



An
Bord
Pleanála

Inspector's Report

ABP-312178-21

Development	Permission sought for an 18.1 metres telecommunication support structure carrying antennas, associated equipment, cabinets, fencing and associated site development works.
Location	Ultima Oil, R748 Road, Carnew Co. Wicklow
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	211189
Applicant(s)	Eircom Limited.
Type of Application	Planning Permission.
Planning Authority Decision	Refuse Permission.
Type of Appeal	First Party
Appellant(s)	Eircom Limited.
Observer(s)	No Observers.
Date of Site Inspection	26 th July 2022.

Inspector

Elaine Sullivan

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	4
3.0 Planning Authority Decision	4
3.1. Decision	4
3.2. Planning Authority Reports	5
3.3. Prescribed Bodies	6
3.4. Third Party Observations	6
4.0 Planning History.....	6
5.0 Policy Context.....	6
5.1. Development Plan.....	6
5.2. National Guidance.....	8
5.3. Natural Heritage Designations	9
5.4. EIA Screening	9
6.0 The Appeal	10
6.1. Grounds of Appeal	10
6.2. Planning Authority Response	11
6.3. Observations	12
7.0 Assessment.....	12
8.0 Recommendation.....	18
9.0 Reasons and Considerations.....	18
10.0 Conditions	18

1.0 Site Location and Description

- 1.1. The subject site is located on the outskirts of Carnew town centre and to the north of the Main Street. It has a stated area of 37.7m² and is located within the Ultima Oil Depot on the western side of the R748-Aughrim Road. The entrance to the site is approximately 50m to the north of the R748-Aughrim Road / R725- Gorey Road / Main Street junction.
- 1.2. Lands surrounding the site are industrial in nature with a large open yard with industrial buildings to the rear of the site and the Irish Flexible Packaging factory and agricultural style buildings on the opposite side of the road. The proposed development would be located in the south-western corner of the oil depot. Directly to the south are large barn-like buildings, some of which are associated with the two-storey pub and lounge that forms the western corner of Main Street and the Aughrim Road.

The closest residential development to the site is approximately 50m to the east, which comprises a terrace of protected structures. A detached house is approximately 60m to the north of the site. Approximately 45m to the south of the site are a number of houses facing onto Main Street.

2.0 Proposed Development

- 2.1. Planning permission is sought for the installation of a new 18.1m high monopole telecommunication support structure carrying 3 no. 2.5m long antennas, a 600mm wide dish, associated equipment including a ground-based equipment cabinet, (815 x 735 x 2030mm), surrounded by mesh fencing of 2.4m in height, along with all associated site development works for high-speed wireless data and broadband services.

3.0 Planning Authority Decision

3.1. Decision

Planning permission was refused by the PA for the following reasons:

Having regard to:

(a) The location of the proposed development at a prominent location at the entry / exit of Carnew Town Centre, and within 100 metres of numerous protected structures, buildings recorded as NIAH, residential dwellings, and commercial premises;

(b) The location/ visibility of the development from neighbouring dwellings, surrounding residential developments, the surrounding road network, and the surrounding landscape; and

(c) The poor screening proposed and the potential removal of existing trees and screening surrounding the site which are not in the applicants ownership;

It is considered that the proposed development would form an obtrusive feature within, and be contrary to the protection of Carnew Town Centre; would result in the formation of a strident and obtrusive feature at the entry / exit of Carnew Town Centre, and with respect to the existing residence; would set an undesirable precedent for further development on unsuitable lands which, would negatively impact upon the character of the area. The overall development would seriously injure the visual amenities of the area; and would seriously injure the amenities of properties in the vicinity. The development would therefore be contrary to the guidelines and objectives of the County Development Plan, in particular Objectives TI, T2, and T3, and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Officer dated the 12th November 2021 informed the decision of the PA and included the following:

- Developments comprising new telecommunications infrastructure are not permitted within or around residential development.
- The site is located within the Ultima Oil Depot and is within 100m of numerous protected structures, residential dwellings and commercial premises. It is therefore considered that the proposed development would not be acceptable at this location.

- The proposal would have a significant, overbearing impact on the surrounding area by virtue of its location and height and would be highly visible. The Visual Impact Assessment shows this.
- The level of screening around the site is poor and no additional planting is proposed.
- It would be visually dominant on the approach to Carnew from Aughrim and would significantly detract from the settlement of Carnew.

3.2.2. Other Technical Reports

- No reports on file.

3.3. Prescribed Bodies

- No reports on file.

3.4. Third Party Observations

- No observations received.

4.0 Planning History

- No recent planning history for the site.

