



An
Bord
Pleanála

Inspector's Report ABP 310115-21

Development	To install an 11-metre extension to an existing 10 metre lattice telecommunications support structure and associated infrastructure
Location	Eagle Hill, Ballynamult. Co Waterford.
Planning Authority	Waterford City and County Council.
Planning Authority Reg. Ref.	20728
Applicant(s)	Signal Infrastructure Ltd.
Type of Application	Permission.
Planning Authority Decision	Refuse Permission.
Type of Appeal	First Party v Decision
Appellant(s)	Signal Infrastructure 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 rural area of Eagle Hill, which is located approximately 4.6 kilometres southeast of Ballynamult, 9.9 kilometres north-east of Cappoquin on the N72 and 3 kilometres southeast of Touraneena.
- 1.2 The appeal site is accessed off a forestry road approximately 200 metres north of a local road, the LP1034. The telecommunications infrastructure would be located within the bounds of an established and permitted telecommunications compound where there is a 10-metre-tall lattice telecommunications support structure and associated antennae and dishes, all within a palisade compound. Neither the compound nor the telecommunications support structure is visible from the public roadway. There is mature coniferous and broadleaf forestation to the south, north and west of the compound and a forestry access road to the east of the compound.

2.0 Proposed Development

- 2.1 The development would comprise the following:

The installation of an 11-metre extension to an existing 10 metre lattice telecommunications support structure (making a total height of 21 metres) to enable the relocation of operations (Three Ireland and Eir mobile) antenna and dish equipment together with associated ground equipment cabinets and associated site works.
- 2.2 A Planning report including a Visual Impact Assessment and a technical justification report were submitted by the applicants as part of the planning documentation.
- 2.3 Further information was submitted by the applicants in relation to the following: Considering the merits of installing a monopole support structure and a revised visual impact assessment.
- 2.4 As part of their appeal submission, the applicants have submitted revised proposals, whereby they state that should the Board consider the impacts of the proposed 11 metre extension unacceptable, that they would be willing to accept a reduced height extension of 8 metres (total height 18 metres), and that the structure would be substantially screened from views within a shorter period of approximately 5 years.

The principle, nature and substance of the proposed development remains unchanged

3.0 Planning Authority Decision

3.1 Decision

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

Reason: The proposed 11 metre extension to the existing 10 metre lattice structure on this open, elevated and exposed site would result in a 21-metre lattice structure and if permitted, would adversely impact the visual amenities of the local and wider area. The proposal is contrary to policy INF POL 24 of the Waterford County Development Plan 2011, and contrary to the provisions of Ministerial Guidance. The proposals would result in unacceptable visual impacts, set an undesirable precedent, and seriously detract from the visual amenities of the area and thus would be contrary to the proper planning and sustainable development of the area

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 within the rural area of Eagle Hill, on the site of an existing 10-metre-tall telecommunications structure.
- The planner was not satisfied that the proposal demonstrated compliance with Policy INF24, where the policy is to facilitate proposals for telecommunication masts, antennae, underground infrastructure, and ancillary equipment subject to normal planning considerations, having regard to the provisions of the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, 1996.
- An Appropriate Assessment (AA) screening exercise concluded that there is no potential for significant impacts upon the Natura 2000 network 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

One received. The issues raised within the submission related to the following issues:

- Visual impact.
- Possible unknown health risks.
- Planning history pertaining to the appeal site.
- The Board should recommend a refusal of planning permission in this instance.

4.0 Planning History

Planning Authority reference number 15/49, in 2015 Coillte teoranta were granted planning permission for a continuance of use of a 10-metre-high support structure, associated telecommunications equipment and cabinets and planning permission for additional telecommunications equipment and cabinets all within a secure compound including an access track, all part of the GSM and 3G broadband network.

Planning Authority reference number 09/344, in 2009 Hutchinson 3G were granted planning permission by Waterford County Council for the erection of a 36-metre-tall telecommunications support structure. 3 antennae and 2 dishes together with equipment cabinets, associated equipment fencings and associated site works, with

the development forming part of the National Broadband Scheme. Permission was modified by An Bord Pleanála, under Bord reference number PL.24.235460 whereby the height of the telecommunications structure was reduced to ten metres under condition number 2(a) of that decision.

