



An
Bord
Pleanála

Inspector's Report ABP-319731-24

Development	Erection of a 21-metre mast & associated works.
Location	Newtown Stables, Fenor Road, Newtown, Tramore, Co. Waterford, X91 E940
Planning Authority	Waterford City and County Council
Planning Authority Reg. Ref.	2460108
Applicant(s)	Vantage Towers Limited.
Type of Application	Planning Permission.
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Vantage Towers Limited.
Observer(s)	Shelia Dunne Kieran Whelan Michael O'Mahony
Date of Site Inspection	7 th August 2024.
Inspector	Jennifer McQuaid

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1.0 Site Location and Description

- 1.1. The site (0.006ha) is located approximately 2km to the southwest of Tramore town centre in the townland of Newtown. The site entrance is within the speed limit for Tramore town and located to the north of the proposed site along the R675. The site is located to the rear of an existing equestrian facility, known as Newtown Stables and to the southwest of an oval exercise track and an internal access track.
- 1.2. The site is situated within open countryside, which rises at gentle gradients to the east and west. There are no dwellings within the immediate surrounding area. There are a number of one-off dwellings (ribbon development) located along the R675 to the northeast of the site. Immediately to the north is Tramore Golf Club and to the south is Newtown Golf Practice Range and Tramore Rangers Football Club. The R675 is a designated scenic route known as Copper Coast Coastal route.

2.0 Proposed Development

- 2.1. The applicant has applied for a 21 metre high monopole telecommunications support structure including:
 - antennae,
 - dishes
 - associated telecommunications equipment.
 - enclosed security fencing

3.0 Planning Authority Decision

3.1. Decision

Decision to Refuse Permission for 1 reason:

Having regard to the “Telecommunication Antennae and Support Structure: Guideline for Planning Authorities”, issued by the Department of Environmental and Local Government in 1996, and the prominent location, scale and height of the structure, notwithstanding the revised monopole design, it is considered that a 21m high monopole 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 amenities of the area. The proposed development would be contrary to Policy Objective L04 of the Waterford City and County Development Plan 2022-2028 in relation to scenic routes and protected views and would not therefore, be in accordance with the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planners Report dated 25th April 2024 raised concerns in relation to the visual impact of the proposed telecom mast as the site is adjacent to a designated scenic route, R675 and forms part of the Copper Coast coastal route.

- The proposed development would be contrary to Policy Objective L04 of the Waterford City and County Development Plan 2022-2028 as stated below:

“Scenic Routes and Protected Views. We will protect the scenic routes and specified protected views identified in our Landscape Character Assessment (Appendix 8), including views to and from the sea, rivers, landscape features, mountains, landmark structures and urban settlements from inappropriate development that by virtue of design, scale, character or cumulative impact would block or detract from such views”.

3.2.2. Other Technical Reports

- None

3.3. Prescribed Bodies

None

3.4. Third Party Observations

A number of third-party submissions were received during the Planning Authorities determination. The concerns raised related to:

- Visual impact of the surrounding area

- Proximity to residential development
- Environmental/health concerns
- No environmental Impact Assessment undertaken.
- Site notice location obscured.
- Property values maybe adversely affected.

In addition, a letter of support from Vodafone Ireland Limited was received, stating the proposal will improve services as well as for ongoing operations & maintenance benefits. This installation will significantly improve coverage & enhance the provision of the new 4G & 5G services to the local area.

4.0 Planning History

ABP-313616-22. Vantage Towers Limited, permission refused. WCC reference 211201.

ABP refused for the following reason:

Having regard to the “Telecommunication Antennae and Support Structure: Guideline for Planning Authorities”, issued by the Department of Environmental and Local Government in 1996, and the prominent location, scale and height of the structure, notwithstanding the revised monopole design, it is considered that a 24 metre or 30 metre 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 amenities of the area. The proposed development would be contrary to Policy Objective LS04 of the Waterford City and County Development Plan 2022-2028 in relation to scenic routes and protected views and would not therefore, be in accordance with the proper planning and sustainable development of the area.

031163 William Bolster incomplete application for the construction of 23 stables, walker, office, storage, septic tank, manure facilities, car park and associated site works.

031004 William Bolster granted permission for the construction of 23 stables walker, office, storage, septic tank, manure facilities, car park and associated site works.

5.0 Policy Context

5.1. Waterford City and County Development Plan 2022-2028

- The site is zoned as high amenity, 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 zoning.

Appendix 8 Landscape Character Assessment

- The site is located in the Landscape and Seascape Character Assessment - 7B Tramore Environs. Area 7B is described as the most sensitive, which represent the principal features which create and sustain the character and distinctiveness of the surrounding landscape. To be considered for permission, development in or in the environs of these areas must be shown not to impinge in any significant way upon its character, integrity or uniformity when viewed from the surroundings. Particular attention should be given to the preservation of the character and distinctiveness of these areas as viewed from scenic routes and the environs of archaeological and historic sites. All coastline, headlands and promontories are included in this category.