5.0 Policy Context

5.1. Development Plan

5.1.1. The Wicklow County Development Plan 2016-2022, (WCDDP), is the operative development plan for the site.

5.1.2. Carnew is identified as a Level 5 – Small Growth Town within the settlement strategy for Wicklow.

5.1.3. The following sections of the development plan are of relevance to the proposed development:

- Section 9.4 – Telecommunications

- Objective T1 - To facilitate the roll out of the National Broadband Plan and the development/expansion of communication, information and broadcasting networks, including mobile phone networks, broadband and other digital services, subject to environmental and visual amenity constraints.
- Objective T2 - The development of new masts and antennae shall be in accordance with the development standards set out in Appendix 1 of this plan.
- Objective T3 - To ensure that telecommunications structures are provided at appropriate locations that minimise and / or mitigate any adverse impacts on communities, and the built or natural environment.
- Appendix 1 – Section 10 – Energy and Communications
 - Design advice in this section relates to ‘new support structures and associated base stations’.
 - Locations in Settlements - New support structures shall not be permitted within or in the immediate surrounds of a residential area or beside schools.
 - The applicant shall be required to follow a ‘sequential’ approach to site location as per the following hierarchy,
 1. Clustering on existing structures
 2. In industrial estates or on industrial zoned lands
 3. Rooftop locations in commercial zones
 4. In parks or open areas
 - Permissions for antennae support structures and associated base stations shall only be granted for 5 years;

Carnew Town Plan

- 5.1.4. The site is zoned objective ‘E – Employment’, the objective of which is ‘To provide for the development of enterprise and employment’. A ‘utility installation’ is listed as a ‘generally appropriate use’ within the employment zoning.

Section 4.4 - Economic Development and Employment Objectives

CAR2 - To facilitate and support the growth of the Town Centre of Carnew in accordance with the provisions set out in Section 4.5 of this plan and to encourage the development of new retail / retail services and business support services (such as solicitors, accountants, architects etc) within the TC zone.

5.1.5. There are 12 protected structures located in the town of Carnew. The closest protected structures to the subject site are:

- RPS Ref. 47-06 – A terrace of 10, two storey houses facing an open green on Brunswick Row, Carnew. (c. 50m to the east of the subject site).
- RPS Ref. 47-05 – The former Methodist Church on Main Street, Carnew, (c. 170m to the south-west of the site).
- RPS Ref. 47-11 – Hydrant on Carnew Main Street.

5.2. National Guidance

5.2.1. National Planning Framework – Project Ireland 2040

Objective 24 – ‘Support and facilitate delivery of the National Broadband Plan as a means of developing further opportunities for enterprise, employment, education, innovation and skills development for those who live and work in rural areas.’

5.2.2. Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996)

The guidelines aim to provide a modern mobile telephone system as part of national development infrastructure, whilst minimising environmental impact. Amongst other things, the Guidelines advocate sharing of installations to reduce visual impact on the landscape.

4.3 – Visual Impact - The guidelines note that visual impact is one of the more important considerations which have to be taken into account and also that some masts will remain quite noticeable in spite of the best precautions.

With regard to location 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 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’.

4.5 – Sharing Facilities and Clustering – Applicants will be encouraged to share facilities and to allow clustering of services and will have to satisfy the Planning Authority that they have made a reasonable effort to share.

5.2.3. **DoECLG Circular Letter PL07/12**

This Circular was issued to Planning Authorities in 2012 and updated some of the sections of the above Guidelines including ceasing the practice of limiting the life of the permission by attaching a planning condition.

It also reiterates the advice in the 1996 Guidelines that planning authorities should not determine planning applications on health grounds and states that, *‘Planning authorities should be primarily concerned with the appropriate location and design of telecommunications structures and do not have competence for health and safety matters in respect of telecommunications infrastructure. These are regulated by other codes and such matters should not be additionally regulated by the planning process’.*

5.3. **Natural Heritage Designations**

5.3.1. No designations apply to the subject site.

5.4. **EIA Screening**

5.4.1. The appeal site is located on zoned lands within the settlement boundary of Carnew village. The development does not exceed the thresholds for EIA set out in Schedule 5 of the regulations. Having regard to the limited nature and scale of the proposed development and the absence of any significant environmental sensitivity in the vicinity / the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal include the following;