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 Waterford County Development Plan 2011 (as varied).

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”. It is also set out that “The development of telecommunication masts and antennae in urban areas should be avoided where alternative locations are available.” The following policies and objectives are set out within the Plan:

Policy INF 24 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 Structures - Guidelines for Planning Authorities’ (1996).

Objective INF 11 It is the objective of the Council to encourage the clustering and co-location of telecommunication masts, antennae or ancillary equipment and more favourable consideration will be given to their location near existing similar type structures.

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. The Planning Authority state that they expect the Plan to be adopted in June 2022.

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”. The following policy objective is set out within the Plan:

UTL 16 ICT/ Communications We will work in collaboration with service providers to deliver a more enhanced connectivity service experience in a way that protects our footway and road surfaces and delivers the economic and community benefits of technology. We will facilitate the continued provision of communication networks, broadband and appropriate telecommunications infrastructure and services, subject to environmental considerations, in order to contribute to economic growth, development, resilience and competitiveness. In considering proposals for such infrastructure and associated equipment, the following will be taken into account:

- The installation of the smallest suitable equipment to meet the technological requirements.
- Solutions to deliver shared telecommunication physical infrastructure in new development to facilitate multiple service providers at a non-exclusive basis and at economically sustainable cost to service providers and end users.
- Concealing or disguising masts, antennas, equipment housing and cable runs through design or camouflage techniques; or
- A description of the siting and design options explored and the reason for the chosen solution; details of the design, including height, materials and all components of the proposals.
- A landscaping and screen planting plan (if appropriate).

- An assessment of the cumulative effects of the development in combination with existing equipment in the area; and a visual impact assessment (if relevant).

Proposed development will be required to have regard to the “Telecommunications Antennae and Support Structures - Guidelines for Planning Authorities” issued by the Department of the Environment Heritage and Local Government and to any subsequent amendments as may be issued.

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:

National and Local Policy:

- The National Planning Framework provides a basis for long-term co-ordination on infrastructure development, including transport, energy, communications, and social and community infrastructure.
- Comreg has set out that it “will continue to accommodate efforts designed to help businesses survive and end users avail of telecommunication services in this coronavirus emergency”.
- RPO 46 of Regional Spatial and Economic Strategy for the Southern Region seeks to expedite the completion of high-quality broadband and mobile communication services to all rural locations.

Technical Siting considerations:

- The extension to the antenna support structure is necessary to overcome the known coverage deficit in the area as a result of tree growth in the forestry surrounding the site.

- The signal from the site will continue to be degraded by future tree growth.
- To maintain existing coverage as well as allowing for future expansion of the network in the local area, the extension of the support structure is necessary so that the telecommunications equipment can be repositioned above the tree cover.
- The 21-metre height will ensure signal propagation over the surrounding area and above the height of the forestry for the operators for the next ten years before surrounding trees would limit signal propagation again.
- A site is needed for the site operators to continue the rollout of their 3G and 4G network services.
- The proposed development represents an important component of strategic telecommunications infrastructure in the area.
- The proposed development at the subject site would represent an upgrade to an existing telecommunications installation.

Alternative sites considered:

- The applicants submitted details of five other telecommunication infrastructure sites which are in closest proximity to the appeal site. These range in distance from 8 kilometres to 16 kilometres distant from the appeal site. The applicants state that they are too distant in order to be considered feasible in terms of co-location, and that the coverage provided by those telecom structures would not be sufficient to cater for customers within the Touraneena area. Therefore, none of the five sites were considered suitable in terms of meeting Eir's/Three's mobile telephony and broadband needs in Touraneena.
- There are no other telecommunication structures in the Touraneena area, that could accommodate the operator's coverage needs, as per the information available on the ComReg outdoor mobile coverage mapping.
- 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 Eir/Three in order to provide the required level of service to their customers.

