



An
Bord
Pleanála

Inspector's Report

ABP-321815-25

Development	Construction of 18 metre telecommunications mast with all associated site works.
Location	Crooke, Passage East, Co. Waterford.
Planning Authority	Waterford City and County Council
Planning Authority Reg. Ref.	2460657
Applicant(s)	On Tower Ireland Limited
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	On Tower Ireland Limited
Observer(s)	Anita Quinlan Michele Upton and Joseph Upton James & Mary Quinlan Ellen Klejn van Ulsen Donal Tully Cllr Declan Barry Jacinta & Thomas Murphy

Noel & Susan Connors
Rob Quinlan
Crook Mast Action Group
Joan Matthew & Chrissy Curby
Brian & Catherine Bloomfield
Passage East & Crooke Development
Association
Louise & Paul Breslin
Margaret Julian & Vincent Keane
Anna & Maurice Walsh
James McGrath
Emma & Nicky Barron
Natalie Mason
Diarmaid Mason
Passage East Child Development
Initiative
Caroline and Jim McCleane
Max & Margaret Flanagan
John & Mary Hutchinson
Donal Quinlan
Paul & Natalie Hammond
Karen Doyle
Marian Quinn
Paula & Seamus Keating

Date of Site Inspection

22 April 2025

Inspector

Natalie de Róiste

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1.0 Site Location and Description

1.1. The site is a greenfield one, due west of Crooke, and c. 900 m south-west of the historic village centre of Passage East. It measures c. 200 sqm, is part of a large field, and is located c. 150 metres from the public road. It forms part of a larger landholding of fields under grass, with hedgerows as boundaries. The site is elevated over the adjacent village of Crooke, c. 75 metres above sea level.

2.0 Proposed Development

2.1. The installation of an 18-metre tall lattice type support structure (mast), carrying antenna and dishes, with associated ground equipment cabinets, the whole enclosed by 2.4 metre high palisade fencing, on a site of c. 200 sqm.

2.2. It is also proposed to construct an access track c. 200 metres in length and remove sections of hedgerow to enable the construction of a splayed entrance to the road and a layby for vehicles.

3.0 Planning Authority Decision

3.1. Decision

Refuse permission for three reasons as follows:

1. It is a strategic objective of the Waterford City & County Development Plan 2022-2028 to protect sensitive landscapes and seascapes which contribute to the distinctiveness of Waterford as a place. Having regard to the prominent location, scale and height of the structure, which would represent a significant and visually discordant feature in the landscape and sites proximity to a 'most sensitive' landscape as designated in the Scenic Classification in the Landscape and Seascape Character Assessment of the Waterford City & County Development Plan 2022-2028 and proximity to Waterford Harbour estuary, it is considered the development at this location detracts from the visual amenities of the area and is contrary to Landscape Policy Objective L 02 of the Waterford City & County

Development Plan 2022-2028 which seeks to “protect the landscape and natural assets of the County by ensuring that proposed developments do not detrimentally impact on the character, integrity, distinctiveness or scenic value of their area and ensuring that such proposals are not unduly visually obtrusive in the landscape, in particular, in or adjacent to the uplands, along river corridors, coastal or other distinctive landscape character units.” The development would, therefore, be contrary to policies of the Waterford City & County Development Plan 2022-2028, would negatively impact and detract from the amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the location of the telecommunications structure and the details submitted with the application it is considered that a satisfactory justification has not been provided for the proposed development at this location in terms of location, height and type of telecommunications structure and as such the proposal is contrary to the provisions of Policy UTL 16 of the Waterford City and County Development Plan 2022 –2028 and the ‘Telecommunications Antennae and Support Structures Guidelines’, 1996.

The proposed development would therefore be contrary to the policies of the Waterford City and County Development Plan 2022 - 2028 and Ministerial Guidance and the proper planning and sustainable development of the area.

3. Based on the details provided with the application the proposed development would endanger public safety by reason of traffic hazard due to the fact the required sightlines as set out in Development Management Standards (Volume 2) of the Waterford City & County Development Plan 2022-2028 have not been demonstrated on the plans submitted with the planning application.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planner’s report noted the land was not zoned, and noted Development Plan policies on landscape protection, improving telecoms and communications infrastructure, co-location of facilities and justification for new masts, as well as national guidelines. It summarised the large number of objections, and considered

insufficient details had been submitted to justify the requirements for the mast in an elevated and exposed site proximate to a sensitive landscape. It also noted no sightlines had been indicated on the site plan to demonstrate 45 metre sightlines at 2.4 metres setback, based on a 50 km speed limit.

