



An
Bord
Pleanála

Inspector's Report ABP-313616-22

Development	To erect a 30m high lattice telecommunications support structure together with antennae, dishes, and associated telecommunications equipment, all enclosed in security fencing.
Location	Newtown Stables, Fenor Road, Newtown, Tramore, Co. Waterford.
Planning Authority	Waterford City & County Council
Planning Authority Reg. Ref.	21/1201
Applicant(s)	Vantage Towers Ltd
Type of Application	Permission
Planning Authority Decision	Refusal
Type of Appeal	First Party -v- Decision
Appellant(s)	Vantage Towers Ltd
Observer(s)	Ciara O'Brien & Others
Date of Site Inspection	8 th November 2022

Inspector

Hugh D. Morrison

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1.0 Site Location and Description

- 1.1. The site is located c. 2km to the south-west of Tramore town centre in Newtown, a townland on the outskirts of Tramore. This site lies in the grounds of an equestrian facility, known as Newtown Stables. It occupies a position immediately to the south-west of an oval exercise track and an accompanying access road. The site is accessed from the north via the entrance to Newtown Stables off the R675, a car park, and the said access road.
- 1.2. The site is situated within an open area of land, which rises at gentle gradients to the east and west. New housing has been (Newtown Park)/is being (Newtown View) constructed to the east, and to the west lie dwelling houses in their own grounds, which are served by cul-de-sacs off the regional road. To the north, lies ribbon development along the R675, and, to the south, lies Newtown Golf Practice Range and Tramore Rangers Football Club.
- 1.3. The site itself is of regular shape and it extends over an area of 0.01 hectares. While this site's boundaries are not denoted on the ground, a hedgerow lies to the west and runs north/south.

2.0 Proposed Development

- 2.1. Under the proposal, a 30m high lattice telecommunications support structure with a headframe would be erected on the site. This structure would support the following equipment:
 - First operator, Vodafone, 6 no. antennas and 5 no. dishes at 30m AGL,
 - Second operator, 3 no. antennas and 1 no. dish at 26.5m AGL, and
 - Third operator, 3 no. antennas and 1 no. dish at 23m AGL.
- 2.2. The support structure would be accompanied by ground mounted equipment within an 10m x 10m compound, which would be enclosed by palisade fencing and served by gates in its north-western boundary.
- 2.3. Under further information, the applicant proposed a 30m high monopole structure. At the appeal stage, the applicant proposed an alternative 24m high monopole structure with 6 no. antennas and 5 no. dishes for Vodafone operations only.

3.0 Planning Authority Decision

3.1. Decision

Following the receipt of further information, the Planning Authority refused permission for the following reason:

Having regard to the “Telecommunications Antennae and Support Structures: Guidelines for Planning Authorities”, Department of the Environment and Local Government 1996, and the prominent location, scale and height of the structure within the immediate surrounds of Tramore, notwithstanding the revised monopole design, it is considered that a 30m high mast would represent a significant and visually discordant feature in the landscape on a main approach road to Tramore, R675, forming part of the Copper Coast designated scenic route and would seriously injure the visual and residential amenities of the area. The proposed development would therefore be contrary to the policies of the Planning Authority as set out in the Waterford County Development Plan 2011 – 2017 (as extended and amended), which seeks to restrict development that will have an adverse impact on the landscape along the coast and would be contrary to Ministerial Guidance and the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The following further information was requested:

- Justification as to why existing masts could not be utilised for co-location,
- Objection was raised to a lattice tower and so a monopole tower should be specified, along with the depiction of comparative coverage between the two types of towers, and
- A VIA should depict the revised proposal in relation to the metal man structure and public vantage points on the promenade and R685.

3.2.2. Other Technical Reports

Heritage Officer: No objection.

4.0 Planning History

03/1163: Construction of 23 stables, walker, office, storage, septic tank, manure facilities, car park and associated site works: Permitted and implemented.

5.0 Policy and Context

5.1. National Planning Guidelines

- National Development Plan 2018 – 2027
- National Planning Framework 2020 – 2040
- Telecommunications Antennae and Support Structures Guidelines as revised by Circular Letters PL 07/12.

