



An  
Bord  
Pleanála

## Inspector's Addendum Report

**ABP-312843-22**

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<b>Development</b>	To erect a 30m high lattice telecommunications support structure together with antennas, dishes and associated telecommunications equipment all enclosed in security fencing with an extension to an existing access track.
<b>Location</b>	Monroe West Townland, Ardfinnan, Co. Tipperary.
<b>Planning Authority</b>	Tipperary County Council
<b>Planning Authority Reg. Ref.</b>	21/1768
<b>Applicant(s)</b>	Vantage Towers Ltd
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refusal
<b>Type of Appeal</b>	First Party -v- Decision
<b>Appellant(s)</b>	Vantage Towers Ltd

**Observer(s)**

Ezita Cunningham & Others  
Edel & Shane Griffin & Others

**Date of Site Inspection**

9<sup>th</sup> November 2022

**Inspector**

Hugh D. Morrison

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## 1.0 Introduction

- 1.1. This is an addendum report to my original report dated 29<sup>th</sup> November 2022.
- 1.2. On 31<sup>st</sup> May 2023, the Board decided to issue a Section 132 notice to the applicant, which requested the following further information:

*Having regard to the materials submitted with the application and appeal, you are requested to submit:*

- a) *Further information on the service coverage that could be achieved in co-locating on the 30m monopole mast available at Ballyneety;*
  - b) *Information on the service coverage that could be achieved in developing a mast of a lower height (24m and 18m) on the site proposed in the application;*
  - c) *Visual impact assessments of the proposed mast with respect to (i) adjacent residences in Ashfield Manor, Castle View and Lady's Abbey, (ii) St. Declan's Way pilgrim route on local road L7517, and (iii) from the centre of Ardfinnan;*
  - d) *Information on any impacts of developing a monopole structure instead of the proposed lattice structure.*
- 1.3. On 15<sup>th</sup> August 2023, the Board decided to issue a Section 131 notice to the parties based on the applicant's response to the earlier Section 132 notice. Responses from the observers ensued.
  - 1.4. This report considers the further information and the responses to this information, which resulted from the above cited Section 132 and 131 notices.

## 2.0 Response of Applicant to the Board's Decision to Request Further Information

- 2.1. The applicant begins by drawing attention to the challenges posed by Ardfinnan's dispersed settlement form, undulating topography, and the high incidence of mature trees. It also draws attention to the need for optimal positioning and height if the village centre, housing estates, and surrounding townlands are to be covered.
- 2.2. The applicant proceeds to respond to the four items raised as follows:

(a) The Ballyneety mast was granted enabling and permanent permissions under 09/603 and 21/666, respectively. This 30m mast bears equipment towards its top and so the remaining available space is at 24m and below. The applicant has submitted a completed site justification form, for the current application site, along with Figure 1, which shows coverage achievable from a height of 24m on the Ballyneety mast. This form concludes that the coverage thus predicted would be inadequate for the prospective operator Vodafone.

(b) Figure 1, cited above, is accompanied by Figures 2, 3 & 4, which show the predicted coverage from the current application site of masts 30m, 24m, and 18m in height.

(c) The applicant has submitted photomontages of the proposal, reconfigured as a monopole, from five local viewing points, i.e., the village centre, the neighbouring housing estates of Castleview, Lady's Abbey, and Ashfield Manor, and the L7517. An accompanying commentary draws attention to the absence of the mast from the first view, screening, which obscures its presence within the second, third, and fourth views, and its clarity within the fifth view. The applicant comments further on the fifth view to the effect that the mast would not be seen as a terminating feature, it would be seen fleetingly, and the said clarity would vary with the vertical alignment of the local road and its accompanying means of enclosure.

(d) The applicant expresses a preference for a lattice tower structure for "the greater ease with which they may be fabricated, deployed, maintained, and climbed." Nevertheless, it is agreeable to respecifying its proposal as a 30m high monopole structure.

### **3.0 Further Submissions**

3.1. The two observers have made further submissions in response to the applicant's further information summarised above. These submissions are themselves summarised below.