Visual and landscape Impact:

- From a review of the topography of the area it was determined that an 11-metre extension could be placed at the existing structure without having an adverse impact on the amenities of this rural area or the views within the surrounding area.
- The positioning of the telecoms structure amongst maturing coniferous and broadleaf forestry the impact of the development can be absorbed into the local landscape without adversely impacting upon the amenities of the area.
- A visual impact appraisal and montages have been submitted from 22 viewpoints within a 1.7-kilometre radius of the appeal site.
- The Development Plan describes the site as having a low/medium sensitivity to change and a medium to low capacity to accommodate change with respect to telecommunication infrastructure.
- The significance of the impact from the 22 viewpoints ranges from imperceptible to slight to moderate, with imperceptible and slight being the dominant impact.
- In terms of impact quality, the range from the 22 viewpoints ranges from negative to neutral with an even mix of neutral and negative impacts.
- Intervisibility is expected to arise from viewpoints 1,3,7 and 9 where the structure will be exposed above the treeline and so will be prominent from these locations. Wider distance views from the R671 (a scenic route to the east of the appeal site) would be intermittent and from a distance would not adversely impact upon the quality of the views from these viewpoints. Wider and more distant public views from the surrounding area to the west at the R668 are restricted by the extensive area of foliage and trees on the boundaries of the appeal site.
- Overall visual impacts in the immediate locality of the site and from the wider area would be acceptable having regard to the overall benefits that will accrue from an improved telecommunications service in the area.
- A letter from Coillte was submitted outlining their timeline for the felling of the surrounding trees, being the period 2038-to 2043 and that the surrounding forestry is expected to reach a height of 25 to 30 metres in height before being felled. Average growth rates are approximately 1 metre per annum and so the extended tower would not be visible in less than 10 years.

- The structure will be visible from certain views. However, views would be intermittent and viewed in the context of the wider rural 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.

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 Touraneena 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 best practice 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 landscape 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 key 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 Development Plan policy on

telecommunications Infrastructure, is set out within Section 7.21 and is reflective of the Guidelines. Specific policy INF 24 and objective INF11 are both supportive of the facilitation and improvement of broadband services and clustering and co-location of telecommunications 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 an area that is not subject to any specific visual sensitivity designations within the Development Plan. A scenic route designation, along the R671 exists to the east, however the structure is located within a forested area and Coillte have submitted correspondence which states that the forested area will not be harvested for a period of 35-40 years after plantation in 2003. This leaves a remaining period of 16-21 years until maturity. Given that broadband and communications are now considered an important aspect of utility services in terms of supporting education, business, and domestic uses and that the site currently accommodates telecommunications infrastructure, supporting telecommunication services, I consider that the extended telecommunications structure would be acceptable in principle at this location.

7.3 **Site Selection**

7.3.1 Policy INF24 within the Waterford Development Plan and specific policy objective UTL within the Draft Waterford Development Plan 2022 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.

7.3.2 The applicants state that the site operators are long-established telecommunications infrastructure providers, and the extended telecommunications structure would continue to facilitate co-location between telecommunications providers as provided for under objective INF11 of the Development Plan. The growth in the surrounding forestry necessitates the development of the 21-metre height proposed, which would allow for

the antennae to be relocated on the support structure at an increased height to facilitate retention and improvement of mobile and data services in the area.

7.3.3 The applicants state are no other suitable sites available within the areas and details of other telecommunication sites in the area are provided. All of the sites are located distant from the appeal site, the closest being eight kilometres distant (as confirmed within the ComReg mobile telephony site viewer mapping), which is not proximate enough in terms of co-location and providing adequate coverage for mobile calls or broadband service to customers in the Touraneena area. In any event, the current site is shared by two operators and therefore, supports national and local policy in terms of supporting co-location and clustering of telecommunications infrastructure

