



An
Bord
Pleanála

Inspector's Report ABP-310743-21

Development	The construction of an 18m high free-standing communications structure and associated equipment.
Location	Eircom Exchange, High Street, Stradbally, Kilmacthomas, Co. Waterford.
Planning Authority	Waterford City & County Council
Planning Authority Reg. Ref.	21/347
Applicant(s)	Eircom Ltd
Type of Application	Permission
Planning Authority Decision	Refusal
Type of Appeal	First Party -v- Decision
Appellant(s)	Eircom Ltd
Observer(s)	None
Date of Site Inspection	4 Oct 2022
Inspector	B. Wyse

1.0 Site Location and Description

- 1.1. The site is the existing Eircom Exchange facility at High Street, Stradbally. It has a stated area of 0.023 hectares and comprises a walled and fenced compound that accommodates a small exchange building and associated equipment, including an ESB power pole and a wooden pole with antennae. While open to the street and to the rear the site is bound to the sides by mature evergreen trees/hedging on the immediately adjacent land. The latter is generally undeveloped. The nearest residential properties are a short distance to the east and west and across the street to the south. The centre of the village, including the village green, extends to the south west.

2.0 Proposed Development

- 2.1. The proposed development consists of the construction of an 18m high free-standing communications structure with its associated antennae, communication dishes, ground equipment, and all associated site development works. The top of the monopole would include a shroud enclosing the antennae and the structure would be finished in a dark green colour. Cabins/cabinets shown on the drawings are exempted development.
- 2.2. The development would form part of Eircom Ltd's existing telecommunications and broadband network. The structure would be offered to all network operators as a point of co-location.
- 2.3. The application documentation includes; a justification of the need for the proposed development at this location; a statement of compliance with guidance from the ICNIRP and the Communications Regulator in Ireland; and a series of photomontage illustrating the proposed structure from selected vantage points around the village.

3.0 Planning Authority Decision

3.1. Decision

Permission was refused for the following reasons:

- The proposed development would be visually obtrusive; would seriously injure the visual and residential amenities of the area; and would adversely impact the heritage value and the special character of Stradbally Village.
- Given the site's prominent setting on an elevated site the proposed development would seriously detract from the Streetscape of Distinctive Character of the planned village and its setting and vistas.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Basis for planning authority decision.

The Executive Planners Report includes;

- Questions the applicants assertion that no alternative sites could be secured due to the nature of the land and what other sites, if any, were considered.
- The siting of the monopole to the front of the exchange would make it considerably more visible and intrusive than the existing structures on the site.
- By reference to Section 4.3 of the 1996 Guidelines the distinction between 'noticeable' and 'intrusive' is relevant. The proposed development would be intrusive and out of character with the surroundings.
- The monopole would be clearly visible from the village square. While screened somewhat by the surrounding trees, if these were removed the monopole would be fully visible.
- The proposed development would not blend into the urban landscape in the same way as other utility infrastructure, such as telegraph, electricity or lighting poles.

The report also concludes that no AA issues arise and that EIA is not required.

3.2.2 Other Technical Reports

None

3.2.3 Observations

Four Observations/submissions were received by the planning authority, all in opposition to the proposed development. Issues raised include; visual/heritage/tourism impact; impact on residential amenity; health concerns; alternative sites.

4.0 Planning History

PA Ref. 20/848: This is a January 2021 decision to refuse permission for a similar proposal to the current one and for the same reasons as in the current case. The monopole, in this instance, would not have been shrouded or finished green.

5.0 Policy and Context

5.1. Development Plan

The relevant plan is the Waterford City and County Development Plan 2022 – 2028 (CDP).

Stradbally is subject to the GZT Zone category RV – Protect and promote the character of the rural village and promote a vibrant community appropriate to the available physical and community infrastructure.

An Architectural Conservation Area (ACA) is proposed for Stradbally (Table 11.1, Appendix 10 and Map 4 Built Heritage). The subject site is outside the proposed boundary of the ACA which generally extends to the west and south.

Objective UTL 16 (ICT/Communications) indicates support for broadband/telecoms infrastructure subject to environmental considerations including; the use of the smallest equipment; sharing of facilities; concealment/disguised masts; description of siting/design options; national guidelines.

The site, including the entire central area of the village, is within National Monuments Zone (SMR Zone for notification): R131537.

5.2. National Planning Guidelines

5.2.1 Telecommunications Antennae and Support Structures; Guidelines for Planning Authorities, 1996.

Section 4.3 includes;

Only as a last resort should freestanding masts be located within or in the immediate surrounds of smaller towns and 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.