3.2.2. Other Technical Reports

- None on file

3.3. Prescribed Bodies

No referrals or reports on file.

3.4. Third Party Observations

A large number of submissions were received, all objecting to the development. Issues raised were as in the observations on the appeal.

4.0 Planning History

None on site.

5.0 Policy Context

5.1. National Policy

5.1.1. National Planning Framework (NPF) – 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.”

Objective 48 – “Supports the development of a stable, innovative and secure digital communications and services infrastructure on an all-island basis.”

5.1.2. National Development Plan 2021-2030

The government recognises that access to quality high speed broadband is essential for today’s economy and society.

5.1.3. **National Broadband Plan 2020**

The National Broadband Plan (NBP) is the Government's initiative to improve digital connectivity by delivering high speed broadband services to all premises in Ireland, through investment by commercial enterprises coupled with intervention by the State in those parts of the country where private companies have no plans to invest.

5.1.4. **Climate Action Plan (CAP) 2025**

- Section 10.1.8: Digital Transformation. The CAP supports the national digital transformation framework and recognises the importance of this transformation to achieve Ireland's climate targets.
- The transition towards green and digital societies is highlighted throughout the CAP 2025, as an overarching aim to achieve decarbonisation and net zero commitments.
- Section 15 of the Climate and Low Carbon Development Act 2015 as amended (the Climate Act), obliges the Board to make all decisions in a manner that is consistent with the current CAP.

5.1.5. **Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996):**

5.1.6. The *Telecommunications Antennae and Support Structures - Guidelines for Planning Authorities (1996 Guidelines)* sets out government policy for the assessment of proposed new telecommunications structures.

5.1.7. The support structure should be kept to the minimum height consistent with effective operation. The *1996 Guidelines* also state that visual impact is among the more important considerations that should be considered assessing a particular application. It notes considerations to be taken into account in the assessment of views, and notes both the favourable position of upland areas for radio coverage, and the visibility of masts in such a location.

5.1.8. The *1996 Guidelines* state that some masts will remain quite noticeable despite best precautions. They state that only as a last resort should free-standing masts be located within or in the immediate surrounds of smaller towns or villages.

5.1.9. The 1996 Guidelines state that “all applicants will be encouraged to share and will have to satisfy the authority that they have made a reasonable effort to share.” The 1996 Guidelines further states that “where it is not possible to share a support structure the applicant should, where possible, be encouraged to share a site or to site adjacently so that masts and antennae may be clustered.”

5.1.10. **Circular PL07/12 – Telecommunications Antennae & Support Structure Guidelines**

This Circular was issued to Planning Authorities in 2012 and updated some of the sections of the above 1996 Guidelines including ceasing the practice of limiting the life of the permission by attaching a planning condition, and ceasing the practice of specifying minimum separation distances in development Plans. 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”.

5.1.11. **Harnessing Digital – The Digital Ireland Framework**

5.1.12. This is a high level plan which sets targets to improve digital infrastructure as follows:

- All Irish households and businesses will be covered by a Gigabit network no later than 2028
- All populated areas covered by 5G by no later than 2030
- Complete the delivery of digital connectivity to all Connected Hubs and all Schools by 2023
- All operators of essential services, Government Departments and key agencies independently verified to have implemented robust cyber security mitigation measures based on internationally recognised standards by 2024

5.2. **Design Manual for Urban Roads and Streets (DMURS)**

5.3. DMURS provides guidance on roads and streets in cities, towns, suburbs, and villages. It sets out guidance on junction design, forward visibility, and visibility splays as part of Section 4.4 Carriageway Conditions. The manual does not specifically address visibility splays at vehicular entrances, but a vehicular entrance can be considered a priority junction, and the standards set out for these can be usefully considered.

5.4. This guidance document sets out Stopping Sight Distances (SSD) Standards for roads of various design speeds, with higher speed roads requiring greater forward visibility. A road with a 50 km/h Design Speed requires a SSD Standard of 45 metres. This in turn affects the visibility splay required at a priority junction. Visibility at a junction is measured from a location 2.4 metres from the edge of the main carriageway (known as the X distance); this corresponds to the position of the driver within the car, as the front edge of the vehicle approaches the edge of the main carriageway.

