25 to the village hub east of the site. The wider area is characterised by a predominance of low-density housing developments and one-off housing. The nearest dwelling to the west is c. 40m boundary to boundary with an intervening field/scrubland. The dwellings to the south on the opposite side of Station Road are about 60m away and the dwellings on the east side of the railway are just over 45m. The nearest dwelling to the north west is c.85m

2.0 Proposed Development

- 2.1. Planning permission is sought by Eircom Ltd for the construction of an 18-metre-high monopole telecommunications support structure together with:
- 3 EIR antennas
 - 6 EIR RRUs
 - 1 EIR mobile dish 600mm diameter.
 - 2 cabinets
 - Other operator antennae (2 in drawing but number unspecified)
 - 1 Wall mounted cabinet on existing EIR exchange building .
- 2.1.1. It is proposed to construct the structure within the fenced compound
- 2.1.2. The cover letter submitted with the application explains rationale for the proposal.

- 2.1.3. The ComReg map shows a fringe serve. Photomontages of views from the wider environs are also attached.

3.0 Planning Authority's Decision

3.1. Decision

- 3.1.1. Wexford County Council issued notification of a decision to grant planning permission subject to 4 conditions which address, inter alia, colour and finishes, advertising and landscaping.

3.2. Planning Report

- 3.2.1. The planner's report describes the site location and description and the proposed development and then details national policy and guidance in addition to the relevant provisions of the development plan in respect of telecommunications infrastructure. Third-party observations are noted and summarised in the report.
- 3.2.2. While the urban and coastal context of the site is noted, it is considered that the proposed development is an acceptable visual intrusion in the area having regard to the siting in a utility site, technical justification and need in a busy destination such as Rosslare Strand, the intermittent visual impact and monopole design. Landscaping is recommended to mitigate the visual impact.

3.3. Objections

- 3.3.1. Many letters of objection from local residents were submitted to the Planning Authority. The contents of these letters have been read and noted.

4.0 Planning History

- 4.1. None

5.0 Policy Context

5.1. National Planning Framework

- NPO 24 refers to supporting and strengthening infrastructure for rural economies.

- NPO 48 refers to developing a stable, innovative and secure digital communications and services infrastructure.

5.2. Development Plan

5.2.1. The site is governed by the policies and provisions contained in the Wexford County Development Plan 2013 – 2019. Rosslare Strand is a seaside town and classed as a village. Rosslare Strand (together with Courtown) are acknowledged as relying heavily on tourism because of their character, location and setting and also due to the unique range of entertainment, activity and lifestyle options that they offer.

5.2.2. Objectives for Rosslare Strand and Castlebridge are contained in Appendix A. Rosslare Strand is a stronger village. (This is in contrast to Rosslare Harbour which is classed as a larger District Town in level 3 of the settlement hierarchy.) The following objectives are relevant:

- RSO01: To protect and enhance the distinctive character of Rosslare Strand.
- RSO03: To ensure Rosslare Strand maintains and enhances its role as an important local service centre for its residents and the surrounding rural hinterland whilst maintaining sustainable communities and ensuring a good quality environment.
- RSO04: To ensure Rosslare Strand maintains and enhances its role as a valuable tourism destination in the county and to facilitate the development of appropriate tourism facilities, subject to normal planning and environment criteria and the development management standards contained in Chapter 18.

5.2.3. Section 9.3 of the development plan sets out a range of policies and objectives in support of development telecommunications infrastructure. Section 9.3.1 recognises the contentious nature of this type of development and advised siting in industrial areas in the larger urban areas. In general:

- Free-standing masts will not be located within or in the immediate surrounds of smaller towns or villages. If such a location should become necessary, sites already developed for utilities should be considered and masts and antennae should be designed and adapted for the specific location. The support structure should be kept to the minimum height consistent with effective operation.

- In the vicinity of larger towns masts should be located in industrial estates or on industrially zoned land. The development of masts in commercial or retail areas will be considered.
- Free-standing masts will not be located in a residential area, beside schools or community facilities. Only as a last resort, where all other alternatives are either unavailable or unsuitable, will such a location be considered by the Planning Authority.

5.2.4. The sharing of masts with other telecommunications operators will be encouraged as means of maximising investment and reducing the visual impacts associated with this type of development. Where it is not possible to share a support structure, applicants will be encouraged to share a site or to site adjacently so that masts and antenna may be clustered. However, the proliferation of masts in a particular area could be injurious to visual amenities, and therefore having regard to the potential adverse visual impacts of a proliferation of masts, applicants will be required to demonstrate a need to locate a new mast in a particular location where proliferation may present as an issue.