(i) **Ezita Cunningham** and Others of Lady's Abbey and Castle View

- 3.2. The observer begins by drawing attention to the Board's letter of 7<sup>th</sup> June 2023 to the applicant, which invited a response by 4<sup>th</sup> July 2023. As its response was received on 7<sup>th</sup> July 2023, the observer considers that this response is invalid.
- 3.3. Notwithstanding the foregoing paragraph, the observer proceeds to make the following points on the applicant's further information.
- 3.4. In the light of Items (a) and (b), the observer poses the question as to why the applicant was not invited to select another site.
- 3.5. With respect to Item (c), the observer provides her own commentary as follows:
- View 1 is not representative insofar as it is one of only a few available along Main Street that would not feature the mast. On the opposite side of Main Street is the village green, a popular local amenity, views from which would feature the mast.
  - View 2 is not representative insofar as it is available at the entrance to Castlevue housing estate. If you proceed into this housing estate, the screening, which would be afforded by a single tree of the mast, ceases to feature. Furthermore, this tree is in a side garden, and it may, due to its size and proximity to the adjacent dwelling house, need to be removed in the future. Additionally, a photo taken from outside Ardfinnan Medical Centre indicates that the mast would tower above it.
  - View 3 is not representative insofar as it is available at the entrance to Lady's Abbey housing estate. If you proceed into this housing estate, then the mast would feature in other views.
  - View 4 is commented upon by observer (ii).
  - View 5 illustrates one of many views available along the local road, which would feature the mast. This local road forms part of St. Declan's Way, a pilgrim route, which is starting to be referred to as the Irish Camino. The landscape and visual impacts of the mast upon this pilgrim route would seriously injure its amenity value. Furthermore, the mast would feature in views available from the graveyard at Lady Abbey's Monastery, which is

visited by pilgrims. Additionally, attention is drawn to the raised ditches on either side of the local road, and how the variable amount of vegetation upon them influences the degree to which the mast would be visible.

3.6. The observer draws attention to her own dwelling house, which is one of four dwelling houses that lie to the south-east of the site. Views from these dwelling houses would be the views most affected by the mast. Her own view is included in a photograph of her front garden with the site in the field beyond. While there are trees in this garden, they would do little to screen the mast.

3.7. The Board contacted the observer to explain that the applicant's further information was received within a revised time period, which was granted following a correction to its agent's address. The observer responded to this letter by underlining the comments she made in relation to View 5 and the row of four dwelling houses.

(ii) **Edel & Shane Griffin & Others of Ashfield Manor**

3.8. The observers begin by drawing attention to the Board's letter of 7<sup>th</sup> June 2023 to the applicant, which invited a response by 4<sup>th</sup> July 2023. As its response was received on 7<sup>th</sup> July 2023, the observers consider that this response is invalid.

3.9. Notwithstanding the foregoing paragraph, the observer proceeds to make the following points on the applicant's further information.

- With respect to Figure 1, as the village centre appears to be covered, the question is asked as to whether Vodafone could meet its objectives by installing more powerful equipment on the existing mast.
- With respect to Figure 2, as the proposed mast would provide more coverage outside of rather than in the village, the question is asked as to whether an alternative site away from housing could be selected.

3.10. The observer proceeds to comment on the applicant's photomontages as follows:

- In relation to View 1, an alternative view is depicted in a photograph taken from within the village green. This photograph illustrates the elevated nature of lands to the south-west of the village centre, which include the application site.

- In relation to View 2, the comments of observer (i) are shared.
- In relation to View 4, this photomontage reinforces the observers' opinion that the proposed mast would have a highly negative impact upon their housing estate. Policy 6.6 of the CDP is cited, and the proximity of the site to the housing estate is emphasised, i.e., 150m away.
- The comments of observer (i) concerning the four dwelling houses to the south-east of the site and View 5 are shared.

3.11. The Board's attention is drawn to its decision to refuse permission for a mast adjacent to a residential property in New Inn (ABP-311023-21). This decision is cited as a precedent for the current application.

3.12. The Board contacted the observer to explain that the applicant's further information was received within a revised time period, which was granted following a correction to its agent's address. The observer acknowledged this letter.

#### 4.0 **Assessment**

4.1. I will assess below each of the items raised by the Board's request for further information, which were addressed by the applicant and critiqued by the observers.

##### **Item (a)**

4.2. Figure 1, submitted by the applicant, shows the coverage that would be available from the existing mast at Ballyneety. Such coverage reflects the fact that equipment would be installed at a height of 24m rather than 30m, as the top portion of this mast already bears the equipment of other operators. The applicant concludes that this coverage would be insufficient to meet the objectives of its prospective operator, Vodafone.