5.5. **Geometric Design of Junctions (priority junctions, direct accesses, roundabouts, grade separated and compact grade separated junctions) (TII, 2023)**

5.6. This document sets out guidance on visibility at various types of junctions, with both the x distance and the y distance variable depending on the junction type.

Table 5.4 'x' Distances on the minor road for visibility measurements

Major road use	Minor road use	Standard	'x' Distance(m)
All roads	All junctions and accesses, Stop control	Desirable Minimum	3.0
All roads	Cycle Route	Desirable Minimum	4.0
National roads	Simple Junctions, Stop control	Relaxation	2.4*
Regional & Local Roads	All junctions and accesses, Yield control (where there are no relaxations associated with the junction layout)	Desirable Minimum	Max. 9.0
Regional & Local Roads	Accesses, Lightly trafficked	Relaxation	2.0
All roads	All junctions and accesses	Desirable Maximum	9.0

Table 5.5 'y' Visibility distances from the minor road

Design Speed of major road(km/h)	'y' Distance(m)
42	50
50	70
60	90
70	120
85	160
100	215
120	295

5.7. Regional Policy

5.7.1. Regional Spatial and Economic Strategy for the Southern Region 2019 – 2031:

RPO 136 National Broadband Plan (NBP)

It is an objective to seek to expedite the implementation of the National Broadband Plan and the implementation of mitigation measures outlined in the SEA and AA for the NBP to all locations in the Region and seek reporting procedures to the Southern Regional Assembly on progress and targets being achieved from the relevant State Departments and agencies through effective implementation mechanisms for the RSES.

RPO 137 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.

RPO 138 Digital Strategies

It is an objective to promote the preparation and support the implementation of digital strategies by each local authority, seek investment for actions identified, and support the role and initiatives of the Mobile and Broadband Taskforce in addressing digital and mobile coverage blackspots and rural communications connectivity.

5.8. Waterford City and County Development Plan 2022-28

- 5.8.1. The site is not zoned. It is located 100 metres outside the settlement boundary of Crooke, which is designated as a rural town in the settlement hierarchy (Class 4a, the fifth largest out of seven settlement classes in the development plan).
- 5.8.2. It is located within an area characterised as '*Farmed Lowland*' in the Landscape and Seascape Character Assessment as per Appendix 8 of the Waterford City & County Development Plan 2022-2028. This is categorised as '*Low Sensitive*', described as '*a common character type with a potential to absorb a wide range of new developments*'. The area closer to the estuary (c. 160 metres east) is characterised as a '*Coastal Landscape*' described as '*Very distinctive features with a very low capacity to absorb new development without significant alterations of existing character over an extended area*' and designated as '*High Sensitive*'. The site is some 460 metres from the coast road which is designated as a Scenic Route. There are two Specific Development Objectives (PECD06 and PECD07) on sites to the east of this scenic route as follows:

- *DO6 Development in this area shall be so designed so as to preserve integrity of the adjoining Scenic Route.*
- *DO7 Development on the site shall not detract from the visual setting of the coastline.*

5.8.3. Chapter 6 deals with Utilities Infrastructure, Energy & Communication.

5.8.4. **Section 6.7 ICT/Communications.**

Physical and digital infrastructure improves connectivity, helping our cities, towns and region to drive growth, supporting our economy and social development. Digital technologies are increasingly critical in the day-to-day operations of businesses and households and in improving access to public services across our more rural areas. It is anticipated that the National Broadband Plan will address the lack of high-speed connectivity in rural areas. The Council will continue to support and facilitate operators to improve speed and service across Waterford in line with national policy.

5.8.5. **Policy Objective UTL 16 ICT/Communications**

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.

5.8.6. Chapter 10 deals with Landscape, Coast/Marine and Blue Green Infrastructure.

5.8.7. **Policy Objective L 02 Protecting our Landscape and Seascape**

We will protect the landscape and natural assets of the County by ensuring that proposed developments do not detrimentally impact on the character, integrity, distinctiveness or scenic value of their area and ensuring that such proposals are not unduly visually obtrusive in the landscape, in particular, in or adjacent to the uplands, along river corridors, coastal or other distinctive landscape character units.