- The site selection process considered 5 alternative sites around Carnew. All of these sites were discounted for various technical and operational reasons.
- All attempts to utilise any existing telecommunications structures were employed but no suitable sites or masts were identified that would be capable of providing both the required transmission links and the level of 3G and 4G coverage.
- A new site would not be necessary if Eir could use its existing structure at Askamore Woods but due to the intervening trees and vegetation signals to Carnew are blocked and a new structure is required to provide adequate service and to allow for a continued roll out of their 3G and 4G network.
- There are no free-standing masts near Carnew and Eir is already co-located on the nearest free-standing structure, which is too far away for newer technologies to work.
- The site is in industrial use, in an employment zone which is listed as a preferred location in urban settings in the Telecommunications Guidelines.
- In terms of screening, there are a lot of vertical structures in close proximity to the proposed development, including public lighting poles and electricity/telegraph poles with overhead cabled c. 8-10m high. There are a number of mature trees in the surrounding area that would provide screening, as would existing buildings.
- The proposed development would only come into immediate view for commuters on the R748 for a 'passing glimpse' as road users travel past the site and will not face onto it.
- There is a provision for a second and third provider to co-locate on the structure proposed.

- The design of the proposal is slimline and slender with a colour that will blend into the skyline. The height is the minimum required to provide service.
- Section 2.24 – The development is c. 95m away from the nearest heritage asset, (SMR no. WA03961), and does not fall within the SMR notification zone.
- There are no protected structures or Architectural Heritage Areas that will be significantly affected by the proposal.
- The site location is not within a protected landscape. It will not impact on any SAC, SPA or NHA.
- The proposed development would be within 100m of residential development. However, as demonstrated in the photomontages, there will be no significant visual impact on surrounding dwellings. Minimum separation distances are not specified in the Telecommunications Guidelines or the Development Plan.
- A photomontage of 3 viewpoints was prepared for the proposal and indicates that ‘no significant visual impacts’ are predicted as a result of the proposal.
- Any visual impact should be considered on balance, with the provision of an essential public service of high speed broadband that will result from the development.
- The proposal will help to support the economic and employment objectives set out in the Carnew Town Plan, in particular objectives CAR2, CAR3, CAR4 and CAR5.
- It is a national objective to roll out broadband networks which will strengthen the rural fabric, (Section 2.2 of the National Planning Framework).
- Recent low-density residential development to the south and west of the town has put a strain on the existing telecommunications network. The proposal development is necessary to maintain access to essential wireless network services.

6.2. Planning Authority Response

- No comments on the appeal.

6.3. **Observations**

- No observations received.

7.0 **Assessment**

7.1. Having inspected the site and considered the contents of the appeal in detail, the main planning issues in the assessment of the appeal are as follows:

- Principle of Development
- Justification
- Visual Impact
- Impact on Architectural Heritage
- Appropriate Assessment

7.2. **Principle of Development**

7.2.1. The subject site is zoned objective 'E – Employment', the objective of which is 'To provide for the development of enterprise and employment'. A 'utility installation' is listed as a 'generally appropriate use' within the employment zoning. Therefore, the proposed development can be considered with the context of the zoning.

7.3. **Justification for Development**

7.3.1. The applicant operates as a national wireless data and broadband network under the Eir brand and under the GoMo Brand, which the subject proposal is for. The proposed telecommunications structure is required in order to improve wireless and broadband services in the area and to provide new 3G and 4G services to improve overall coverage. The height of the monopole is the absolute minimum available to the operator that will allow the criteria to be met.

7.3.2. The Telecommunications Guidelines 1996 state that, only as a last resort should free-standing masts be located within or in the immediate surrounds of smaller towns

or villages and where this is necessary, sites already developed for utilities should be considered and masts should be designed for the specific location. Section 10 of the Wicklow County Development Plan, (WCDDP), also requires that the location for new structures be justified as to why existing structures cannot be used and also require that a sequential approach be applied to site selection.

- 7.3.3. Documents submitted with the application state that the possibility of co-location on existing structures was disregarded as there are no existing masts anywhere near Carnew. Eir is already co-located on the nearest existing freestanding structure which is in approximately 4km to the south of the site in Askamore Woods, where it is co-located with three other providers on the same structure.
- 7.3.4. Five alternative locations were also considered as potential sites for the new structure. A map of the sites is shown in Section 5.6 of the Planning Statement submitted with the application. Apart from site reference, D.O.3, none of the sites were considered to be suitable due to technical constraints which would prevent adequate coverage. The location of site reference D.O.3, was considered to be suitable. However, the applicant was unable to reach the suitable person to decide on the proposal, so it was omitted from the options.
- 7.3.5. I have reviewed the ComReg outdoor mobile coverage maps for the subject site and the surrounding area. The 4G service surrounding the site is categorised as 'Very Good' for some providers and as 'Fair' to 'Good' for Eir. Some of the other providers currently provide a better 4G service to the immediate area surrounding the site. However, the maps also show gaps in 4G services at different locations within the area. There are significant gaps in the service in the town centre and in the more populated areas to the west and north-west of the site where new housing estates have been built and where the national school and community college is located. It is clear from these maps that the service for 3G and 4G in the areas surrounding the site and to the south and west of the town could be improved.
- 7.3.6. Having reviewed the information contained within the application and the existing coverage information available on the ComReg website, I am satisfied that the proposed development is justified and would help to improve the existing 3G and 4G service to the town and the surrounding area. I note that consideration was also given to alternative sites in the location, all of which were discounted for various

