



An
Bord
Pleanála

Inspector's Report ABP 310052-21

Development	Telecommunications support structure and associated infrastructure
Location	Eircom Exchange, Shandon, Dungarvan. Co Waterford.
Planning Authority	Waterford City and County Council.
Planning Authority Reg. Ref.	2184
Applicant(s)	Eircom Ltd.
Type of Application	Permission.
Planning Authority Decision	Refuse Permission.
Type of Appeal	First Party v Decision
Appellant(s)	Eircom Ltd
Observer(s)	None.
Date of Site Inspection	28th July 2021
Inspector	Fergal Ó Bric.

1.0 Site Location and Description

- 1.1 The appeal site is located within the development boundary of Dungarvan Co. Waterford. It is within the bounds of an Eircom exchange site, approximately 250 metres north-of the town centre. Within the appeal site are two storey and single storey structures which form part of the Eircom exchange infrastructure, to the south is a three-storey mixed use building with commercial uses at ground floor and apartments within the upper floor levels and surface car parking to the rear. Further east of the site, on the opposite side of the road is a four-storey building comprising the Waterford Local Authority offices.
- 1.2 The appeal site is accessed from the adjoining public road, the L3147 to the east by a double vehicular entrance and is located 150 metres south of a roundabout junction with the N25. The telecommunications infrastructure would be located within a yard area of the exchange to the rear of a single storey building and inside a controlled access gate along the southern boundary of the exchange building. The eastern (roadside) boundary is formed by a low one metre wall. The southern boundary is enclosed by a low-level wall and shrubbery and three metre walls and fencing around the remaining site perimeter.

2.0 Proposed Development

- 2.1 The development proposals would comprise:

The erection of a twenty-one-metre-high free-standing telecommunications structure with its associated antennae, communications dishes, ground equipment and all associated site development works. The development will form part of the Eircom Ltd. telecommunications and broadband network.

3.0 Planning Authority Decision

3.1 Decision

The Planning Authority refused planning permission for the development for one reason as follows:

Reason: Policy INF 17 of the Dungarvan Town Development Plan 2012, as varied and extended, seeks to facilitate proposals for the provision of telecommunications masts, antennae, underground infrastructure, and ancillary equipment subject to normal planning considerations having regard to the DoEHLG publication

Guidelines for Planning Authorities on Telecommunications, Antennae and Support Structures (DoELG) 1996. The applicants' proposals are not in accordance with said Guidance and seeks to provide a new standalone support structure in a Town Centre location where the visual impact of same would not only detrimentally impact on the Town Centre and its immediate environs but same will also detract from the approach roads to the Town Centre. As such the proposed development is contrary to both the provisions of the Dungarvan Town Development Plan and the Ministerial Guidance. The proposal, therefore, is contrary to the proper planning and sustainable development of the area and if granted would set an undesirable precedent.

3.2 Planning Authority Reports

3.2.1 Planning Report

The Executive Planner's Report dated 30th March 2021, set out the following:

- The site is located on town centre zoned lands within the settlement boundary of Dungarvan town, on the site on an Eircom exchange.
- The planner was not satisfied that the proposal demonstrated compliance with Policy INF17, where the policy is to facilitate proposals for telecommunication masts, antennae, underground infrastructure and ancillary subject to normal planning considerations and having regard to the provisions of the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, 1996. which recommend that telecommunications infrastructure only be permitted where no significant adverse impact upon the local surrounding area would arise particularly in primary or secondary amenity areas, or within areas with significant views or the setting of protected structures.

- An Appropriate Assessment (AA) screening exercise concluded that there is no potential for significant impacts upon a Natura 2000 site and that a Natura Impact Statement is not required in this instance.
- An Environmental Impact Assessment screening concluded that the submission of an EIAR is not required in this instance.
- A refusal of planning permission was recommended as set out within Section 3.1 above.

3.2.2 Internal Referrals

None received.

3.3 Prescribed Bodies

None received

3.4 Third Party Observations

None received.

3.5 Other Observations/Referrals

This case was referred to the Development Applications Unit, An Taisce and the Heritage Council for comment by the Board. To date no response has been received from any of the parties

4.0 Planning History

I am not aware of any planning history pertaining to the appeal site.