5.8.8. Policy Objective L 03 Landscape and Seascape Character Assessment

We will assess all proposals for development outside of our settlements in terms of the 2020 Landscape and Seascape Character Assessment (Appendix 8) and the associated sensitivity of the particular location. We will require a Landscape and Visual Impact Assessment (LVIA) for proposed developments with the potential to impact on significant landscape features within the City and County. Proposals for significant development (e.g. renewable energy projects, telecommunications and other infrastructure and the extractive industry) shall be accompanied by a LVIA which includes Zones of Theoretical Visibility (ZTV) which indicate the landscape impact zone within which the proposed development may be seen. There will be a presumption against developments which are located on elevated and exposed sites and where the landscape cannot accommodate such development with reasonable and appropriate mitigation.

5.8.9. Policy 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.

5.8.10. Policy Objective C&M 05 Scenic coastal Areas

To protect the scenic value of Waterford's Coastal Zone including landward and seaward views and continuous views along the coastline and manage development so it will not materially detract from the visual amenity of the coast.

Volume 2: Development Management Standards sets out guidance on new entrances as follows.

8.6 Sightline Requirements

Waterford City & County Council will require that all new developments proposing a new entrance or a significantly intensified existing access point onto the public road network shall comply with the relevant TII Publications/DMURS Guidelines. Listed in the Table 8.1 below are the general minimum sightline requirements the Council will require to be provided:

Table 8. 1 Minimum Sightline Requirements					
Category	A	B	C	D	E
Speed Limit Km per Hr	100km/h	80km/h	60km/h Built up Areas	50km/h Built Up Areas	80km/h Local Roads
Minimum Sight (Y) Distance	215m	160m	90m	70m	55m
Sightlines of 30 metres shall be required for dwellings accessing onto a cul-de-sac (serving not more than 3 dwellings). Where the cul-de-sac meets the major road, sightlines pertaining to that road must also be achieved.					

8.8 DMURS In urban areas inside the 60km/h urban speed limit, developers should also have regard to the best practice standards set out in the *Design Manual for Urban Roads & Streets (DMURS) 2020*

Development Management DM 47

The design of urban streets in Ireland is governed by DMURS which is mandatory for all urban roads and streets within the 60 km/h urban speed limit zone except for:

- Motorways; and
- In exceptional circumstances, certain urban roads and streets with the written consent of the relevant Sanctioning Authority.

The Council will require that all new development or the intensification of existing entrances onto the public road network is provided for in a safe manner in accordance with the current *Transport Infrastructure Ireland* publications.

- 5.8.11. **Section 8.9 Hedgerow Protection** notes that the removal of roadside ditches and hedgerows should be avoided or minimised, and replacement planting of native species should be undertaken where removal is unavoidable. **Development Management DM 48** sets detailed standards for replacement.

5.9. Wexford County Development Plan 2022-28

- 5.9.1. Chapter 11 of this plan deals with Landscape and Green Infrastructure. Section 11.9 Scenic Routes and Protected Views notes that a development plan must contain objectives for 'the preservation of views and prospects', and notes that the plan does not designate specific routes, but notes that scenic routes may fall into a number of categories, including routes through river valleys, greenways and walking trails, views towards land from rivers which may host tourism, views from landmark structures such as bridges and urban settlements. The Plan

‘recognises the fact that all landscapes are living and changing, and therefore in principle a development on such a route would not necessarily be prohibited, but development, where permitted, should not hinder or obstruct these views and prospects, should not have significant negative impacts either individually or cumulatively and should be designed and located to minimise their impact.’

5.10. Natural Heritage Designations

River Barrow and River Nore SAC 002162 – 650 metres

5.11. EIA Screening

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

6.0 The Appeal

6.1. Grounds of Appeal

One appeal was received, on behalf of the first party against the refusal of permission. Issues raised were as follows:

- The applicant is a private sector firm with a wealth of professional experience in supporting mobile network operators and communication service providers – the involvement of the private sector is a significant and fundamental pillar in the Government’s telecoms policy. The proposal will provide a choice of good quality telecoms offerings to the local community.
- The Visual Impact Assessment Report shows that visual impacts on this rural landscape would be acceptable. The most affected would be residential areas to north and south, while the designated scenic routes and built heritage would be largely unaffected. The proposed mitigating tree and hedge planting would allow the development to knit more seamlessly into the local landscape.

While visible, the development would not be unacceptably overbearing, overpowering, oppressive or overwhelming in main views. Wireless telecoms infrastructure by its nature creates a visual impact; this impact is necessary to provide infrastructure, and a balance must be struck between visual impacts and coverage requirements.