Circular Letter PL 07/12, DoECLG 2012

This includes further advice on the issue of health and safety and reiterates that this is regulated by other codes and is not a matter for the planning process.

5.3. Natural Heritage Designations

None relevant.

5.4. EIA Screening

The proposed development does not fall within the scope of any of the Classes of development for the purposes of EIA.

6.0 The Appeal

6.1. Grounds of Appeal

The applicant refers to national and local planning policies that are supportive of telecommunications infrastructure.

It is also indicated that the existing exchange facility has been in use for over 20 years. Equipment is attached to the small exchange building and to a 10m wooden pole. Due to the increased built-up environment and growth in vegetation the installation is not visible anymore.

The main grounds of appeal can be summarised as follows:

- Coverage blackspot: Currently, the applicant is unable to offer 4G and high quality 3G in Stradbally. Under the proposal, indoor voice and high-speed data services would become available.
- No alternative locations: One existing 12m wooden pole structure exists within 2km of the search area. However, due to its nature and height, it would be unsuitable to use. Due to the nature of the land it would not be possible to secure suitable alternative sites.
- Site selection: The site is an existing exchange installation so the proposal is for an upgrade. The mast would be connected directly to the existing building on the site by means of fibre cabling, minimising the equipment on the mast and the height of the structure.
- Co-location: The proposed development would be capable of supporting multiple operators in the future.
- Visual impact:
 - The proposal would be a slimline monopole type of structure, which would invite comparison with lamp standards and so it would not appear incongruous or visually obtrusive.
 - The selected height of 18m would facilitate co-location and so negate a proliferation of masts with their attendant visual dis-amenity.
 - While the proposed mast would be visible in certain views, these would be intermittent and incidental, so that it would not be detrimental to the overall amenity of the area. Submitted photomontages illustrate that the proposal would not have a significant visual impact on the area.
 - Close proximity to residential property is common in most urban areas and national guidance does not provide for any restrictions on this (Ref. ABP 307962-20).
- Devalues property/impact in a local community: There is no evidence to substantiate this. World-wide the contrary is the case due to the benefits accruing from improved coverage and connectivity.

6.2. **Planning Authority Response**

None

6.3. **Observations**

None

7.0 **Assessment**

7.1. The main issues in this appeal are those raised in the planning authority's reasons for refusal. Appropriate Assessment also needs to be considered. I am satisfied that no other substantive issues arise.

The issues are addressed under the following headings:

- Visual and Heritage Impact
- Residential Amenity
- Appropriate Assessment

7.2 **Visual and Heritage Impact**

7.2.1 It is well recognised that placing infrastructure of this nature in small towns and villages is challenging and this is reflected in the advice contained in Section 4.3 of the Telecommunications Antennae and Support Structures Guidelines (the Guidelines) that it should only be as a last resort. However, the advice also concedes that it may be necessary and, in that event, existing utility sites should be considered and specific design solutions should be employed.

7.2.2 The challenge in Stradbally is amplified due to the acknowledged rich heritage quality of the village. As described in the development plan Stradbally is a planned estate village dating from the early 19th Century with the central green as it's main focus and which lends the village a striking formal character. The green and the immediate surrounds, and an area extending to Stradbally Cove, are now subject to a proposed Architectural Conservation Area (ACA). The appeal site is located a short distance to the north east and outside this designated area.

- 7.2.3 In terms of assessing the proposal, and following the scheme of the Guidelines, the first step is to consider if any alternative locations, outside the village, are available. The applicant's documentation includes details of coverage requirements for the village, including 4G and high quality 3G, and indicates that no suitable alternative sites are available within a 2km radius search area. I note that the planning authority's Planners Report queries this assertion. It could also be argued that the applicants could have included more information in relation to the alternative sites considered. However, it would be difficult, in my view, to adjudicate on such an exercise and decide when exactly such might be sufficient. Although the applicants do not elaborate, the reference to 'the nature of the land' is likely to refer to the local topography whereby the village is located in an undulating landscape that presumably constrains the search area that is viable for this type of infrastructure.
- 7.2.4 The question of alternative sites must also be balanced against the availability of an existing utility site in the village, and as referenced in the Guidelines. The critical test, therefore, is whether or not the proposed development on this particular site can be deemed acceptable
- 7.2.5 The key characteristics of the site include; that it is offset to the north east of the green and outside the proposed ACA; that it is relatively enclosed by mature evergreen trees/hedging; and that its immediate surrounds comprise undeveloped lands. The rise in ground levels on High Street, west to east, is also a feature which, in views from the green, provides a back drop of built form that helps to significantly embed the site into the urban landscape.
- 7.2.6 Noting the previous refusal of permission on the site the applicants have modified the design of the monopole to include a shroud to enclose the antennae and a green finish, as in the approach suggested in the Guidelines.
- 7.2.7 The applicant's photomontage series adequately demonstrates the potential visual impact of the proposed development. The key views are from locations 2,3 and 5 from the village green and the immediate vicinity into High Street. While the views as presented slightly underestimate the proximity of the proposed structure in the view (in that I consider that the structure, in reality, would appear as somewhat closer than shown) I nevertheless consider, given the offset location of the site, it's relatively enclosed nature and the proposed design, that it would not be a significant