5.2.5. Section 18.26 of the development plan sets out guidance for proposals for telecommunications structures. Application should be accompanied by a reasoned justification in the context of overall plans for the county, details of other sites or location regarding feasibility, written evidence of consultation for co-location and details of visual mitigation.

5.3. **Draft Wexford County Development Plan 2021-2027.**

5.3.1. Rosslare Strand is the ninth largest urban area in the county with a population of over 1600 persons (2016 census) and is designated as a level 3 service settlement area in the core strategy. The Chief Executive's report recommends amendment to the Greenway along the railway between Rosslare Harbour and Waterford to allow possibility of a renewed rail service. It also refers to a potential greenway between the Harbour and the Strand alongside the railway.

5.3.2. An urban design strategy of consolidation and creation of attractive streetscapes is proposed. The focus is on developing key infill, brownfield sites, under-utilised and vacant sites closest to the village centre first, moving sequentially out from there. The following objectives also reflect this strategy:

- RS13 To prioritise the development of vacant, infill and under-utilised brownfield sites in the settlement plan area to achieve compact growth and sustainable development.
- RS02 To focus on the rejuvenation of Rosslare Strand and improvements to the visual appearance; creating a welcoming environment: public realm, streetscape, cleanliness.
- RS03 To protect and promote the sense of place, its culture and the quality, character and distinctiveness of this important coastal landscape that makes Rosslare Strand such an attractive place to live in, work in and visit
- RS10 To improve the public realm particularly in the village centre and along the approach roads to Rosslare Strand, with particular regard to footpaths, hard and soft landscaping, open spaces, street furniture, signage, street lighting and the on-street car parking. Ensure that non-structural elements of the village such as original paving and cobbles, stone walls, plaques etc. are treated as an integral part of the village's character and are protected from destruction and inappropriate development.

- 5.3.3. A new 57.5km Greenway route has also been proposed centered around the out-of-service Rosslare Strand to Waterford rail corridor. In the village of Rosslare Strand up to where the route reaches the railway corridor, two options are being considered:
- Option 1: This involves a shared road: Cyclists and vehicular traffic would share the carriageway. There would be no significant change to vehicular traffic circulation.
 - Option 2: This involves a one way circulation system on Station Road, Coast Road and Mauritiustown Road, which would facilitate the introduction of high quality facilities for pedestrians and cyclists

The following objective reflects this plan.

- RS39 To support the development of the Rosslare to Waterford Greenway proposal and associated spin off developments

5.4. **Telecommunications Antenna and Support Structure – Guidelines for Planning Authorities (1996)**

- 5.4.1. These guidelines set out current national planning policy and criteria for the assessment of telecommunications structures. Guidance is provided on site

selection, minimising adverse impact, sharing and clustering of facilities and development control.

5.4.2. The Guidelines are generally supportive of the development and maintenance of a high quality telecommunications service. In section 4.3 it is stated that the visual impact is among the more important considerations which have to be taken into account in arriving at a decision on a particular application. It is also acknowledged that in most cases the applicant will only have limited flexibility as regards location, given the constraints arising from transmission parameters. Only as a last resort and if the alternatives are either unavailable or unsuitable should free-standing masts be located in a residential area or beside schools or the immediate surrounds of smaller towns and villages. If such location should become necessary, sites already developed for utility should be considered and masts and antenna should be designed and adopted for this specific location. The support structures should be kept to the minimum height consistent with effective operation and should be monopole (or poles) rather than a latticed tripod or square structure. The sharing of installations and clustering of antenna is encouraged as co-location will reduce the visual impact on the landscape (Section 4.5).

5.5. **Circular Letter PL07/12**

This circular letter revises elements of the 1996 Guidelines including that:

- attaching a condition to a permission for a telecommunication mast and antennae which limit their life to a set temporary period should cease, except in exceptional circumstances.
- planning authorities should also cease specifying separation distance for such developments when making Development Plans as they can inadvertently have a major impact on the roll-out of viable and effective telecommunications network.
- planning authorities should be primarily concerned with the appropriate location and design of telecommunication structures and do not have the competence for health and safety matters in respect of telecommunication infrastructure. These are regulated by other codes and such matters should not be additionally regulated in the planning process.
- Development Contribution Schemes must include waivers for broadband infrastructure and these waivers are intended to be applied consistently across all local authority areas.