- The site is required for the operator Three to improve indoor and outdoor coverage in the Passage East/ Crooke area. The Commission for Communications Regulation (ComReg) coverage maps show Three offers the Passage East and Crooke area 'fair' coverage for both 4G and 5G, while there are areas in the wider surrounding area where Three has no coverage. All but one of the existing telecoms sites in the wider area are co-hosted with Three equipment, and the Eir site (Comreg Ref WD-4499, permitted under Plan Ref no 20130066) 2 km north is unsuitable for colocation. The development will add capacity to wireless services, increase choice of network operators and competitiveness, and respond to increased demands for rural broadband from more remote working.
- The proposal complies with the 1996 Ministerial Guidelines, which note the limited flexibility that providers have in choosing locations, and that some masts will remain quite noticeable despite precautions. The lattice form of the tower is required to provide stability and durability in this exposed coastal location and the height is required to provide adequate coverage.
- Sightline drawings have been submitted with this appeal, showing that the proposed entrance would comply with the standard set out in Table 8.1 Minimum Sightline Requirements of the Development Plan – 70 metres 7 distance, 2.4 metres back from the road edge, in this 50 km/h area, with the removal of the existing hedgerow and minor cut back and maintenance of overgrown verges along the site provider's boundary.
- A Temporary Traffic Management Plan (TTMP) will be put in place during the 2-4 week construction phase. Once operational, traffic movements would be minimal, with an average of 2-8 visits per year.
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6.2. Planning Authority Response

None received.

6.3. Observations

Twenty-nine valid observations were received, from local residents, from a public representative, and from representative bodies including the Passage East & Crooke Development Association, Passage East Child Development Initiative, and Crooke Mast Action Group. Issues raised are summarised below.

- There is no problem or deficiency in broadband provision in the area that would justify the development. This was established at public meetings, when the views of residents were ascertained. The primary motivation is commercial. Comreg maps of the area classify the area as fair, contradicting the applicant's characterisation of it as 'poor'. High Speed Fibre-optic is planned in the near future, and this is the preference of the community.
- The mast with the large number of antennae would be an eyesore over the whole area and on adjacent residences, dominating and overbearing, and the appellant's claims of limited visual impact are not correct. Screening proposals are inadequate. The development is located in an area designated 'low sensitive' (not least sensitive, as stated in the appeal) proximate to a 'most sensitive' landscape as set out in the Development Plan, and is contrary to Landscape Policy Objective L02.
- Given the proximity to sensitive landscapes and Waterford Harbour estuary a more detailed EIA should have been required.
- A local resident erected a pole with a flag and a red light close to the proposed site, and the pole was visible from Wexford, across the estuary, including from the coastal walk at Arhurstown, a scenic trail.
- Exacerbation of existing danger to pedestrians, including children walking to school and sports, on this road with no footpath, due to large vehicles, increased traffic, and new entrance.
- Inadequate sightlines at proposed entrance

- No evidence has been provided that there is no suitable alternative site; the proposal is contrary to the provision of Policy UTL 16 of the Development Plan and the Ministerial Guidelines 1996.
- Development will affect wildlife – birds, bees, insects, pinemarten, foxes, local bat populations, the wild goat herd.
- Proximity to the school and village is in breach of guidelines and Development Plan policy – the 1996 guidelines state that a mast should be located in close proximity to a rural village as a last resort.
- The development will devalue property in the vicinity and impact the tourism economy
- Health implications of 5G masts are not fully known, there is potential for health impacts on children in the school, creche, hurling club, and wider community, and on ultra sensitive people.

7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including the reports of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of development
- Justification for development
- Site Selection
- Visual Impact
- Traffic Hazard

7.2. **Principle of development**

7.2.1. I note the Planning Authority considered the development acceptable in principle. The site is not zoned, and is located c. 100 metres outside the settlement boundary of Crooke, which is designated as a rural town in the settlement hierarchy. Given the

numerous policies and objectives at national, regional, and county level to improve telecoms services and infrastructure, I consider the development to be acceptable in principle, subject to compliance with the other policies, objectives and standards of the Development Plan, subject to justification for this specific location, and subject to the protection of residential and visual amenities.