Scenic Route

- Scenic Route from Ballyvoyle Head east on the R675 to the junction with the R677 which runs north of the subject site. Continuing south along the R675 to Bunmahon, east via Kilmurrin and Annestown and Northeast to Fennor. East onto Tramore and north to Waterford City. The onus should be on the applicant for permission to develop in the environs of a scenic route, to demonstrate that there will be no obstruction or degradation of the views towards visually vulnerable features nor significant alterations to the appearance or character of sensitive areas.

- Objective L 04 Scenic Routes and Protected Views. We will protect the scenic routes and specified protected views identified in our Landscape Character Assessment (Appendix 8), including views to and from the sea, rivers, landscape features, mountains, landmark structures and urban settlements from inappropriate development that by virtue of design, scale, character or cumulative impact would block or detract from such views.

UTL 16 ICT/Communications, Chapter 6.

Section 5.20 Telecommunications, Volume 2, Development Management Standards.

- DM 30 In evaluating applications for telecommunications installations, the Council will have regard to “Telecommunications Antennae & Support Structures Guidelines for Planning Authorities” 1996 and Department Circular PSSP 07/12.

Co-location of such facilities on the same mast or cabinets by different operators is favoured to discourage a proliferation, and co-location agreements to be provided where possible. Where new facilities are proposed applicants will be required to satisfy the Council that they have made a reasonable effort to share facilities or to locate facilities in clusters.

Natural Heritage Designations

- Mid-Waterford Coast SPA, site code 004193, located approximately 1km southeast of the subject site.
- Ballyvoyle Head to Tramore pNHA, site code 001693, located approximately 1.2km southeast of the subject site.
- Islandtarnsey Fen pNHA, site code 000666, located approximately 1.3km northwest of the subject site.
- Tramore Dunes and Backstrand SAC, site code 000671, located approximately 3km northeast of the subject site.

5.2. 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

6.1.1. The grounds of appeal have been submitted from the applicant in relation to the Planning Authorities reason for refusal. The appeal is summarised as follows:

- Justification of the site
 - This site will replace an existing Vodafone rooftop installation (providing 2G and 4G services) at Rockett's Pub located c. 820metres southwest of the proposed site, which the applicant must vacate. The new 21 metre high monopole will provide 2G, 4G and 5G services to the local area. Maps from ComReg indicating the potential coverage of 2G, 4G and 5G services has been provided.
 - The installation at Rockett's Pub is 10 metres higher than the proposed site due to the topography. A site at higher ground level would be preferred however, it is not physically possible to locate on the other hills. The proposed site is a last resort.
 - There are 11 sites within Tramore all supplying different areas of town with various services, however, all these are too far away for required coverage area.
 - The site at Newtown Hill Roundabout comprises of 15m street works solution. This site was not designed to accommodate additional equipment from other operators.
 - An additional site is noted 5.2km west of the subject site, however, this is too far away in order to provide coverage.

- Visual Impact
 - The telecom mast has been reduced from 24 (previously proposed under planning reference 211201) to 21 metres under the current application.
 - The applicant acknowledges that for nearby properties and for road users along the R675 (Scenic Route) that the visual impact will be greater and that there will be some visual impact along parts of the road network. It is submitted that due to the nature of the topography, surrounding road network, natural features and manmade structures act to reduce impact, with views of the proposed structure being intermittent. 6 no. photomontages submitted to demonstrate same.
 - Landscape and Seascape Character Assessment – the proposed structure falls within the area described as “Most Sensitive”, however, it is noted that substantial urban development has taken place within this area which therefore appears to conflict with Waterford County Development Plan.
- Scenic Route
 - The Copper Coast Scenic Route shown on the Landscape and Seascape Character Assessment maps does not follow the scenic route listed for tourism purposes. There appears to be some confusion over this section of the scenic route and the actual importance of the route referred to within the reason for the refusal of the application. In the section closest to the proposed site it is considered that the scenic route is at its least importance due to the urban environment surrounding.
- Development Plan and relevant policies
 - The proposal meets the objectives to achieve the best possible balance to secure both the technological objectives necessary and the planning objectives.
- Response to refusal
 - It is submitted that the visual impact is overall minimal, intermittent and momentary along the scenic route. Therefore, the proposal would not be contrary to Policy Objective L04 of the Waterford City and County Development Plan 2022-2028.

- Similar monopole granted under planning reference 12308 and 211092 along Copper Coast Scenic Route, therefore inconsistency in the decision making regarding the structures.