reasons. I am satisfied that in the absence of suitable alternative sites, the subject site can be considered and assessed based on its merits.

- 7.3.7. I note that Section 10, Appendix 1 of the WCDP states that permissions for antennae support structures and associated base stations shall only be granted for 5 years. DoECLG Circular Letter PL07/12 was issued to Planning Authorities in 2012 and updated some of the sections in the 1996 Telecommunications Guidelines. The Circular advised that the issuing of temporary permissions for telecommunications masts and antennae should cease, and the application should be assessed on its merits.

7.4. Visual Impact

- 7.4.1. The subject site is not located within a visually sensitive landscape and there are no specific landscape designations or protected views across the site. The Carnew Town Plan Heritage Objectives map references a 'view' from the front of the residential development of Cove Brook on the Gorey Road, approximately 448m to the east of the subject site. It is unclear from the map as to which direction the view relates, although it is noted that the views to the south-west extend over the open landscape. The subject site is not clearly visible from this location. However, given the height of the proposed development, the top of the structure could be visible in the distance. I am satisfied that the proposed development would not have a significant visual impact when viewed from this location due to the separation distance between both sites.
- 7.4.2. A Visual Impact Assessment was submitted with the application and shows existing and proposed views from three viewpoints in the town. Although the subject site is located in an existing service yard off the main street, it would be clearly visible from the immediate areas around the site. The wide Main Street provides opens views to the east and west along the main street and the low-rise character of the older buildings would not provide sufficient screening of the structure.
- 7.4.3. The monopole structure would be most visible from the approach roads to the north and east. The R748, Aughrim Road is located to the north of the site. This road is at a lower level than the subject site and at a point approximately 124m to the north of the site, the structure would be clearly visible on the approach to Carnew. There are

some utility poles and structures in place around the site, which would also be visible from this approach. However, they are at a much lower level and as such are not comparable.

- 7.4.4. The structure would have the most significant visual impact when viewed from the R725 / Gorey Road, on the approach from the east. This road is at a higher level than the subject site and there are clear views towards the town. As you approach the town centre from the east there are open views across a village green towards the subject site. A terrace of protected structures frames the northern side of the green space and are positioned directly across the road from the site. The proposed development would be clearly visible behind the two-storey pub and shop that frames the corner of the junction with the R748. The presence of trees around the site and in the overall vistas towards the site is noted. However, given the height of the structure, the existing pattern of development and the open nature of the surrounding area, they would not provide any meaningful screening from wider views.
- 7.4.5. Given the existing low-rise pattern of development, the proposed structure would be clearly visible above the existing streetscape when looking east from the southern side of the Main Street. Wider views would be blocked by existing buildings from the northern side of the street. Although the structure would be visible from the eastern side of the town, these views would be mainly from the approach to the town and views from the commercial centre, around the Mill Lane junction would be blocked.
- 7.4.6. There is residential development in close proximity to the site to the north, south and west. However, the majority of the houses do not face directly onto the site and as such would not suffer from a continual visual impact from the proposal.
- 7.4.7. The overall vision for Carnew as set out in the Town Plan is to *'ensure a high-quality living environment for existing and future residents'*. The Plan also contains a number of objectives to strengthen the economic and employment development of the town, most CAR2, which seeks to *'facilitate and support the growth of the Town Centre of Carnew in accordance with the provisions set out in Section 4.5 of this plan and to encourage the development of new retail / retail services and business support services (such as solicitors, accountants, architects etc) within the TC zone'*. On the occasion of the site visit, I observed a number of vacant units along the Main

Street, along with some small independent businesses. The gaps in existing 4G service in the town is evident from the Comreg maps, with a clear deficiency in service towards the commercial centre of the town and to the residential areas to the west. Improvements to the existing wireless and broadband services in the area would be of benefit and would help to strengthen the vitality of the town centre.