7.3. Justification for development

- 7.3.1. A number of observers state that there is no requirement for the mast, as there is no deficiency in telecommunications service in the area, and the main motivation is a commercial one.
- 7.3.2. The appellant has submitted a justification for the development as Section 4.0 of their appeal document, which refers to the Technical Justification prepared by Three Ireland's Radio Engineers (submitted with the application). This document shows maps of the existing and proposed coverage in the area. The existing coverage in Crooke village is shown as poor, with fair coverage in Passage East, and a mix of poor, fair, and good coverage over the surrounding rural areas and the estuary. The post-development map shows excellent coverage in the immediate vicinity of the mast and the area to the west, as well as parts of Crooke village, parts of Passage East, the Estuary and Arthurstown. The surrounding areas are shown with Good coverage interspersed with pockets of Fair coverage, and smaller pockets of poor coverage. A large swathe of the map which had been shown as having poor coverage would have excellent or good coverage.
- 7.3.3. A number of observers note that Comregs Outdoor Mobile Coverage Map shows the Three network has fair coverage in the area, rather than poor, as stated by the applicant. These maps are available on <https://coveragemap.comreg.ie/>, and the appellant has provided extracts showing availability for both 4G and 5G. I note the categories in Comreg's mapping (Very Good, Good, Fair, Fringe, No Coverage) are for outdoor coverage, and differs from that used by Three (Excellent, Good, Fair, Poor, for indoor coverage), and I consider that to account for the discrepancy both in terminology and the detail of the mapping. The maps vary in fine details, but none of them indicate good coverage for Three in Cooke or Passage East, and I consider the erection of new telecoms infrastructure to address the deficiency to be in keeping

with Development Plan policy and guidance as well as the RSES and national policy to improve telecommunication services throughout the country.

- 7.3.4. A number of observers noted the commercial nature of the development. This is typical of the vast majority of telecommunications infrastructure, and no impediment to a grant of permission. I note the Development Plan policy objective UTL 16 ICT/Communications, which states (in part) that the planning authority will work in collaboration with service providers to deliver telecoms, and Section 6.7, which states that the council will continue to support and facilitate operators to improve speed and service across Waterford in line with national policy.

7.4. **Site Selection**

- 7.4.1. Regarding site selection, as noted above the Guidelines state as part of Section 4.3 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. The support structure should be kept to the minimum height consistent with effective operation.”

- 7.4.2. The site is in the immediate surrounds of Crooke, which (while regularly referred to as a village by all parties) is classified as a rural town in the Development Plan. The Board is required to have regard to the Ministerial Guidelines in the assessment of this application. As such a strong justification is required for the location of the mast.
- 7.4.3. The applicant notes that Three are already co-located on all but one of the adjoining established sites. The remaining site (Comreg Ref -WD-4499) is located in Ballyhack Co Wexford, 2 km north of the existing site, permitted under 20130066, and the applicant notes that it is unsuitable for sharing, and was designed as a single operator support structure. The existing sites on which Three infrastructure is located are unable to extend coverage to the geographical area required in the vicinity of Crooke.
- 7.4.4. The applicant has shown the search ring used on page five of the Technical Justification Report submitted with the application. The search ring is c. 2 km in radius, centred on a point between Passage East and Crooke. They state that there

is no suitable existing antenna in this search ring, but do not indicate what other locations within this search ring they might have considered or explored as alternatives to the selected site for the erection of a new mast.

- 7.4.5. I note a large area of the search ring is comprised of the estuary and river, and a significant part of the centre of it is located in the coastal area considered most sensitive in the Landscape and Seascape Character Assessment. Smaller areas of 'high sensitive' landscape are located to the west. The applicant has indicated a number of other constraints in the immediate vicinity in their cover letter – archaeological sites and protected structures. The applicant also notes that due to the sensitivity of 4G and 5G technology, there is less tolerance to obstructions so obstructions between the technology and the receiving environment (even tree foliage) must be minimised or avoided.
- 7.4.6. It could be argued that the applicants could have included more information on alternative sites for a new mast; however, it would not be reasonable or practicable to expect an exhaustive list of theoretical sites. Given the requirements to provide coverage to Passage East and Crooke, and given the sensitivities of 4G and 5G technologies, it is reasonable to give greater consideration to sites nearer to those settlements than at the fringes of the search ring.
- 7.4.7. I note the planner's report indicated dissatisfaction with the lack of consideration of a lower mast, noting the provision of broadband antennae at 11.5 metres, and this formed part of the second reason for refusal. However, just three antennae are proposed at this level, with a large number at a greater height; given the requirement for operators to share masts, one taller mast can be considered reasonable, subject to acceptable visual impacts. The applicant notes that a monopole type mast is not appropriate in this exposed coastal location, and a lattice type structure is required.
- 7.4.8. I note the observers' comments regarding proximity to the school. Circular PL07/2012 is explicit in stating that there is no prescribed separation distance requirement between a telecommunications structure and houses and schools, and the Digital Ireland Framework specifies connectivity for schools as a key target.
- 7.4.9. On the whole, I consider the applicant has sufficiently justified the location of the development, and its design, in the vicinity of the settlement.