5.5.1. Natural Heritage Designations

5.5.2. The site is not located within or adjacent to a designated Natura 2000 site.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. **Bridget Breen** This appeal is against the decision to grant permission and represents 30 signatories. The grounds are based on the following:

- Negative visual Impact of tall structure on Rosslare Strand having regard to nature and scale of low lying residential and holiday home development and the character of the area being a seaside holiday resort.
- Location is also inappropriate beside the railway station – a gateway for tourists and visitors.
- Location is near a planned greenway between Wexford and Waterford.
- Proximity to housing estates.
- Visual impact from village.
- Concern about health issues
- Concern about intensification of use and increase in visual clutter and emissions.

6.2. Observation

6.2.1. **Ethna Monks:** This observation is by residents of Richmond Avenue, Rosslare. The grounds of objections relate to environmental health and relate to noise and emissions.

6.3. Planning Authority Response

6.3.1. The planning authority has no further comments to make with regard to the appeal.

6.4. Applicant's Response

In a letter received on 18th May 2021 the applicant has responded to the grounds of appeal by making the following points:

The telecommunications infrastructure is needed to improve coverage in the area which is in accordance with local and national policies.

- Health impact is not a planning consideration. Notwithstanding, the cumulative power output of the proposal falls well within IRPA guidelines by a massive safety factor. A declaration of compliance with limits set by ICNIRP is attached.
- The justification is based on the need for a site in the village of Rosslare Strand where coverage is adequate in the Eircom network. If refused Eircom will lose essential coverage in this area as evident in attached maps.
- There are no alternative sites that meet development control criteria.
- The service will meet demand of a strategic growth and tourist area where businesses and residents co-exist.
- The siting in the utilities site is in line with the planning guidelines for such development.
- Visually a slimline design is use.
- Photomontages demonstrate visual impact. It is submitted the views are intermittent and not detrimental to overall amenity of area. Most of the time viewers will not be facing the mast.
- It is not uncommon for mast to be sited near dwellings in an urban area and the guidelines do not specify minimum distances
- There is no evidence that the proposed development will devalue property particular having regard to the benefits of improved access to telecommunications networks which is comparable to water, electricity and gas as an essential utility. It is part school infrastructure.

7.0 EIA Screening

7.1. Telecommunications mast is not a class of development for which EIA is required.

8.0 Assessment

8.1. Issues

8.1.1. This appeal is against a decision to grant permission for a telecommunications support structure. Having regard to the submissions on file and the site and its environs as inspected, I consider the key issues relate to:

- Principle of development
- Impact on amenities

- Health
- Appropriate Assessment

8.2. Principle

- 8.2.1. Rosslare Strand is a key tourist destination within the coastal zone of Wexford and has a population of over 1600 (2016 census). While the guidelines advise that telecommunications infrastructure should be sited away from village centres, guidance is provided for essential infrastructure. For example in larger urban areas such development should be located in industrial type areas. In this case, while the wider area is predominantly residential, the proposed site is located 500m inland and in quite an expansive utilities area that includes a water tower, railway station and an Eircom exchange compound within which the development is to be constructed. It is also in the order of 50m from the nearest dwelling. I have examined the current and draft development plan objectives for the area including those objectives relating to the consolidation and visual enhancement of the streetscape. In this regard I note the centrality of the R740/ Station Road and the upgrading of footpaths south of the site (Map 5 of the Draft Plan). However I note that the site is set back off this road with intervening hedgerow/scrub. I also note that the road is the main thoroughfare to the coastal hub however as the subject site is set back, I do not consider the consolidation of the utilities site to unduly compromise an urban design strategy.
- 8.2.2. In respect of justification, the applicant proposes to improve Eircom coverage and capacity of mobile telecommunications and broadband services by eliminating blackspots in Rosslare Strand. The proposal will provide vital service by improving a current poor service where calls are dropped. No opportunities for co-locating are available. (the existing hotel site which is presently used is not viable given the need to raise the height.) The CIE structure 120m to the north is too lightweight. The subject site is proposed as a multiuser facility. I consider the applicant has provided a sufficiently reasoned justification for this location.
- 8.2.3. Having regard to the overall strategic aims for the area and the county including those policies which support the enhancement of telecommunications infrastructure, I consider that in principle the proposed development at this utility site in this

location is acceptable. This is subject to meeting detailed development management criteria.