5.0 Policy Context

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

These Guidelines set the criteria for the assessment of telecommunications structures. Of relevance to the subject case is:

- An Authority should indicate where telecommunications installations would not be favoured or where special conditions would apply. Such locations might include high amenity lands or sites beside schools (Section 3.2).
- Only as a last resort should free-standing masts be located within or in the immediate surrounds of smaller towns or villages. If such 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 (Section 4.3).
- The sharing of installations and clustering of antennae is encouraged as co-location will reduce the visual impact on the landscape (Section 4.5).

5.2 Circular Letter: PL07/12

The Circular Letter updated and revised elements of the 1996 Guidelines under Section 2.2 to 2.7. It advises Planning Authorities to:

- Cease attaching time limiting conditions to telecommunications masts, except in exceptional circumstances,
- Avoid inclusion in development plans of minimum separation distances between masts and schools and houses,
- Omit conditions on planning permission requiring security in the form of a bond/cash deposit,
- Reiterates advice not to include monitoring arrangements on health and safety or to determine planning applications on health grounds,

- Future development contribution schemes to include waivers for broadband infrastructure provision.

5.3 Development Plan

5.3.1 Dungarvan Town Development Plan 2012 (as varied).

Within Section 2 of the Development Plan, the settlement of Dungarvan is identified as a Primary Service Centre. The appeal site is zoned town centre where the objective is: To provide for an integrated mix of residential, commercial community and social uses within the town centre. Within the land use zoning matrix, there is no specific provision for telecommunications/public service uses. Therefore, the proposals would have to be considered on their individual merits in accordance with the proper planning and sustainable development of the area.

Section 8.9 of the Plan pertains to: Telecommunications Installations, where the following is set out:

In evaluating applications for telecommunications installations, Waterford City and County Council will have regard to Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, 1996. Co-location of such facilities on the same mast or cabinets by different operators is favoured to discourage a proliferation.

The following policies and specific objectives are set out in relation to telecommunications proposals:

Policy INF1:

To protect and where necessary enhance the quality of service infrastructure that will promote socio-economic development and environmental objectives in the Town and improve the quality of life for its citizens.

Objective INF 7:

It is the objective of the Council to encourage the clustering and co-location of telecommunication masts , antennae or ancillary equipment and more favorable consideration will be given to their location near existing similar type structures.

Objective INF 9: It is the objective of the Council to facilitate developers and utility providers in meeting the requirements for utility services such as telecommunications, gas, and electricity.

Policy INF 17:

The Council will facilitate proposals for the provision of telecommunication masts, antennae, underground infrastructure, and ancillary equipment subject to normal planning considerations having regard to the DoEHLG publication Telecommunications Antennae and Support Structure: Guidelines for Planning Authorities, DEHLG, 1996.

Policy ECD 7: Address, where feasible, infrastructural deficiencies that may be hindering economic development and aim to ensure that sustainable infrastructural development precedes economic development.

Section 6.22 of the Plan pertains to Broadband where the following is set out: To advance the economic and social development of the Town, the Council will support development proposals from both the private sector and community organisations for the provision of broadband infrastructure.

5.3.2 Waterford County Development Plan 2012 (as varied).

Dungarvan is designated as a Primary Service Centre within the settlement hierarchy set out within Section 3.6 of the Plan where the following is set out: “From an employment perspective, Dungarvan continues to be an important contributor to the County’s economy, especially with respect to the industrial sector, the principal products being pharmaceuticals and software”.

Section 7.21 of the Plan pertains to Telecommunications where the following is set out: “Waterford County Council recognises the importance of the continued

development of the existing network and will support and encourage a balanced spread of telecommunications infrastructure throughout the County”.

5.3.3 Draft Waterford City and County Development Plan 2022-2028

The Draft County Development Plan came off public display on the 30th day of August 2021 and a Chief Executives report is being prepared on the submissions received during the public display period.

Within Section 2 of the Draft Waterford City and County Development Plan Dungarvan is identified as a key town, second only to the city of Waterford within the settlement hierarchy for the County. The following is set out within Section 6.7 in relation to ICT/Communications “Physical and digital infrastructure improves connectivity, helping our cities, towns and region to drive growth, supporting our economy and social development. Digital technologies are increasingly critical in the day-to-day operations of businesses and households and in improving access to public services across our more rural areas. It is anticipated that the National Broadband Plan will address the lack of high-speed connectivity in rural areas. The Council will continue to support and facilitate operators to improve speed and service across Waterford in line with national policy”.

5.4 Natural Heritage Designations

None relevant.

6.0 The Appeal

6.1 Grounds of Appeal

The grounds of the first-party appeal may be summarised as follows:

Technical Siting considerations:

- A site is needed for Eircom to continue the rollout of their 3G and 4G network services.