4.3. Observer (ii) asks whether these objectives could be met if more powerful equipment were to be installed. The applicant's completed site justification form states that the latest second generation telecoms communication would be installed. My understanding is that the extent of coverage arises from the line of sight available from a mast. Such line of sight arises from the interplay between the height of a mast and a locality's townscape, topography, and landscape. Ardfinnan's dispersed



settlement form, undulating topography, and the high incidence of mature trees combine to restrict the coverage that would be available from the existing mast.

- 4.4. I conclude that the applicant has established that there is a need for an additional mast to ensure that the prospective operator can serve the entirety of Ardfinnan and its environs.

**Item (b)**

- 4.5. Figures 2, 3 and 4, submitted by the applicant, show the coverage that would be made available by the mast at a height of variously 30m, 24m, and 18m. A comparison of these Figures shows a progressive contraction in coverage.
- 4.6. Observer (i) asks why, in the light of these Figures, the applicant was not requested to select another site. Such a request would, however, have amounted to a refusal and an invitation to reapply for the proposal elsewhere.
- 4.7. The submitted Figures illustrate why the applicant has applied for a 30m high mast. Figure 1 illustrates how optimum mast sharing at Ballyneety arises between 24 and 30m. By implication, the opportunities for mast sharing on the application site may become less attractive with a lower mast on the application site.
- 4.8. I conclude that from operational and future mast sharing perspectives, a 30m high mast would be preferable.

**Item (c)**

- 4.9. The applicant has submitted photomontages of the proposal, which utilise five viewing points.
- 4.10. View 1 is from the Main Street through the village centre. It features a community centre in the foreground, which effectively screens the more elevated lands to the south-west that include the application site. Consequently, the proposal would not be visible from this viewing point.
- 4.11. Both observers consider that View 1 is unrepresentative. They draw attention to the village green on the opposite side of the Main Street from the community centre, and they contend that views of the proposal on the skyline would be available from within this amenity space.

- 4.12. During my site visit, I observed from public vantage points such as the bridge across the River Suir, how the said elevated lands form the predominant skyline to the south-west of the village centre. This skyline comprises buildings and trees, which would partially screen the proposal. However, given its height, the proposal would feature, too. The public vantage points on the bridge would be replicated in the village green, and so I concur with the observers in their predictions as to the visibility of the proposal from within the village centre.
- 4.13. View 2 is from the entrance to Castleview housing estate. A large deciduous tree at the opposite end of the spine road to this housing estate would screen the proposal.
- 4.14. Both observers remark on how the screening properties of this tree would feature within only a limited number of viewing points. They also remark on the possible need for this tree to be removed, due to its size and proximity to an adjacent dwelling house.
- 4.15. I note the distance of 180m between the end of the spine road and the application site. I note, too, the wall to the southern boundary of the housing estate, and an accompanying row of trees, which would serve to screen the lower reaches of the proposed mast. While the higher reaches would be visible, they would be seen within the context of street lights and telegraph poles within the foreground of the housing estate, and so these structures would appear to be of comparable height to the more distant proposal.
- 4.16. View 3 is from towards the entrance to Lady Abbey's housing estate. It shows how existing dwelling houses would screen the proposal.
- 4.17. Observer (i) questions whether View 3 is representative of views available within the housing estate.
- 4.18. I note that the housing estate lies to the east of the application site and that it is separated from this site by the adjoining Ashfield Manor housing estate and a local road, the L7517, which is lined on its western side by a row of mature conifer trees. Given these intervening features, I consider that the proposal would be largely screened from this housing estate.

- 4.19. View 4 is from within the Ashfield Manor housing estate. The proposal would be visible above existing dwelling houses in the western portion of this housing estate.
- 4.20. Observer (ii) emphasises that, at a distance of 150m to property boundaries, the proposal would be highly visible from the rear elevations of dwelling houses in the western portion of the housing estate.
- 4.21. During my site visit, I observed that several dwelling houses have rear elevations that face west and so they would overlook the proposal. Formerly, screening would have been afforded by trees on the nearside of the adjacent L7517, but these trees have been removed. Some replanting appears to have occurred.
- 4.22. Observer (i) draws attention to comparable views from the row of four dwelling houses to the south-west of the Ashfield Manor housing estate.
- 4.23. View 5 is from the L7517 looking north. The proposal would be clearly visible, although its lower reaches would be screened to a degree by a combination of the variable vertical alignment of the local road and seasonal vegetation to the raised ditch along its north-western side. Views would be fleeting, and the proposal would not present as a terminating feature.
- 4.24. Both observers draw attention to the amenity value of the local road, which forms part of an increasingly popular pilgrim route, and which can also involve visits to the grave yard of the former Lady's Abbey Monastery, c. 0.9 km to the south of the application site. Concern is expressed that the proposal would undermine the amenity value of the portion of the pilgrim route in question.
- 4.25. During my site visit, I observed that, southbound recreational users of the L7517 emerge from the portion of the local road that is lined by the above cited row of mature conifer trees into a portion that combines a large field to the west and housing to the east. To the south-west, the eye is drawn to the Knockmealdown Mountains in the far distance. The proposal would be visible obliquely in the said field. I also observed that, northbound recreational users, would have a clear sight of the proposal against the backdrop of mature trees to the north-east and in conjunction with intermittent telegraph poles along the roadside.