8.3. Visual Impact

- 8.3.1. The proposed 18 high monopole is proposed adjacent to a water tower and within 10m of the telephone exchange building beside a Railway Station with an pedestrian footbridge and the associated overhead utilities. There are utility poles near the site and along the northside of the R740 in the vicinity of the site. The support structure is designed as a slender monopole and while it will be clearly visibility in the surrounding area, it is not out of character with its immediate surroundings and in such circumstances is, I consider, acceptable. This is illustrated in the photomontages of views from a comprehensive range of viewpoints which notably include locations 11 and 15 among other viewpoints.

Impact on dwellings

- 8.3.2. The proposed structure is 60m from the gable end of the bungalow to the west on Station Road. There are intervening hedges and scrubland which obscure the near distance views. The houses to the south are about 60m from the site and there is intervening hedging on both sides of Station Road thereby obscuring views. The houses to the east which back onto the railway and site will be c.55m from the proposed structure and are visually more exposed due to the open character of the railway line and car park. This could be helped by additional planting. The photomontages illustrate how there will be more distant views from the surrounding housing development. I accept that the structure will be intermittently visible from surrounding housing development however having regard to the separation distances and site context and by reference to the guidelines I consider this to be acceptable. In this regard I note the justification of the proposal and consider the impact on residential amenity to be negligible and to not warrant a refusal of permission.

Impact on Coast.

- 8.3.3. The proposal is around 500m from the coast which is a sensitive location in terms of its visual amenities and role in recreational and tourism related activities. Photomontages from viewing locations 20, 2, 22 and 23 as submitted by the applicant illustrate how the existing topography can absorb the development . Having

regard particularly to the flat terrain intervening development and extensive utility poles I do not consider the proposal will be an unduly dominant feature as viewed from the coast.

- 8.3.4. I consider the site context can absorb the development into the townscape. As the area urbanises, the overhead cabling may be reduced and in such a scenario an option to relocate on top of a building or other site may be prompted by a temporary permission. However the Department Circular advises against temporary permissions. In any event it is likely that the water tower and vertical utilities are likely to feature for a considerable time. I do not consider such a temporary restriction is warranted.
- 8.3.5. I concur with the planning authority that the proposal would benefit from landscaping to better assimilate the proposed development into the area. This can be addressed by condition. Iarnrod Éireann should be consulted with respect to railway safety issues.

8.4. Health

- 8.4.1. While I acknowledge that the appellants have raised the issue of health, the Commission for Communications Regulations (ComReg) is the statutory body responsible for the regulation of radiation emissions. Compliance with emission limits in respect of regulation is regulated nationally by the Commission and subject to a separate license. The issues relating to human health are accordingly not within the scope of the planning criteria applied by reference to the 1996 Guidelines as cited. As such, health issues are not a matter for An Bord Pleanála in determining and deliberating on the application proposed. Regular measurements of emission levels are however required to comply with International Radiation Protection Association and Guidelines.

8.5. Appropriate Assessment

- 8.5.1. Having regard to the nature of the development, its location in a serviced urban area, and the separation distance to any 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.

9.0 Recommendation

I recommend that permission be granted for the proposed development based on the following reasons and considerations.

10.0 Reasons and Considerations

Having regard to

- a) the National Planning Framework Project Ireland 2040,
 - b) the national strategy regarding the improvement of mobile communications services,
 - c) the guidelines relating to telecommunications antennas and support structures which were issued by the Department of the Environment and Local Government to planning authorities in July, 1996, as updated by Circular Letter PL07/12 issued by the Minister for the Environment, Community and Local Government on the 19th day of October, 2012 under Section 28 of the Planning and Development Act 2000, as amended.
 - d) the policy of the planning authority as set out in the Wexford County Development Plan 2013-2019, as extended, to support the provision of telecommunications and broadband infrastructure,
 - e) the established use of the site.
 - f) the potential for sharing of the structure and site with other operators,
 - g) the general topography of the site and environs alongside a railway station and orientation of residential properties within the vicinity of the proposed development,
- it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area, would not be prejudicial to public health and would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the

developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The site shall be landscaped in accordance with details as agreed with Iarnrod Eireann, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

3. Prior to commencement of development, details of the proposed colour scheme for the additional installations shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interests of visual amenity and orderly development.

4. No advertising signage shall be erected on the mast, or ancillary equipment.

Reason: In the interest of visual amenity.

Suzanne Kehely

Senior Planning Inspector.

31st December, 2021.