- Without a site in Dungarvan, the area would have inadequate mobile voice and data services.
- Eircom would lose essential coverage if this telecommunications infrastructure is not put in place.
- The existing Eircom coverage does not provide an indoor voice service or support high speed data services in the town of Dungarvan and its environs.
- As per the Commission for Communications Regulation (ComReg) coverage mapping, the town of Dungarvan is located with a blackspot location, with reduced quality of service and capacity.
- The proposals would improve the coverage and service, thus eliminating the coverage blackspot within Dungarvan.
- If planning permission is refused, Eircom would lose essential coverage and customers would lose essential coverage and service.
- The infrastructure needs to be located within a built-up area and have a search area of less than 1 kilometre as high-speed services have a range of 500 metres per sector.
- The proposed development represents an important component of strategic telecommunications infrastructure in Dungarvan.
- The proposed development at the subject site would represent an upgrade to an existing telecommunications installation.
- The proposed structure would connect directly into the exchange building using fibre cabling and would provide high speed broadband and mobile connectivity to the local Eircom network.
- As the sole telecommunications structure in this part of Dungarvan, the development has been designed for co-location with multiple telecommunication providers of mobile and broadband services to deliver service to customers in Dungarvan.
- Telecommunications connectivity is now regarded as the fourth utility service, after water, electricity, and gas. Strong connectivity is an important factor in attracting new business.
- The proposed development represents an important component of strategic telecommunications infrastructure within Dungarvan.

Alternative sites considered:

- Three other sites were considered as part of examination of alternative site location within Dungarvan town. At two of these sites there are existing telecommunication structures, but there is no room at the required height of 21 metres. At the third site, the height of mast structure is too low to achieve the requisite 21 metre height required to achieve Eir's service provision obligations in terms of mobile telephony and high speed broadband in Dungarvan. Therefore, none of the three sites were considered suitable in terms of meeting Eir's mobile telephony and high speed broadband in Dungarvan.
- There are no other telecommunication structures in Dungarvan, that could accommodate Eircom's coverage needs, as per the information available on the ComReg outdoor mobile coverage mapping.
- The appeal site has been used by Eircom as a communications installation for more than twenty years. Therefore, the proposal is consolidating an existing use on the site for the provision of utility services, thereby conforming with local and national policy.
- It has not been possible to secure an alternative site within the locality that would comply with the Development Plan provisions or the technical requirements of Eircom in order to provide the required level of service to their customers.

Visual Impact:

- A slimline monopole structure is proposed to reduce the visual impact.
- The structure is nondescript in character and the design is not dissimilar to a lamp standard or traffic light pole which are common in villages throughout Ireland.
- A number of photomontages have been submitted illustrating the extent of visual impact the proposed development would have from a number of local vantage points.
- The structure will be visible from certain views. However, views would be intermittent and viewed in the context of the wider urban environment
- The structure would not have a significant adverse visual impact within the area and therefore, would be consistent with the provisions of the Telecommunication Guidelines, 1996.

Design, Siting, and layout:

- When designing the structure for this site, the Radio Engineers required height to provide a signal over the surrounding area and to provide potential to become a share facility with other telecommunication providers.
- The accommodation of co-location is a requirement of the Waterford Development Plan, hence the need for the 21-metre height.
- Telecommunications structures are often located in proximity to residential development and very common in urban environments in Ireland.

Other Issues:

- Demand for such services has increased with advances in technology, users expect the availability of broadband connectivity in their vicinity.
- With more people learning and working from home since the outbreak of the Covid-19 pandemic, the proposals would allow for much improved broadband provision and coverage for Dungarvan and its hinterland.
- In terms of health and safety, the health issues are not a planning concern, so long as the required documentation is provided by the applicant, in accordance with Development Plan requirements.
- A Radio Emissions Statement has been appended to their planning documentation, stating that the proposed equipment and installation, is designed to be in full compliance with the limits set by the Guidelines of the International Commission on Non-Ionising Radiation Protection (ICNIRP).
- Sound pressure levels generated by the development will not exceed background levels from any dwellings in the vicinity of the site, and there will be no standby generator installed on site.
- The site would be developed in accordance with current health and safety standards.