7.3.4 The existing coverage in Eagle Hill for Eir's 3G and 4G users ranges from good to fringe/fair for mobile coverage and data services and ranges from fair to fringe for Three's 3G and 4G users 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 residents of the Touraneena area 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 area. It is apparent that the development is necessary to provide continued and improved mobile coverage in Touraneena and surrounding area in order to cater for the 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 Touraneena area, the lack of viable alternatives for co-location within the vicinity of the appeal site, and the fact that the appeal site is presently shared between two operators, and this would continue under the current proposals, 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 extension of telecommunications infrastructure on this site would contribute to providing a more reliable telephony and broadband service for local customers in the Touraneena area. 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 of Three. 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 the Touraneena area and the lack of availability of other telecommunication 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 planning documentation that the lattice type structure would be consistent with that of the existing permitted structure on site and that the lattice type design is necessary in order to provide the stability necessary to support the antennae for the two operators on the site and to allow for a third operator to erect antennae on it, if necessary.
- 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 a rural dwelling located approximately two hundred metres south-west of the appeal site, with other rural dwellings between three hundred metres and five hundred metres south and east of the appeal site. Having regard to the separation distance and the lack of a direct aspect towards the proposed structure, and the location of the infrastructure within a forested area, I do not consider that the proposed development could be considered to constitute an overly dominant or overbearing feature within this landscape. I note the correspondence submitted from Coillte who set out that the growth of the trees occurs at approximately 1 metre per annum and therefore, the proposed telecommunications structure will become less visible with each year of tree growth.

7.4.3 In conclusion, I consider that the proposal to increase the height of the telecoms support structure within the same site as an existing telecoms infrastructure, 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 landscape and visual impact.

7.5 Landscape 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 The appeal site comprises the footprint of an existing telecommunications compound. The appeal site nor the adjoining lands are not subject to any specific heritage designations as per the Development Plan.

7.5.3 A lattice telecommunications structure is proposed, similar to the existing established and permitted structure on site. The applicants state that the lattice structure is necessary given the requirement to support the antennae of two existing operators and that the lattice structure is more stable and less likely to be affected by weather conditions which can affect coverage. Given the location within a forested environment, where the existing coniferous and broadleaf trees have grown up to between ten and twelve metres 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 located within a palisade compound located off an internal forest road, 200 metres removed from the public roadway. 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 landscape, levels on site are elevated, however the existing coniferous and broadleaf tree growth provides significant cover within the local landscape. As per the development Plan, there are no protected views within this area, nor are there any specific sensitive designations. As per policy objective UTL16 of the Draft Waterford Development Plan 2022, the Planning Authority will “Work in collaboration with service providers to deliver a more enhanced connectivity service experience”. This policy objective 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 landscape 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 (twenty-two viewpoints), where they state that there would be no adverse visual impact largely due to the existence of forestry which limits views of the telecommunications compound and of the support structure. From the information received from Coillte which states that the trees will grow at a rate of approximately 1 metre per annum and the trees will not be harvested until the year 2038 at the earliest. I would concur that the montages submitted as part of the planning documentation form a 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 existence of the dense forestry surrounding the appeal site. I acknowledge that the extended telecommunications support structure would be visible from a distance, however, I am also satisfied that the proposed extended structure would not form a dominant feature within the local landscape.
- 7.5.6 Where the structure will be visible within the town due to its 21-metre height, it will be seen against a backdrop of the neighbouring forestation. Having regard to these characteristics of the appeal site and the wider rural area and noting that the 21-metre height is necessary to effectively function over as large an area as possible. The Development Plan sets out that the Eagle Hill area have a medium to low capacity to accommodate telecommunications infrastructure. On balance, 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 a refusal of planning permission.
- 7.5.7 It is acknowledged that the proposed telecommunications installation would impact upon the local landscape 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 landscape, 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 adverse impact upon the landscape or visual impact.

7.6 Appropriate Assessment-Screening

- 7.6.1 The Munster River Blackwater SAC is located approximately 5.8 kilometres west of the appeal site, Ballandine Wood SPA is located approximately 6.1 kilometres south-east of the appeal site and the Comeragh Mountains SPA is located approximately 1.3 kilometres east of the appeal site. However, having regard to the location of the development on a brownfield site within a wooded 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 2011 (as varied), the Draft Waterford County Development Plan 2022-2028, 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 7th day of October 2020 and by the further plans and particulars received by An Bord Pleanála on the 4th day of May 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 lattice 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

28th March 2022