feature in the village. In this regard, and contrary to the planning authority planner's assertion, I consider that it would be noticeable rather than intrusive and that it would reasonably assimilate into the urban landscape. While I agree that if the surrounding trees were removed the structure would be much more visible there is no reason to expect that this should happen in the foreseeable future (noting that the trees are on lands outside the exchange site boundary). Even if they were to be removed the structure would still be in an offset location and it might also be reasonable to anticipate some development on the adjacent lands which, in turn, would provide some enclosure/screening.

7.2.8 In addition to the Guidelines I note also that the proposed development satisfactorily addresses the requirements of development plan Objective UTL16 in relation to the use of the smallest equipment, sharing of facilities and design.

7.2.9 It follows that I do not consider that the proposed development would be detrimental to the visual amenities of the village or adversely impact its heritage value or special character. Given the particular characteristics of the site and the design approach adopted I consider that the proposed development is acceptable.

7.3 Residential Amenity

7.3.1 This issue is referred to in the planning authority's decision but there is little in terms of elaboration as to the particular concerns, save a reference to the proposed development being immediately adjacent to residential dwellings. It is also referred to in the Observation submissions to the planning authority. To the extent that the issue is an intrinsic component of the first issue, visual and heritage amenity, this has been addressed at 7.2 above.

7.3.2 As indicated at 1.1 above the subject site is not immediately adjacent to residential dwellings. The nearest dwellings are a short distance to the west and east and directly across the street to the south. While in close proximity the separation distances from the structure would, in my view, be reasonable in the context of the village location. The relatively enclosed nature of the site, as previously discussed, is also a significant factor. The structure, therefore, would not be excessively dominant relative to the nearest residential properties.

7.3.3 I do not, therefore, consider that the proposed development would seriously injure the residential amenities of the area.

7.4 **Appropriate Assessment**

7.4.1 Having regard to the minor nature of the proposed development within an established urban area, it is concluded that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 **Recommendation**

8.1. I recommend that permission be granted subject to conditions.

9.0 **Reasons and Considerations**

Having regard to:

- Objective UTL 16 of the Waterford City and County Development Plan 2022-2028, which supports the provision of broadband/telecoms infrastructure subject to environmental considerations,
- Telecommunications Antennae and Support Structures; Guidelines for Planning Authorities, DOE 1996, which recognises that it may be necessary to locate such infrastructure in towns and villages and advises that existing utility sites should be considered along with site specific design,
- the location of the development site, an existing telecoms exchange facility, outside the proposed Architectural Conservation Area for Stradbally; it's location at some distance from residential properties; and the adjacent mature screen planting,
- the proposed monopole design, including the shrouded top and the green finish,

It is considered that, subject to compliance with the following conditions, the proposed development would not adversely impact the heritage value and special character of Stradbally Village or be seriously injurious to the visual or residential amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.</p> <p>Reason: In the interest of public health.</p>
3.	<p>The developer shall allow, subject to reasonable terms, other licensed mobile telecommunications operators to co-locate their antennae onto the subject structure.</p> <p>Reason: In order to avoid the proliferation of telecommunications structures in the interest of visual amenity.</p>
4.	<p>Details of the specific colour finish for the telecommunications structure shall be submitted to and agreed in writing with the planning authority prior to commencement of development.</p> <p>Reason: In the interest of the visual amenities of the area.</p>
5.	<p>On decommissioning of the telecommunications structure, the structure and all ancillary structures shall be removed and the site reinstated at the developer's expense.</p> <p>Reason: In the interest of clarity.</p>

B. Wyse
Assistant Director of Planning

14 October 2022