6.2 Planning Authority Response

6.2.1 The Planning Authority submitted no comments in relation to the planning appeal.

7.0 Assessment

7.1 I will address matters in relation to principle of development, site selection, design and layout, impact upon the townscape and visual impact and address a number of other issues raised within the appeal submission. Appropriate Assessment requirements are also considered. I am satisfied that no other substantial planning issues arise. The main issues can be dealt with under the following headings:

- Principle of Development.
- Site Selection.
- Design and layout
- Townscape and Visual impact.
- Appropriate Assessment.

7.2 Principle of Development

7.2.1 The Governments' aim in developing and improving telephony and broadband infrastructural services is set out within the 1996 Telecommunications Guidelines, and the revisions/updates to these Guidelines within Planning Circular PL 07/12. More recently, the National Broadband Plan (NBP), was published in 2020 and reflects the Government's ambition to ensure that the opportunities presented by this digital transformation (provided by the NBP) are available to every community in Ireland. The delivery of the NBP will play a major role in empowering rural communities through greater digital connectivity, which will support enterprise development, employment growth and diversification of the rural economy.

7.2.3 The Telecommunication Guidelines set out the need for the facilitation of a high-quality telecommunications service and set out the issues for consideration within planning assessments including location, access, co-location / shared facilities, design, visual impact, health and safety. The Dungarvan Town Development Plan

policy on telecommunications Infrastructure, is set out within Section 8.9 and is reflective of the Guidelines. Specific policies INF 9 and 17 are both supportive of the facilitation and improvement of broadband services and section 6.22 in seeking to support the provision of broadband infrastructure.

7.2.4 The proposal to improve telecommunications and broadband services is consistent with the guidance as set out within the Telecommunications Antennae and Support Structures Guidelines for Planning Authorities (1996).

7.2.5 The appeal site is located within the settlement boundary of Dungarvan, as set out within the Dungarvan Town Development Plan 2012 (as varied). It has the benefit of a town centre land use zoning. The site is not located within an Architectural Conservation Area, in proximity to a protected structure or within an area designated as being a scenic view within the Development Plan. Given that broadband and communications are now considered an important aspect of utility services in terms of supporting education, business, and residential uses and that the site currently comprises an Eircom exchange, supporting telecommunication services, I consider that the proposed telecommunications structure, would be acceptable in principle at this location.

7.3 **Site Selection**

7.3.1 Policy INF17 and specific objective INF9 within the Dungarvan Development Plan seek to facilitate utility providers in developing telecommunications infrastructure. The Telecommunication Guidelines and Planning Circular PL07/12 seek to encourage co-location of antennae on existing support structures and to require documentary evidence as to the non-availability of this option in proposals for new structures. It also states that the shared use of existing structures will be required where the numbers of masts located in any single area is considered to have an excessive concentration. Similarly, the Guidelines state that only as a last resort should free-standing masts be located within or in the immediate surrounds of smaller towns or villages. If such locations should become necessary, sites already developed for utilities should be considered and masts and antennae should be designed and adapted for the specific location.

7.3.2 The applicants state that they are a long-established telecommunications infrastructure provider, and the proposed telecommunications structure would facilitate co-location of other telecommunications providers as provided for under objective INF7 of the Dungarvan Town Plan. This requirement necessitates the development of the 21-metre

height proposed, which would allow additional antennae to be attached to the structure by other providers to facilitate improvement of mobile and data services in the area.

- 7.3.3 The applicants state there are no other suitable sites available within Dungarvan where the current proposals could be facilitated, as confirmed within the ComReg mobile telephony mapping data. The current service is not adequate for high-speed broadband in and around the town, necessary for business and residential customers. The applicants have included a section on alternatives as part of its planning justification, submitted as part of their planning appeal statement. At two of the alternative sites considered, there are existing telecommunication structures, but there is no room available at the required height of 21 metres for Eir to fit their antennae and dishes. At the third site, the height of the mast structure is too low to achieve Eir's service provision obligations in terms of mobile telephony and high speed broadband in Dungarvan. Therefore, none of the three sites were considered suitable in terms of meeting Eir's mobile telephony and high speed broadband in Dungarvan.
- 7.3.4 The existing coverage within Dungarvan town for 3G and 4G users ranges from good to fringe/fair for mobile coverage and data services which results in dropped/blocked calls and data sessions in the area. The predicted mobile coverage mapping sets out the benefit to mobile call and data sessions that would accrue to businesses and residents of Dungarvan in terms of significantly improving coverage services. There is no substantive evidence within the application or appeal regarding any suitable alternative sites available within the wider Dungarvan area. It is apparent that the development is necessary to provide improved mobile coverage in Dungarvan and surrounding area in order to cater for the significant increase in demand for high-speed data in recent years. Having reviewed the information submitted, I am satisfied that the applicant has demonstrated an adequate technical justification for the proposed development.
- 7.3.5 Having regard to the demonstrated need for improved telecommunications services in the Dungarvan area, the lack of viable alternatives for co-location within the vicinity of the appeal site, and the proposal to locate within the site of an existing telecoms infrastructural facility, I consider that the proposed development at this specific location is justified. The key issue is, therefore, whether the appeal site, is a suitable site for such a development. From the planning documentation submitted, it is apparent that the development of telecommunications infrastructure on this site would contribute to providing a more reliable telephony and broadband service for commercial and residential customers in the Dungarvan area, which has been