5.2. Regional Spatial & Economic Strategy for the Southern Region

Objective RPO 137 addresses mobile infrastructure:

It is an objective to strengthen the continued delivery of high-speed, high-capacity digital and mobile infrastructure investment in our Region and strengthen cross regional integration of digital infrastructures and sharing of networks.

5.3. Development Plan

Under the Waterford City and County Development Plan 2022 – 2028 (CDP), the site is shown as lying within an area that is zoned high amenity, wherein the objective is to “Protect highly sensitive and scenic locations from inappropriate development that would adversely affect the environmental quality of the locations.” Utilities are deemed to be “open for consideration” under this zone.

Under Appendix 8 of the CDP, the site appears to lie in the Landscape Character Type Settlements, i.e., 7B Tramore Environs, which is deemed to be “least sensitive”. (Under the Tramore Local Area Plan 2014 – 2020 (LAP), the site is shown as lying within the town boundary and on lands zoned green belt). The R675, which runs to the north of the site, is a designated scenic route in the CDP.

Utilities Objective UTL 16 of the CDP addresses telecommunications masts and related matters. It states the following:

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, smart infrastructure, 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, 1996 and Circular Letter PL07/12” 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

- Mid-Waterford Coast SPA (004193)
- Tramore Dunes and Backstrand SAC (000671)

5.5. EIA Screening

The proposal is for a telecommunications structure with antennae and dishes. As such, it does not come within the scope of any of the Classes of development that are potentially the subject of EIA.

6.0 The Appeal

6.1. Grounds of Appeal

Justification for the site

- The applicant is a provider of masts, and, in this case, the operator Vodafone would be the primary client.
- As originally submitted, the mast would be 30m high and composed of a lattice structure. As revised, it would be 24m high and a monopole.
- Vodafone currently has equipment mounted on the roof of Rocketts Pub. The agreement underpinning the use of this roof is due to expire in May 2022, and Vodafone have confirmed that the revised proposal would meet their requirements.
- Beyond Rocketts Pub, there is one other telecommunications site in the area surrounding the site, i.e., Eir's 15m high street-works solution monopole adjacent to Newtown Hill Roundabout. This monopole is not designed to support the equipment of other operators.

Other telecommunications sites in Tramore are too far away from the required coverage area.

Under 12/308, a 21m high monopole was granted permission at appeal PL24.241455 for a site at Ballygarran off the R675, 5.2km to the west of the current application site. This permission was granted under the same CDP as was applicable at the time of the Planning Authority's decision on the current application.

- Extracts from ComReg's outdoor coverage maps have been submitted, which illustrate the need for improved 4G coverage for Vodafone and Three. Eir

enjoys good local coverage within the area surrounding the site, but this falls away further to the east and to the south.

Industry update

- Vodafone, Three, and Eir are the three mobile network telecommunications providers in Ireland. The applicant sets out an overview of the relevant changing technologies. It emphasises that, with the advent of 4G and 5G, masts, the need to be closer to the users than under 1G, 2G, and 3G arises. This need is underscored by the increasing presence of well insulated homes.

Site identification

- The site would be close enough to meet demand in Newtown and high enough to clear topography to the west and reach homes and businesses there. The original proposal would support a greater amount of equipment/ number of operators than the revised proposal.
- The LAP shows the site as lying in the green belt. Under Section 10.39 of the Waterford County Development Plan 2011 – 2017 (as varied and extended), the siting of telecommunication infrastructure in the green belt is generally favoured. Adjoining land uses to the east and south are variously housing (c. 180m away) and open space.
- The R675 passes c. 240m to the north of the site. While it is a designated scenic route, that portion of this route which is of interest to tourists, i.e., through the Copper Coast Geopark, lies further to the west.

Three of the submitted photomontages show views of the site/proposal from the R675. These views are intermittent, and they include the adjacent sizeable equine shed in the foreground.

- The importance of the site and the absence of a realistic alternative to it are emphasised. Additional landscaping could be provided if deemed to be necessary.
- The proposal would also comprise an enclosed compound, which would house operator(s) cabinet(s), and it would be accessed by means of an existing track through the equine centre.

Response to the refusal

- In the light of Section 10.39 of the Waterford County Development Plan 2011 – 2017 (as varied and extended), the proposal is reviewed. The need for the site to be near to housing in Newtown and its compatibility with the R675 scenic route are revisited.
- The Planning Authority's consideration of the Telecommunications Antennae and Support Structures Guidelines is critiqued on the basis that it was too limited. In this respect, it is relevant that the proposal would not be at the terminal point of any view, it would tend to be seen incidentally and intermittently, and this proposal would lie within the context of other features, which would mitigate its visual impact.

The age of these Guidelines is acknowledged and the fact that they do not anticipate the need for new generations of technology to be nearer to homes to provide the level of service that is now expected.

- Other national plans are cited, as is the response to Covid-19, and the attendant need to facilitate and promote the roll-out of telecommunications infrastructure for social and economic reasons.

6.2. Planning Authority Response

None

6.3. Observations

Ciara O'Brien & Others of The Coast Road, Tramore, Co. Waterford

- The adequacy of the public consultation exercise for the current application is questioned insofar as the site notice was posted in a less than conspicuous spot.
- The submitted photomontages illustrate how obtrusive the proposal would be from the R675, the regional road that serves the Copper Coast UNESCO Geopark.
- The site would be in a localised hollow: optimal sites for masts are elevated.

- Given that Curlews and Choughs have been seen in the field next to the site, that the need for an EIS does not arise is considered to be shocking.

6.4. Further Responses

None

7.0 Assessment

7.1. I have reviewed the proposal in the light of the National Development Plan 2018 – 2027 (NDP), the National Planning Framework 2020 – 2040 (NPF), Telecommunications Antennae and Support Structures Guidelines as revised by Circular Letter PL 07/12, the Regional Economic & Spatial Strategy for the Southern Region (RESS), the Waterford City & County Development Plan 2022 – 2028 (CDP), the submissions of the parties and the observer, and my own site visit. Accordingly, I consider that this application/appeal should be assessed under the following headings:

- (i) Preliminaries,
- (ii) Policy objectives and mast sharing,
- (iii) Land/townscape and visual impacts,
- (iv) Access, and
- (v) Appropriate Assessment.

(i) Preliminaries

7.2. The observer questions the adequacy of the public consultation exercise and the absence of an EIS.

7.3. The Planning Authority validated the current application. In doing so, it accepted the adequacy of the public consultation exercise undertaken, as is its prerogative to do under planning legislation. The Board is not empowered to revisit this matter.

7.4. The proposal is a project type that is not identified, under planning legislation, as a candidate for EIA.

7.5. I conclude that there are no impediments to the Board assessing/determining the current application/appeal in the normal manner.

(ii) Policy objectives and mast sharing

- 7.6. The NDP has as a fundamental underlying objective the need to prioritise the provision of high-speed broadband. Likewise, Objective 48 of the NPF undertakes to “develop a stable, innovative and secure digital communications and services infrastructure on an all-island basis.” Likewise, Objective RPO 137 of the RESS echoes these national objectives at the regional level. Locally, under Objective UTL-16 of the CDP, the Planning Authority undertakes to “facilitate the continued provision of communication networks, smart infrastructure, broadband and appropriate telecommunications infrastructure and services, subject to environmental considerations, in order to contribute to economic growth, development, resilience and competitiveness.” The applicant states that its proposal would promote the rollout of high-speed broadband services in line with the above cited objectives.
- 7.7. Under further information, the applicant addressed the question of mast sharing. It explained that the opportunity to utilise existing/upgraded masts would not fulfil the requirements of the prospective operator, Vodafone, to improve coverage within the area surrounding the site.
- 7.8. As originally submitted and as revised under further information, the proposal itself would afford the opportunity for mast sharing in the future, as at a height of 30m, the support structure would be capable of accommodating other operators besides the prospective one, Vodafone. The alternative proposal, submitted at the appeal stage, would be for a 24m high support structure that would be capable of accommodating Vodafone’s equipment only.
- 7.9. I conclude that the proposal would fulfil national, regional, and local objectives that seek the greater provision of telecommunications services. I conclude, too, that the applicant’s alternative proposal would be sub-optimal from a mast sharing perspective.

(iii) Land/townscape and visual impacts

- 7.10. The site lies in open countryside just beyond the south-western outskirts of Tramore. Within the vicinity of the site, the land is relatively flat. However, it rises at gentle gradients to the east and to the west. New housing lies to the east at Newtown Park and Newtown View and existing dwelling houses in their own grounds lie to the west and again to the north along the R675. To the south lie the recreational uses of

Newtown Golf Practice Range and Tramore Rangers Football Club, and the site itself is situated within the equine facility known as Newtown Stables. The overall area lies in an elevated position in relation to Tramore town centre and the town's promenade.

- 7.11. Under the CDP, the site lies within an area that is zoned high amenity, wherein utilities are deemed to be "open for consideration". It also lies within the Landscape Character Type Settlements i.e., 7B Tramore Environs, and the R675 is designated a scenic route.
- 7.12. The Planning Authority's reason for refusal critiques the proposal on the grounds that it would "represent a significant and visually discordant feature in the landscape on a main approach road to Tramore, R675, forming part of the Copper Coast designated scenic route and would seriously injure the visual and residential amenities of the area." The observer echoes these grounds in stating that this proposal would be obtrusive when viewed from the R675. It also expresses surprise at the selection of a site that, within its immediate context, is low lying.
- 7.13. The applicant has responded to the Planning Authority's grounds by acknowledging that, while the R675 is technically a designated scenic route, the portion of interest to visitors begins further to the west with the Copper Coast Geopark. Views from the regional road of the site would not entail the proposal presenting as a terminal point. These views would be affected by the presence of roadside hedgerows and a large shed at Newtown Stables and so they would only feature the proposal intermittently and incidentally.
- 7.14. During my site visit, I observed that the R675 on its approach to Tramore from the west meanders and passes through undulating countryside. These characteristics of the regional road, and the features identified by the applicant, would limit the visibility of the proposal to road users. Likewise, road users leaving Tramore would have only fleeting views of the proposal in conjunction with hedgerows, ribbon development, and the large shed at Newtown Stables.
- 7.15. The applicant's photomontages illustrate that, where the proposal would be visible, its height would be especially apparent, due to the absence of any comparably tall buildings or structures within the surrounding area. The applicant's alternative proposal, for a 24m high rather than a 30m high monopole, would ease the

discrepancy posed in this respect. Static western views of the proposal from new housing to the east would benefit from such a reduction in the proposal's height, as would such views from other surrounding dwelling houses.

7.16. During my site visit, I also observed the western skyline of Tramore from the eastern approach along the R685 and the promenade. While the applicant's photomontages do not feature such public vantage points, I am confident that any presence of the proposal on this skyline would be seen in conjunction with existing buildings and structures thereon and so it would "read" as being at most a modest addition to this array of urban forms. As such it would have no adverse bearing on the cluster of columns further to the south along the headland to Tramore Bay, which include the "Iron Man".

7.17. I conclude that the limited visibility of the proposal would ensure that its land/townscape impacts would not be significant. I conclude, too, that the reduction in height of the applicant's alternative proposal would be of importance in ensuring that its inevitable visual impact upon, particularly, static residential views is eased. I, therefore, consider that the "trade-off" between mast sharing potential and visual impact should be decided in favour of visual amenity.

(iv) Access

7.18. The proposal would utilise the existing access arrangements to Newtown Stables off the southern side of the R675. These arrangements comprise a splayed entrance way and an avenue to the existing large shed and car park that serve these Stables. The onward route to the site would be through the car park and onto an existing access road that follows the line of the oval exercise track.

7.19. Traffic generated by the proposal during the construction and operational phases would be capable of being accommodated satisfactorily on the above cited access arrangements.

7.20. I conclude that the proposal would raise no access issues.

(v) Appropriate Assessment

7.21. The site is neither in nor beside a European site. The proposal is for the erection of a telecommunications structure on a site that forms part of lands used by an equine facility, Newtown Stables, on the south-western outskirts of Tramore. The nearest

European site is the Mid-Waterford Coast SPA (004193), the eastern extremity of which lies c. 1km to the south of the site. I am not aware of any source/pathway/receptor route between the site and this European site or any other European sites in the wider area.

7.22. The observer states that Choughs and Curlews have been seen in the field next to the site. The former species is a qualifying interest for the Mid-Waterford Coast SPA, whereas the latter is not. I will, therefore, undertake a Stage 1 Screening for Appropriate Assessment. The test to be applied is whether the project would be likely to have a significant effect either individually or in combination with other plans and projects on a European Site(s).

- The project would entail the erection of a telecommunications mast and the construction of an accompanying secure compound on a site with an area of 100 sqm. It would be accessed off an existing farm road.
- The eastern end of the Mid-Waterford Coast SPA lies c. 1km to the south of the site. While there is no source/pathway/receptor route between this SPA and the site, the sighting of Chough in its vicinity by the observer, is of significance as this species is a qualifying interest for the SPA. The Conservation Objective for the Chough is to maintain/restore its favourable conservation condition.
- The other qualifying interests of the SPA are Cormorant, Peregrine, Herring Gull. The Cormorant and the Herring Gull are sea birds, and the Peregrine is a bird of prey, which nests on cliff faces and hunts sea birds. The Observer has not reported sightings of these birds either on the site or in its vicinity.
- The NPWS's site synopsis for the SPA discusses Chough. It states that flocks have been recorded along the coast between Annestown and Stradbally, i.e., a minimum of 6.7km to the west south-west of the site. Choughs tend to nest in cliffs and forage in nearby grasslands. Accordingly, the sighting by the observer of a Chough near to the site would appear to be atypical.
- I am not aware of any other plans and projects which could in combination with the subject project give rise to likely significant effects.

- In the light of the foregoing and in the absence of mitigation measures, the project would not undermine the Conservation Objective of the Mid-Waterford Coast SPA and give rise to likely significant effects.

7.23. The proposed development was considered in the light of the requirements of Section 177U of the Planning and Development Act 2000 as amended. Having carried out Screening for Appropriate Assessment, it has been concluded that the proposed development individually or in combination with other plans or projects would not be likely to have a significant effect on European Site No. 004193, or any other European site, in view of the site's Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.

This determination is based on the following:

- Distance of the site from European Site No. 004193 and, in particular, that portion of the site which Chough are known to frequent, and
- The typical nesting and foraging habitats of the Chough.

In making this screening determination no account has been taken of any measures intended to avoid or reduce potentially harmful effects of the project on a European site.

8.0 Recommendation

8.1. That permission be granted.

9.0 Reasons and Considerations

Having regard to:

- The National Development Plan 2018 – 2027,
- Objective 48 of the National Planning Framework 2020 – 2040,
- The Telecommunications Antennae and Support Structures Guidelines as revised by Circular Letter PL 07/12, and
- Objective UTL 16 of the Waterford City & 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 specification of the alternative proposal submitted at the appeal stage, the landscape and visual impacts of the development of the site would be compatible with the amenities of the area. Existing access arrangements would be capable of being utilised satisfactorily. No Appropriate Assessment issues would arise. The proposal would, therefore, accord 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, as amended by the further plans and particulars submitted on the 4th day of April 2022 and the further information and particulars received by the Board on the 20th day of May 2022, 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>The telecommunications support structure hereby permitted is the 24-metre-high monopole telecommunications support structure shown on drawing no. WD620/002/03 revision A updated on 18th May 2022 and received by the Board on the 20th day of May 2022.</p> <p>Reason: In the interest of clarity.</p>
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>Reason: 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>Reason: 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>Reason: In the interest of the proper planning and sustainable development of the area.</p>

Hugh D. Morrison
 Planning Inspector

30th November 2022