- 4.26. In the light of the foregoing assessment, I consider that, while the visual impact of the proposal would be greater than that indicated by several of the applicant's photomontages, it would not be inordinate. Thus, this proposal would affect the visual amenities of dwelling houses especially to the south-east of the application site and northbound recreational users of the local road in the vicinity of these dwelling houses. However, the resulting visual impact would be eased by the respecified of the proposal as a monopole rather than a lattice tower.
- 4.27. Observer (ii) cites the Board's decision on ABP-311023-21 as a precedent for refusing the current proposal. However, this decision related to a mast that would have been sited immediately adjacent to a dwelling house, whereas the current proposal would be 155m from the nearest dwelling house. It is not therefore comparable, and so it does not establish a precedent.
- 4.28. I have considered whether the proposal should be scaled back to a height of 24m. However, given the separation distances between it and the nearest dwelling houses, I judge that such reduction would have a barely perceptible impact, and, as mast sharing may be prejudiced, I do not recommend such scaling back.
- 4.29. I conclude that, as a monopole, the proposal would be compatible with the visual amenities of the area.

#### **Item (d)**

- 4.30. While the applicant expresses a preference for a lattice tower, it is willing to accept the re-specification of the proposal as a monopole.

## **5.0 Recommendation**

In the light of my assessment, I recommend that my original recommendation to grant permission be confirmed.

## **6.0 Reasons and Considerations**

Having regard to:

- The National Development Plan 2018 – 2027,

- Objective 48 of the National Planning Framework 2020 – 2040,
- Objective RPO 137 of the Regional Spatial & Economic Strategy for the Southern Region,
- The Telecommunications Antennae and Support Structures Guidelines as revised by Circular Letter PL 07/12, and
- Policy 6-6 of the Tipperary County Development Plan 2022 – 2028,

it is considered that, subject to conditions, the proposal would contribute to the roll out of broadband services in accordance with national, regional, and local objectives. Subject to the re-specification of a monopole structure, the townscape and visual impacts of the development of the site would be compatible with the amenities of the area. Proposed access arrangements would be satisfactory. No Appropriate Assessment issues would arise. The proposal would, therefore, accord with the proper planning and sustainable development of the area.

## 7.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanala on the 22<sup>nd</sup> day of February 2022 and on the 7<sup>th</sup> day of July 2023, and the except as may otherwise be required in order to comply with the following conditions.</p> <p>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><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The proposed development shall entail the erection of a 30 metre high monopole structure as shown in the further plans and particulars received by An Bord Pleanala on the 7<sup>th</sup> day of July 2023.</p>

	<b>Reason:</b> For the avoidance of doubt, and in the interests of visual amenity.
3.	<p>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.</p> <p><b>Reason:</b> In the interest of the visual amenities of the area.</p>
4.	<p>The developer shall allow, subject to reasonable terms, other licensed mobile telecommunications operators to co-locate their antennae onto the telecommunications structure, subject to the provisions of Class 31 of Part 1 of Schedule 2 to Article 6 of the Planning and Development Regulations, 2001 (as amended).</p> <p><b>Reason:</b> In order to avoid the proliferation of telecommunications structures in the interest of visual amenity.</p>
5.	<p>On decommissioning of the telecommunications structure, the structure and all ancillary structures shall be removed, and the site reinstated within 3 months of decommissioning.</p> <p><b>Reason:</b> In the interest of the proper planning and sustainable development of the area.</p>

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Hugh D. Morrison  
 Planning Inspector

6<sup>th</sup> November 2023