demonstrated, is fair/fringe within the eastern and western environs of the town at present. This is supported by the data included within the outdoor mobile coverage mapping on the ComReg website, where it is apparent that telecommunications coverage in these areas is not strong nor reliable, particularly for 4G customers. Therefore, I am satisfied that the current proposals would facilitate the improvement of mobile telephony and broadband services in this area, would assist in supporting the implementation of national guidance and local policy for the facilitation and improvement of telecommunications coverage and systems in this locality.

7.3.6 I accept the planning justification set out by the applicants, that there is not a more suitable alternative location for the development in the vicinity of the appeal site, having regard to the low height of the existing telecommunications mast structures in Dungarvan and the lack of availability of space at the required height on other existing mast structures in the vicinity of the appeal site that would potentially be suitable for the siting of telecoms infrastructure.

7.4 Design and Layout

7.4.1 The Guidelines state that only as a last resort should free standing masts be located within or in the immediate surrounds of towns or villages and that if such locations should become necessary, sites already developed for utilities should be considered and masts and antennae should be designed and adapted for the specific location. It is stated within the appellants appeal statement that the structure has been specifically designed for the site. The structure would be located on the site of an existing utility structure, where it would be easy to connect to the existing building to provide a high-speed fibre broadband service. The location of the infrastructure in Dungarvan, would serve the mobile coverage and broadband requirements of the town, and therefore, needs to be located in proximity to the town centre.

7.4.2 Planning Circular PL07/12 recommends that Development Plans should avoid the inclusion of minimum separation distances between telecommunication installations, schools, and residences, as provided for under the 1996 Guidelines. Regarding the nearest residential property, namely the apartments within the upper floors of the mixed-use development south of the appeal site, I note that the proposed structure would be located 13 metres distant, and the apartments would not have a direct viewpoint of the telecommunications structure. Having regard to the separation

distance and the lack of a direct aspect towards the proposed structure, and the location within an urban environment with three and four-storey buildings in the immediate vicinity of the appeal site, I do not consider that the proposed development could be considered to constitute an overly dominant or overbearing feature within this townscape.

7.4.3 From the documentation submitted, it is apparent that the development of telecommunications infrastructure on this site would contribute to providing a more reliable telephony and broadband Service for commercial and residential customers in the Dungarvan area. Therefore, I am satisfied that the current proposals would facilitate the improvement of mobile telephony and broadband services in this area and would assist in supporting the implementation of National guidance and local policy for the facilitation and improvement of telecommunication coverage and systems in this locality.

7.4.4 In conclusion, I consider that the proposal to locate the new structure within the same site as an existing telecoms exchange, and the proposals to make it available for co-location to multiple operators is consistent with the provisions of the Development Plan and the national guidance and I consider the proposed development to be acceptable, subject to consideration of its townscape and visual impact.

7.5 Townscape and Visual Impact

7.5.1 The Planning Authority as part of their assessment and reasoning consider that the proposed development would interfere with the character of the townscape and would seriously injure the visual amenities of the area.

7.5.2 Regarding the visual amenities of the area, the proposed telecommunications support structure and compound would be located to the north of Dungarvan town centre, within the development boundary, on the site of an Eircom exchange. The appeal site essentially comprises the footprint of the existing exchange site and the proposed telecommunications compound would be located to its side (south). The appeal site nor the adjoining sites are not subject to any specific heritage designations as per the Development Plan.

7.5.3 A slimline monopole structure is proposed in order to reduce the visual impact of the proposal. Given the location within an urban environment, where the existing built fabric reaches up to three and four storeys in height, I am satisfied that the telecommunications support structure would not be visually prominent within the local

environment. The associated cabinets and fenced compound would similarly not be highly visible, given their low-level height and location to the rear of an existing single storey building within the overall exchange site. I, therefore, consider that the proposed development would not have an adverse visual impact within the locality.