- 7.4.8. Whilst the structure would be visible on the approach from the north, east and west, the views would be mainly intermittent. As per the 1996 Telecommunications Guidelines, the structure has been designed to the minimum height possible for adequate service and, a monopole structure is proposed. The site is located on the outskirts of the town, on lands that are zoned for 'Employment', where 'utility installations' are considered to be a 'generally appropriate use'. The surrounding lands are also zoned for employment use and comprise factory and agricultural buildings. On balance the visual impact of the proposal is considered to be acceptable, given the potential economic and employment benefits to be gained from a good quality, reliable broadband service, which could in turn add to the vitality and viability of the town.
- 7.4.9. I note that no proposal for landscaping or screening the site are proposed. However, given the nature of the site, within a storage yard and surrounded by utilitarian structures, it is not considered necessary in this instance.

7.5. Impact on Architectural Heritage

- 7.5.1. The urban form of Carnew is typical of a conventional 'Landlord Town', which were built throughout Ireland during the 1800's. It is characterised by a wide main street that runs east to west and there are twelve protected structures within the town centre, many of which date from the 1800's. Having visited the site, I consider that the protected structures most sensitive to the proposed development are RPS Ref. 47-06, which relates to a terrace of 10, two-storey artisan houses on Brunswick Row and RPS Ref. 47-05, which is the former Methodist Church on Main Street.
- 7.5.2. The protected structures on Brunswick Row face onto an open green area to the north-east of the junction of the R725 - Gorey Road and the R748- Aughrim Road. The closest protected structure to the subject site is the end of terrace house, which is approximately 50m to the west of the subject site. This house has windows on the

side which face onto the site. The former Methodist Church is now in use as a Credit Union and is located on the northern side of the main street. It is set back from the public footpath on main street by c. 20m and is approximately 171m to the west of the subject site.

- 7.5.3. I am satisfied that the proposed development would not have a significant impact on the character and setting of the former Methodist Church. The building is set back from the Main Street and as such is outside of any direct sightlines towards the mast. There is also a significant separation distance between both sites.
- 7.5.4. The terrace of houses on Brunswick Row are in closer proximity to the site and as such are more sensitive to its impact. They also frame the northern section of the view westwards towards the town from the R725 – Gorey Road. This vista forms an attractive approach to the town and includes a green open space with some trees to the north of the road, and a two-storey pub and shop to the west. The proposed development would be clearly visible behind the pub buildings and to the west of the terrace on Brunswick Road. However, whilst the structure would be visible on the approach, there is a separation distance of 50m between the structure and the closest protected structure.
- 7.5.5. I consider the setting of the protected structures along the northern side of the green to be more significant to their character than the view looking westwards towards the town where they frame the vista rather than form it. I am satisfied that the proposed structure would not have any significant impact on the character and setting of the protected structures on Brunswick Row by virtue of the separation distance between the sites and the location of the proposal to the west of the protected structures and behind existing buildings.
- 7.5.6. There are four National Monuments in proximity to the subject site and on the outskirts of the town. I am satisfied that the proposal would not result in any impact on the archaeological heritage of the area by virtue of the nature and scale of the development proposal and the separation distance between the sites.

7.6. **Appropriate Assessment**

7.6.1. Having regard to the nature and scale of the proposed development, which is outside of any Natura 2000 site, I do not consider that any Appropriate Assessment issues arise, and I do not consider that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

8.1. I recommend that planning permission be granted for the development.

9.0 Reasons and Considerations

9.1. Having regard to the nature and scale of the proposed development for an 18m telecommunications support structure carrying telecommunications equipment with ancillary ground-mounted infrastructure, the proposed development would be in accordance with the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities 1996 and with the policies and objectives of the Wicklow County Development Plan 2016-2022, in particular with Objective T1, and the Employment zoning for the site, and would not seriously injure the visual or residential amenities of the area or the amenities of property in the vicinity of the site. The proposed development would, therefore, 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 on the 4th October 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
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	<p>development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
3.	<p>The proposed mast and all associated equipment shall be removed from the site when it is no longer required or within 1 year of it becoming obsolete, and the site shall be reinstated to its predevelopment condition.</p> <p>Reason: In the interest of orderly development.</p>
4.	<p>Details of the material finish and colour of the telecommunications support structure and associated equipment shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
5.	<p>The applicant shall provide and make available at reasonable terms, the proposed communications structure for the provision of mobile telecommunications antenna of third party licensed mobile telecommunications operators.</p> <p>Reason: In the interests of visual amenity and the proper planning and development of the area.</p>

Elaine Sullivan
Planning Inspector

29th July 2022