7.5. Visual Impact

- 7.6. A Visual Impact Assessment has been submitted with the application, which sets out the methodology; the landscape baseline; the visual receptors; the proposed development; the identification of effects; the proposed mitigation; and the evaluation of predicted effects after mitigation.
- 7.7. This summarises that although the proposed site is in an elevated area, there are restricted views of it from all areas except at close range, due to building coverage and the natural terrain, with the zone of visibility around 1.5 km (with negligible views beyond that). The residential areas to the north and south would be most affected, with the designated scenic routes and views from built heritage areas largely unaffected.
- 7.8. The report states that tree and hedge planting (including new *ilex aquifolium* (holly) planting) would screen the compound, cabinets, and new surfaces. With this mitigation, effects would range from imperceptible neutral (from built heritage sites) imperceptible to slight / neutral to negative (from scenic routes/amenity walk/protected views) to moderate.
- 7.9. In addition to the Visual Impact Assessment report, the applicant has submitted a set of photomontages, showing views of the mast (including with the mitigating planting) from a number of viewpoints on the local road network. The mast is clearly visible from the local road to the north (L4085), and partly visible from the local road to the south (L8059). In my view, at these distances, the mast is not obtrusive and the impacts are not significant. There are more significant impacts on views from the road to the west in Crooke village (L4085), with the mast clearly visible in gaps between buildings. However, these are intermittent views, at a minimum of 171 metres, and are unlikely to significantly affect the visual amenity of road users, either pedestrians or in cars.
- 7.10. The visual impacts on nearby residents would be greater than that on road users, and no photomontages have been submitted from private property. I note the observations from residents of the An Charraig Mór estate to the north and The Stables, The Paddock and Rock Lodge, which are located on the east side of the road, closest to the mast. I note the images from third parties showing the flag erected in proximity to the site, to approximate the visual impacts. Considering the

distance from the mast to the houses and gardens in question (some 120-150 metres), the interspersed trees to the rear of Rock Lodge (which faces the mast directly), and the small number of residences involved, I consider the impacts acceptable.

7.11. I note the guidelines' caution that access roads can cause significant visual impact. I note its proximity to residences, and the incline of the hill from the road and the residences. In the event of a grant, a condition to mitigate the visual impacts of the access track should be attached.

7.12. I note the first reason for refusal considered the development contrary to Landscape Policy Objective L 02 - having regard to the localised visual impacts, and the lack of significant visibility from the Most Sensitive and High Sensitive areas, or from any Scenic Route, I consider the development compliant with this Policy Objective.

7.13. A number of observers note the likely visibility of the mast from across the estuary in County Wexford. The settlement of Crooke is visible from a number of points in Wexford, including Arthurstown seafront, beach and pier, parts of the roads from Ballyhack to Arthurstown, and Duncannon Fort and pier. As such, it is reasonable to expect the mast, which is tall and on an elevated site, to also be partly visible, although the visual impact assessment notes the site itself is not visible. However, while tall, the mast is a thin structure, and at such a distance (2-3 kilometres away), located to the rear of the settlement of Crooke, it would not be a prominent or obtrusive feature, forming a very small part of the wider landscape, and appearing as part of a small urban settlement.

7.14. I consider that visual impacts would be acceptable.

7.15. **Traffic Hazard**

7.16. A large number of observers had concerns regarding traffic hazard, particularly given the lack of footpath and the number of child pedestrians in this area. However, a mast generates little traffic in operation – the applicant notes there would typically be 2-8 visits to the site per year by maintenance engineers – and I do not have concerns about traffic hazard during the operational phase. Construction traffic would involve larger vehicles, and a much greater number of trips over a limited period of time. This could be adequately addressed by attaching a condition

regarding a Construction Traffic Management Plan, in the event of a grant of permission, to address these temporary impacts.