- 7.5.4 In terms of impact upon the townscape, levels on site are flat and consistent with those of the adjoining public roadway and neighbouring lands. As per objective INF 9 of the Dungarvan Town Development Plan 2012 (as varied) the Planning Authority will “facilitate developers and utility providers in meeting the requirements for utility services”. Section 8.9 of the Development Plan also refers to the provisions of the 1996 Telecommunication Guidelines and the need to work with and support key stakeholders to secure the implementation of the NBP and to ensure that fast and effective broadband facilities are available in all parts of the County. Therefore, a balance needs to be struck between the protection to be afforded to the townscape and the telecommunications infrastructure policies and objectives set out within the Development Plan
- 7.5.5 The applicant also submitted photomontages of the existing site and proposed development from a number of local viewpoints (fourteen viewpoints), where they state that there would be no adverse visual impact largely due to the existence of a number of tall multi-storey (three and four storey) civic and mixed-use buildings within the town centre as well as the existence of tall streetlight columns. I would concur that the montages form a reasonably representative sample of the views of the structure from the selected viewpoints. I consider that its visibility and visual intrusiveness would not be significant from the vicinity of the selected viewpoints given the built form of Dungarvan with its varied roofscape, telephone and public lighting columns.
- 7.5.6 Where the structure will be visible within the town due to its 21-metre height, it will generally be seen against a backdrop of the urban built fabric and its infrastructure in terms of street light columns. Having regard to these characteristics of the appeal site and the wider urban area and noting that the 21-metre height is required to effectively function over as large an area as possible, I do not consider that the magnitude of the impact of the proposed development on the visual amenities of the area would be so significant as to warrant refusal.
- 7.5.7 It is acknowledged that the proposed telecommunications installation would impact upon the local townscape by virtue of the height of the monopole structure. Section 7.21 of the Plan pertains to Telecommunications where the following is set out:

“Waterford County Council recognises the importance of the continued development of the existing network and will support and encourage a balanced spread of telecommunications infrastructure throughout the County”. On balance, while I acknowledge that the proposals will impact upon the local townscape, I am satisfied that the impact would not be a significantly or materially adverse one, to warrant a refusal of planning permission.

7.5.8 In conclusion. I do not recommend that permission be refused on grounds relating to townscape or visual impact.

7.6 Appropriate Assessment-Screening

7.6.1 The Dungarvan Harbour Special Protection Area is located just 60 metres west of the appeal site. However, having regard to the location of the development on a brownfield site within a serviced area, the nature of the development, the lack of a pathway from the appeal site to any Natural 2000 site, I consider that the proposed development either alone, or, in combination with other plans or projects, would not be likely to have significant effects on the European site. Therefore, the submission of a Natura Impact Statement is not required in this instance.

8.0 Recommendation

8.1 I recommend that planning permission be granted.

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, as updated by Circular Letter PL/07/12 issued by the Department of the Environment, Community and Local Government on the 19th day of October 2012,

b. The policy of the planning authority, as set out in the Waterford County Development Plan 2012 (as varied), the draft Waterford County Development Plan 2022-2028, the Dungarvan Town Development Plan 2012 (as varied), supporting the provision of telecommunications infrastructure,

- c. The established telecommunications use on the site.
- d. The general topography and townscape features in the vicinity of the site,
- e. The existing pattern of development in the vicinity,

it is considered that, subject to compliance with the conditions set out below, the development proposed would not adversely impact upon the amenities of the area and would be in accordance with the proper planning and sustainable development of the area.

10.0 CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and particulars submitted to the Planning Authority on the 8th day of February 2021, 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. Details of the proposed colour scheme for the telecommunications structure, ancillary structures and fencing shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

3. Any additional panels or structures, proposed to be attached to the monopole structure exceeding 1.3 metres in dimension, shall be the subject of a separate planning application.

Reason: To regulate and control the layout of the development and in the interest of orderly development.

4 Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.

Reason: In the interest of public health.

5 The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of traffic management during the construction phase, details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste, as well as protective measures to be employed with respect to the boundary hedgerows.

Reason: In the interests of public safety and visual and residential amenity.

6 Within six months of the cessation of use the telecommunications structure and ancillary structures shall be removed and the site shall be reinstated. Details relating to the removal and reinstatement shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

Fergal Ó Bric,
Planning Inspectorate

20th September 2021