6.2. Planning Authority Response

- None

6.3. Observations

Observations were received from Michael O'Mahony, Kieran Whelan and Shelia Dunne. The concerns raised are generally similar and are addressed collectively.

- Repeat application and no changes made.
- Visual Impact: Visibility is not limited and the reduction in height will not ease any views. No photomontages from the existing residential area.
- Existing structures. 15 metre structure at the entrance to Newtown Park. This provides improved communication services and coverage and should be sufficient.
- Planning policy: balance has not been achieved.
- No consideration for future residential developments in the area.
- No blackspots coverage in the area at present, no justification for new telecoms mast.
- No assessment of the potential impact on local habitats, biodiversity, scenic landscape.
- No assessment of potential health risks associated with electromagnetic radiation.

6.4. Further Responses

None

7.0 Assessment

• 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 PL07/12, the Regional Spatial Economic Strategy for the Southern Region (RSES), 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.

- Justification for the location
- Visual Impacts
- Access
- Other Issues (health)
- EIA/Biodiversity
- Appropriate Assessment

(i) Justification for the location

- 7.1. The NDP has an objective regarding the need to prioritise the provision of high-speed broadband. Similarly, the NPF Objective 48 undertakes to “develop a stable, innovative and secure digital communications and services infrastructure on an all-island basis”. Objective RPO 137 of the RSES enforces these national objectives at the regional level. Under the CDP, Objective UTL-16 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 site is zoned as High Amenity, utilities are “Open for Consideration”.
- 7.2. The applicant has submitted ComReg coverage maps providing justification for the proposed site. The new replacement site at Newtown Stables will provide local coverage and allow technological advancements. The proposed site will replace an

existing site at Rockett's Pub, this will be decommissioned. The loss of this site will impact on 2G, 4G and 5G services in the area. The applicant has discounted 11 other existing masts in the area as they will not fulfil the requirements of the prospective operator, Vodafone and will not provide the best coverage for the Newtown area. The proposed site will be closer to the population demand and therefore can provide an improved quality of service as well as modern 5G services.

7.3. The observations received note, there is an existing 15 metre street work solution at Newtown Park and that this mast has improved coverage in the area. There is no need for a new telecoms mast. The ground of appeal states this mast is a street work solution and cannot accommodate additional operators. I accept the response from the applicant and note this mast is not an option.

7.4. I consider the justification for the mast at Newtown Stables location is reasonable and necessary to provide coverage for the surrounding area. Having regard to the location of the site on the edge of a town, within a site zoned as High Amenity and Open for Consideration, and the potential loss of coverage for 4G & 5G services in the Newtown area, I have no objection to the justification of the site for the proposed development, subject to normal planning considerations.

(ii) Visual Impact

7.5. The site is located in open countryside just on the boundary of Tramore town and within the settlement boundary. The general site area rises gently to the east and to the west. A housing development is located to the east at Newtown Park. To the west there are individual one-off rural dwellings located along the R675 and along a cul de sac. To the south, Newtown Golf Practice Range and Tramore Rangers Football Club are located. Overall, the site is in an elevated position with views towards Tramore town and towards the sea to the south, however, the views towards the site are limited from the surrounding roads to the north and south due to the topography and natural screening.

7.6. The site is located in an area zoned as high amenity, as per CDP. Utilities are deemed as "open for consideration". The site also lies in the Landscape Character Type Settlements, 7B Tramore Environs. This area is classified as "Most Sensitive" and as such the area is defined as "very distinctive features with a very low capacity to absorb new development without significant alterations of existing character over

an extended area". The site is also bound to the north by the R675 which is a designated scenic route known as the Copper Coast Scenic Route.

- 7.7. The grounds of appeal disagree with the Planning Authority refusal reason that the proposal 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 amenities of the area". The observations received also highlight the potential visual intrusion along the R675 and the potential impact on the scenic route.
- 7.8. While the grounds of appeal acknowledge that the R675 is technically a designated scenic route, the portion of interest to visitors begins further to the west within the Copper Coast Geopark. The applicant also argues that there is confusion regarding the location of the Copper Coast Scenic Route, stating the R675 is some distance from the actual coastal route and within a less sensitive area, away from the protected views (which are located to the southwest along the coast). The applicant has submitted a total of 6 no. photomontages with the appeal, 2 no. photomontages indicate a direct view from the regional road (R675) towards the site, but only 1 photomontage (viewpoint 2) submitted show a clear view of the proposed 21 metre monopole. The 2nd photomontage (viewpoint 3) shows the views would be affected by the presence of roadside hedgerows and the large shed at Newtown Stables and so the views would only be intermittently and incidentally. Having carried out a site visit, it is my opinion that the views from the R675 towards the proposed site will be intermittent and momentary. Nonetheless, the R675 is a protected scenic route and shall be protected from inappropriate development that by virtue of design and scale which would block or detract from the views of the scenic route. The proposal site location is a prominent site on the edge of Tramore town. The site has the characteristics of rural environment located adjacent to stables. Therefore, the rural nature of the site adds to the positive features of the protected scenic route.
- 7.9. During my site visit, I also viewed the site from the eastern side of the site closer to Tramore and from the Newtown Glen Road to the south. I consider that any potential view on the 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 agricultural buildings. I do not consider the proposal would have an adverse effect on

the town of Tramore or the adjacent views to the east, southeast, south or southwest.

- 7.10. I viewed the proposed site from within the grounds of Newtown Golf Practice Range to the south, the view will be prominent, as the line of sight from the range is directly towards the proposed site location. I have concerns regarding this view; however, this is not a protected view and no further consideration required and no issues were raised in the observations.
- 7.11. I note the previous refusal from An Bord Pleanála under planning reference ABP-313616-22 stating that “the prominent location, scale and height of the structure, notwithstanding the revised monopole design, it is considered that a 24m or 30m high mast would represent a significant and visual 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 amenities of the area”. It is my opinion that the applicant has not sufficiently addressed the previous refusal reason by An Bord Pleanála, the reduction in the overall height is considered minimal and does not address the location of the proposal along a protected scenic route.
- 7.12. I conclude that the visual impact on the R675 will have a significant impact on the overall scenic value of this section of the route and will be contrary to policy objective LS04.

(iii) Access

- 7.13. The proposal would utilise the existing access arrangement to Newtown Stables off the southern side of the R675. These arrangements comprise a splayed entrance way and an avenue to the existing large stables and car park that serve the 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.
- 7.14. Having regard to the size of the access entrance and the limited movements & associated traffic during the construction and operational phases, the entrance and sight lines are acceptable.
- 7.15. I conclude that the proposal would raise no access issues.

(iv) Other Issues (Health)

7.16. The Commission for Communications Regulations (ComReg) is the statutory body responsible for the regulation of radiation emissions. Compliance with emission limits in respect of regulation is regulated nationally by ComReg and health issues are not a matter for An Bord Pleanála in determining and deliberating on the application proposed. Regular measurements of emission levels are required to comply with International Radiation Protection Association and Guidelines. While I acknowledge the concerns expressed under observations to the planning application, this is a matter for ComReg. I would also note that Circular PL07/12 states that Planning Authorities should primarily be concerned with the appropriate location and design of telecommunication structures and do not have competence for health and safety matters in respect of telecommunications infrastructure, either with respect to human or animal health.

(v) EIA/Biodiversity

The proposed site is not a project listed in Schedule 5 of the Planning and Development Regulations 2001 – 2024, therefore an Environmental Impact Assessment is not required.

The proposed site is currently used for agricultural purposes and is not designated as a protected or noted as a special site for habitat or wildlife designation. The proposed development will be a relatively small-scale development. In my opinion, the proposed development will not negatively impact on local habitats or biodiversity in the area.

8.0 AA Screening

8.1. Having regard to the proposed construction of a 21metre high telecoms monopole on an existing equine facility, at Newtown Stables on the southwestern outskirts of Tramore. The nearest European Site is the Mid-Waterford Coast SPA (Site code 004193), the eastern extremity of which lies c.1km to the south of the site, it is concluded that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant impact individually or in combination with other plans or projects on a European site.

9.0 Recommendation

Having considered the contents of the application, the provision of the Development Plan, the grounds of appeal and the responses thereto, my site inspection and my assessment of the planning issues, I recommend that permission be Refused for the following reason.

10.0 Reasons and Considerations

1. Having regard to the prominent location, scale and height of the structure, which 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 amenities of the area. The proposed development would be contrary to Policy Objective LS04 of the Waterford City and County Development Plan 2022-2028 which seeks to protect scenic routes and protected views as identified in Landscape Character Assessment (Appendix 8) and would not therefore, be in accordance with the proper planning and sustainable development of the area.

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.

Jennifer McQuaid
Planning Inspector

12th August 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference				
Proposed Development Summary	Erection of a 21-metre mast & associated works.			
Development Address	Newtown Stables, Fenor Road, Newtown, Tramore, Co. Waterford.			
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	✓	
		No		
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?				
Yes		Class.....	EIA Mandatory EIAR required	
No	✓		Proceed to Q.3	
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?				
		Threshold	Comment (if relevant)	Conclusion
No	✓	N/A		No EIAR or Preliminary Examination required
Yes		Class/Threshold.....		Proceed to Q.4

4. Has Schedule 7A information been submitted?		
No		Preliminary Examination required
Yes		Screening Determination required

Inspector: Jennifer McQuaid Date: 12th August 2024