- 7.17. The development was refused in part due to a lack of information on visibility from the proposed entrance. The applicant has submitted drawings showing that a new entrance can be designed which would permit visibility in both directions for a distance of 70 metres, from a point 2.4 metres back from the road's edge. The proposed design would include a timber post and rail fence and a farm gate, and the removal of some 16 metres of hedgerow to facilitate the sight lines.
- 7.18. I note the Development Plan standard above, including their preference that developments in urban areas inside the 60km/h urban speed limit should have regard to the best practice standards set out in the Design Manual for Urban Roads and Streets, and a general requirement that all new development comply with the current Transport Infrastructure Ireland publications.
- 7.19. In this instance, the road has a speed limit of 50 km/h and lies within the settlement boundary of the village of Crooke. Should the Board be minded to grant permission, a condition mandating compliance with the DMURS standard would be appropriate.
- 7.20. On the whole, I do not have concerns regarding traffic hazard or traffic generation.

7.21. **Other matters**

- 7.21.1. Some appellants have raised concerns regarding impacts on health. As noted in the 1996 Guidelines, and reiterated in Circular PL07/12, health and safety matters of telecoms infrastructure are not regulated by the planning process, but by other codes. Comreg issues licences or authorisations and obliges providers to comply with the standards set by the International Commission on Non-Ionizing Radiation Protection (ICNIRP).
- 7.21.2. Third parties have raised concerns regarding impacts on wildlife. I do not consider that the mast would have undue impacts on wildlife, given the limited scale of the development and the site, and the nature of the development, which (apart from the initial construction phase) will not create significant noise, light, road traffic, or movement, or other disturbance. I note the mitigation measures proposed as Development Management DM 48 for hedgerow removal, which should be imposed as a condition in the event of a grant.

- 7.21.3. I note the observer's suggestion that an Environmental Impact Assessment should have been carried out, due to the proximity to the sensitive landscapes and the harbour. The development is not of a class that requires an Environmental Impact Assessment.
- 7.21.4. Regarding impacts on the tourism industry, I have considered visual impacts on areas of high tourism amenity, such as beaches, coast roads, nearby villages, and heritage attractions, and I consider the impacts to be acceptable.
- 7.21.5. Regarding impacts on property values, again, having considered the acceptability of the development in terms of residential amenity and surrounding visual amenity, I do not consider that there would be a likelihood of depreciation of property values.

8.0 AA Screening

- 8.1. Having regard to the nature and small scale of the proposed development and the distance from the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on any European site.

9.0 Recommendation

I recommend a grant of permission.

10.0 Reasons and Considerations

- 10.1.1. Having regard to the Ministerial Guidelines; the provisions of the Waterford City and County Development Plan 2022-28; the Department of Environment, Heritage and Local Government section 28 Statutory Guidelines, "Telecommunications Antennae and Support Structures: Guidelines for Planning Authorities, 1996," as updated by circular letter PL 07/12 in 2012, and to the nature and scale of the development and its visual impacts, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience.

The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. A low intensity fixed red obstacle light shall be fitted as close to the top of the mast as practicable and shall be visible from all angles in azimuth. Details of this light, its location and period of operation shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of public safety.

3. The existing hedgerow shall be retained except to the extent that its removal is necessary to provide for the entrance to the site. The entrance shall be designed in compliance with DMURS, to details submitted and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity, ecology, and traffic safety.

4. Landscaping of the site (including the entrance) shall be carried out in accordance with a landscaping scheme which shall include hedging planted inside the compound boundary fence, which shall be submitted to and agreed in writing with planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area, and the protection of biodiversity.

5. Site development and building works shall be carried out between the hours of 8 am to 7 pm Mondays to Fridays inclusive, between 8 am to 2 pm on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

6. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

7. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interest of traffic safety and convenience.

8. Within 3 months of the completion of the construction, the access road shall be cleared and covered with the natural surface in the vicinity of the road (soil, grass etc). Details of compliance with this condition shall be submitted for the written approval of the planning authority.

Reason: In the interest of the visual amenities 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.

Natalie de Róiste
Planning Inspector

20 May 2025

Form 1 - EIA Pre-Screening

Case Reference	ABP-321815-25
Proposed Development Summary	18 metre telecommunications mast and site works
Development Address	Crooke, Passage East, Waterford
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	

<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold