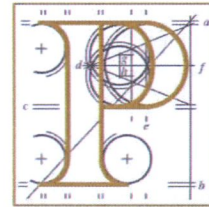


**Our Case Number:** ABP-315030-22

**Planning Authority Reference Number:** SD22A/0340



An  
Bord  
Pleanála

South Dublin County Council  
Planning Department  
County Hall  
Tallaght  
Dublin 24



**Date:** 08 November 2022

**Re:** Erect a 24m telecommunications lattice structure together with antennas, dishes, headframe and associated telecommunications equipment enclosed by security fencing.  
Landmark Architectural Salvage & Granite Products, Main Street, Newcastle South, Newcastle, Co. Dublin

Dear Sir / Madam,

Enclosed is a copy of an appeal under the Planning and Development Act, 2000, (as amended).

**Submissions of documents etc., to the Board. N.B. Copies of I-plans are not adequate, all drawings and maps should be to scale in accordance with the provisions of the permission regulations.**

1. The planning authority is required to forward specified documents to the Board under the provisions of section 128 and section 37(1)(b) of the Planning and Development Act, 2000, (as amended). Please forward, **within a period of 2 weeks beginning on the date of this letter, the following documents:-**

- (i) a copy of the planning application made to the planning authority and a copy of any drawings, maps (including ordnance survey number) particulars, evidence, a copy of any environmental impact statement, other written study or further information received or obtained by your authority in accordance with regulations under the Acts. If practicable, the original of any drawing with coloured markings should be provided or a coloured copy,
- (ii) a copy of any technical or other reports prepared by or for the planning authority in relation to the application,
- (iii) a certified copy of the relevant Manager's Order giving the decision of the planning authority,
- (iv) a copy of the notification of decision given to the applicant,
- (v) particulars of the applicant's interest in the land or structure, as supplied to the planning authority,
- (vi) a copy of the published notice and a copy of the text of the site notice erected on the land or structure,

**Teil** (01) 858 8100  
**Glaio Áitiúil** LoCall 1890 275 175  
**Facs** (01) 872 2684  
**Láithreán Gréasáin** Website www.pleanala.ie  
**Riomhphost** Email bord@pleanala.ie

64 Sráid Maoilbhríde 64 Marlborough Street  
Baile Átha Cliath 1 Dublin 1  
D01 V902 D01 V902

(vii) a copy of requests (if any) to the applicant for further information relating to the application under appeal together with copies of reply and documents (if any) submitted in response to such requests,

(viii) a copy of any written submissions or observations concerning the proposed development made to the planning authority,

(ix) a copy of any notices to prescribed bodies/other authorities and any responses to same,

(x) a copy of any exemption application/certificate within Part V of the 2000 Act, (as amended), applies,

(xi) a copy of the minutes of any pre-planning meetings.

2. To ensure that the Board has a full and complete set of the material specified above and that it may proceed with full consideration of the appeal, please certify that the planning authority holds no further material relevant to the case coming within the above list of items by signing the certification on page 3 of this letter and returning the letter to the Board.

3. In addition to the documents mentioned above, please supply the following:- Particulars and relevant documents relating to previous decisions affecting the same site or relating to applications for similar development in near proximity. "History" documents should include;

a) Certified Manager's Order,

b) the site location, site layout maps, all plans and

c) particulars and all internal reports.

d) details of any extensions of time given in respect of previous decisions.

#### **Copies of I-plan sheets are not adequate.**

Where your records show that a decision was appealed to the Board, it would be helpful if you would indicate the Board's reference.

Submissions or observations by the planning authority.

4. As a party to the appeal you may, under section 129 of the 2000 Act, (as amended), make submissions or observations in writing to the Board in relation to the appeal within a **period of 4 weeks beginning** on the date of this letter. Any submissions or observations received by the Board outside of that period shall not be considered, and where none have been validly received, the Board may determine the appeal without further notice to you.

#### **Contingency Submission**

5. If the decision of your authority was to refuse permission, you should consider whether the authority wishes to make a contingency submission to the Board as regards appropriate conditions which, in its view, should be attached to a grant of permission should the Board decide to make such a grant. In particular, your authority may wish to comment on appropriate conditions which might be attached to a permission in accordance with section 48 and/or 49 of the 2000 Planning Act (Development /

**Teil**  
**Glaó Áitiúil**  
**Facs**  
**Láithreán Gréasáin**  
**Ríomhphost**

**Tel** (01) 858 8100  
**LoCall** 1890 275 175  
**Fax** (01) 872 2684  
**Website** www.pleanala.ie  
**Email** bord@pleanala.ie

64 Sráid Maoilbhríde 64 Marlborough Street  
Baile Átha Cliath 1 Dublin 1  
D01 V902 D01 V902

The Secretary  
An Bord Pleanála  
64 Marlborough Street  
Dublin 1

4<sup>th</sup> November 2022

PLANNING COUNTER  
9 NOV 2022  
RECEIVED

AN BORD PLEANÁLA  
LDG- 058808 - 22  
ABP- \_\_\_\_\_  
07 NOV 2022  
Fee: € 1500 Type: cheque  
Time: \_\_\_\_\_ By: post

Charterhouse  
INFRASTRUCTURE CONSULTANTS

**Appeal Re:** Application for permission to erect a 24m telecommunications lattice structure together with antennas, dishes, headframe and associated telecommunications equipment enclosed by security fencing.

**Location:** at Landmark Architectural Salvage & Granite Products, Main Street, Newcastle South, Newcastle, Co. Dublin.  
**PA:** South Dublin County Council  
**Reg Ref:** SD22A/0340  
**Decision:** Refuse, dated 17/10/2022  
**Appellant:** Vantage Towers Limited, Mountain View, Leopardstown, Dublin 18  
**Agent:** Charterhouse Infrastructure Consultants.  
HQ, 27 Market St, Listowel, Co Kerry.  
**Fee:** €1,500 cheque enclosed

**1<sup>st</sup> PARTY APPEAL AGAINST DECISION TO REFUSE**

A Chara,

Charterhouse act as agent for Vantage Towers Ltd who wish to appeal the decision of South Dublin County Council to refuse permission for the erection of a 24m telecommunications lattice structure together with antennas, dishes, headframe and associated telecommunications equipment enclosed by security fencing at Landmark Architectural Salvage & Granite Products, Main Street, Newcastle South, Newcastle, Co. Dublin.

Permission was refused by South Dublin County Council for this proposed development for the reason, as stated below:

Reason:

Having regard to the Telecommunications Antennae and Support Structures Guidelines for Planning Authorities issued by the Department of Housing, Planning and Local Government in 1996 (as updated by Circular Letter PL 07/12); the content of the South Dublin County

Development Plan 2022-2028, including Objectives QDP3 Objective 2, EDE13 Objective 2,

HEAD OFFICE: HQ, 27 Market Street, Listowel, Co. Kerry, V31 Y436

T: 068 57463 E: info@chtc.ie [www.chtc.ie](http://www.chtc.ie)

NCBH20 Objective 3, IE4 Objective 3, Section 12.11.2 and Section 12.11.5; the content of the Newcastle Local Area Plan, including Objectives GI18, GI21 and GI28; and the height, scale of the proposed development within an area designated as an Architectural Conservation Area, in close proximity to a number of Protected Structures and the low prevailing height of the surrounding area, it is considered that the proposed development would have an unacceptable impact on the character and setting of the Newcastle Architectural Conservation Area and would adversely affect the visual amenity of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

## **1 Fee**

The fee enclosed with this appeal is €1,500.

## **2 Grounds for Appeal**

The grounds for this appeal are provided for under Section 37 (2) b (iii) of The Planning and Development Act 2000 as amended and are set out below.

- a. Section 37 2 (b) (iii) – Permission for the proposed development should be granted having regard to the regional spatial and economic strategy for the area, Guidelines under Section 28, policy directives under Section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister, or any Minister of the Government

Specifically, The applicant disagrees with the local authority's decision for refusal by reason of the grounds set out below:

- Would not have an unacceptable impact on the character and setting of the Newcastle Architectural Conservation Area
- Would not adversely affect the visual amenity of the area.
- Would not be contrary to the proper planning and sustainable development of the area.
- Does meet the requirements of the Development Plan
- Does meet the requirements of the Telecommunications, Antennae and Support Structures, Guidelines for Planning Authorities 1996.
- Does meet National Guidelines, particularly the National Development Plan 2018 – 2027, the Report of the Mobile and Broadband Taskforce and Action Plan for Rural Development and Our Rural Future – Rural Development 2021-2025

## **3 The Proposed Development**

### **3.1 Site Location**

The site is located in the large village of Newcastle which is located on the outskirts of Dublin, approximately 8km south-west from the M50 motorway and 16.5 Km to Dublin City Centre.

The topography of Newcastle gently undulates from west to east, gently slopes downwards from the Main Street to the north and rises to the south.

The proposed structure will be located on the grounds of an architectural salvage yard near Newcastle. This yard is located well over 200 metres south of the main street.



Figure 1: Current satellite view over Newcastle.

Although to the immediate south of the proposed site are shown green fields, the area is zoned for residential development.

An outstanding application under planning reference SHD3ABP-313814-22 which includes a substantial area of the green fields is for the construction of 280 no. dwellings, a creche, and open space. This application is with An Bord Pleanála at present, reference ABP -313 814-22. It is understood from the planning files that the application is supported by the South Dublin County Council.

If granted this will result in a large increase in the population of Newcastle adding further demands on the communications services.

Consent was granted for the construction of 22 three bedroom dwelling houses, planning reference SD18A/0363 - Main Street, Newcastle, Co. Dublin (to the west of the subject site). The decision of South Dublin County Council was subject to a Third Party Appeal to An Bord Pleanála, Ref. ABP-06S.24870. ABP Decision: Grant Permission.

To the north of the proposed site and fronting the Main Street is a proposal for Lidl Supermarket, planning Ref SD22A/0312. At present the status of the application states 'Additional Information'. It is understood that this development, if it is granted, will result in some changes to the listed building known as The Loft / Kelly Estates, referred to below under 8.6.

Recently under planning reference SD20A/0037 consent was granted for a Supervalu Supermarket on the Main Street.

The map below taken from the SDCC online planning map shows the above sites in relation to the proposed site.

The white square area with no application indicated and to the east and south adjoining the proposed site is registered with Cairn Homes Properties Limited, a developer usually associated for residential property.

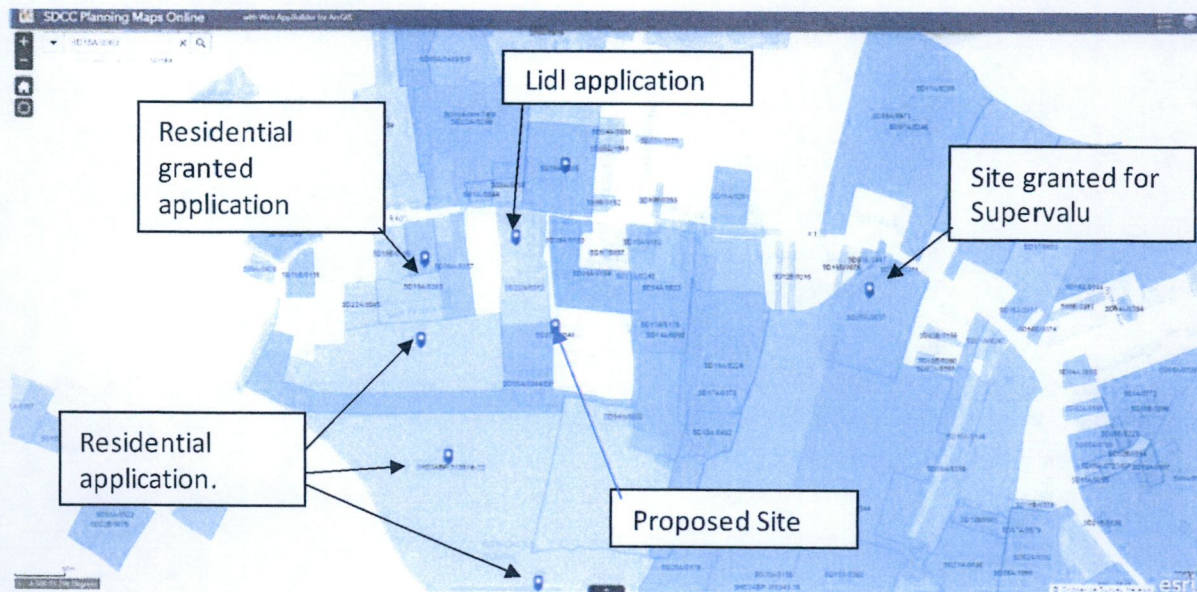


Figure 1: SDCC Online Planning Map showing applications within Newcastle.

### 3.2 The Proposed Development

The proposed development will comprise a 24-metre-high lattice structure with associated equipment within a 5 metre by 7 metre compound surrounded by 2.4m high palisade fencing . The structure and compound are designed to house equipment for Vodafone , Three Ireland and potentially other operators in the future as shown on the application plans. Access to the site is via an existing gate and track which serves the salvage yard. Either side of the access route and on either side of the proposed development are a number of dense trees which act to substantially hide the proposed structure and the compound.

### 4 Justification for new structure

As set out in the application letter, Newcastle is a known 4G coverage weak spot for Vodafone and Three Ireland.

### 5 Comreg outdoor mobile coverage map

ComReg released a public viewer enabling the public to view nationwide outdoor coverage for a range of wireless broadband operators. Set out below (Figures 3, & 4) are maps showing Vodafone’s current local 4G and 5G coverage. The darkest colours demonstrate best outdoor coverage levels, the lighter colours demonstrate poorest outdoor coverage levels.

## 5.1 Vodafone and Three Ireland coverage in Newcastle.



Figure 2 Current Vodafone 4G coverage in Newcastle environs. (The proposed site is identified by the red marker).

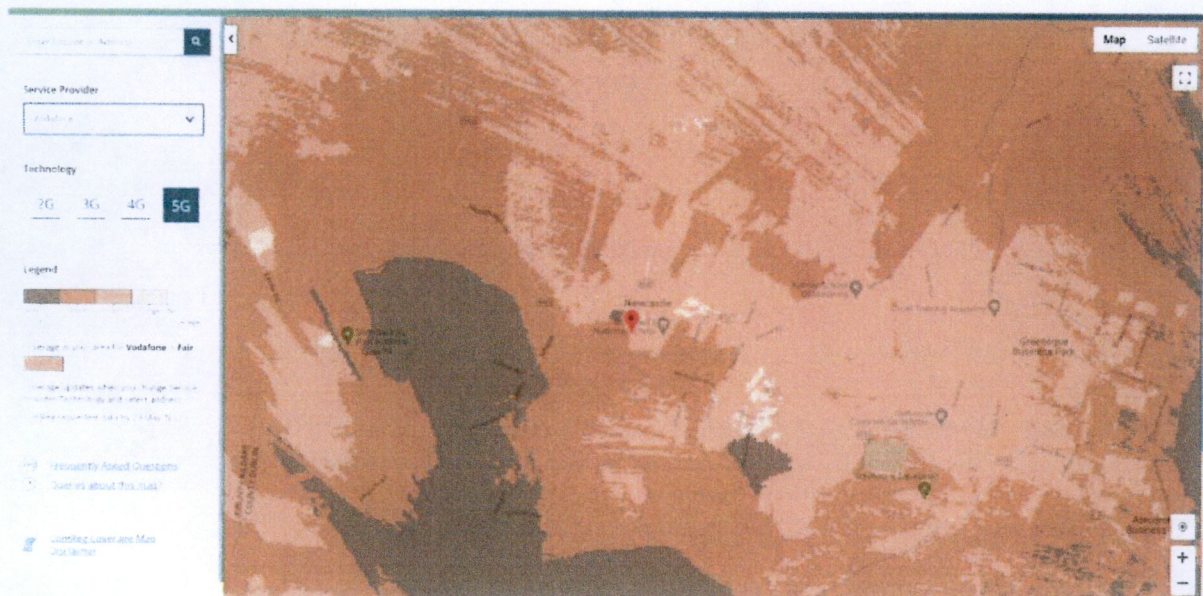


Figure 3: Current Vodafone 5G coverage in Newcastle Environs. (The proposed site is identified by the red marker).



Figure 4 Current Three Ireland 4G coverage in Newcastle environs. (The proposed site is identified by the red marker).

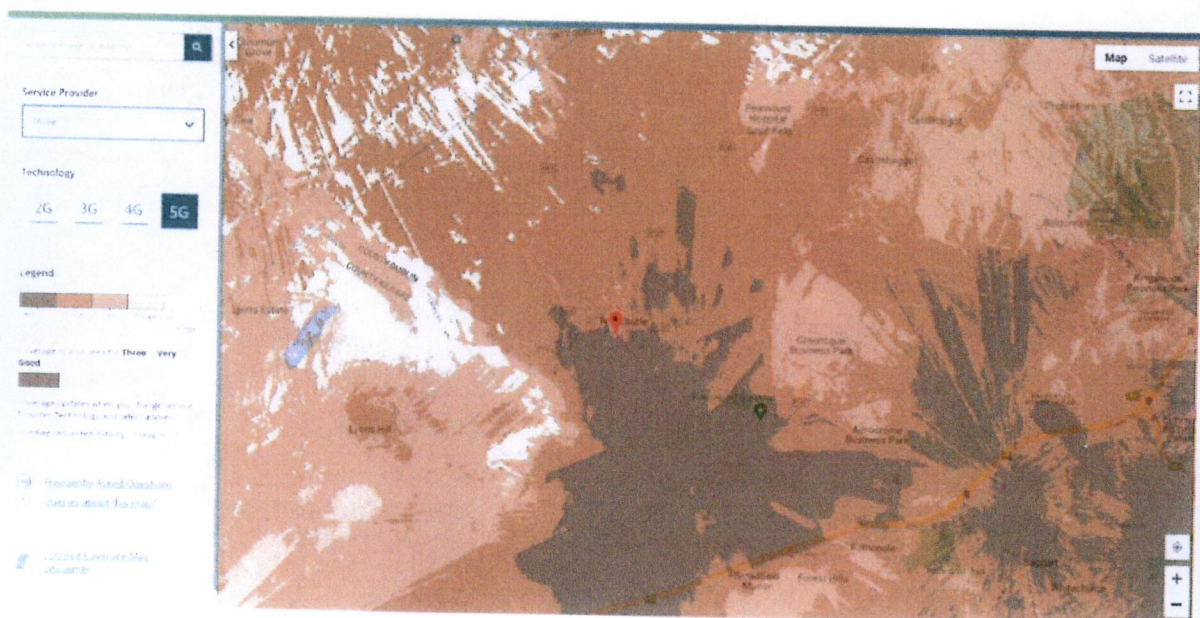


Figure 5: Current Three Ireland 5G coverage in Newcastle Environs. (The proposed site is identified by the red marker).

One can observe that both Vodafone's and Three Ireland's existing 4G and 5G coverage requires significant improvement. This is highlighted by the dominance of light brown, pale brown colouring on the above coverage maps. Coverage quality dissipates over distance and is further influenced by other factors such as antenna height on the transmitting mast and local topography.

As stated earlier, Newcastle is located on the outskirts of Dublin City. Poor coverage such as that shown above, and bearing in mind the expected short term growth of for Newcastle, these coverage levels are unacceptable.

It is also noted that ComReg 4G coverage map for eir also shows poor quality.



## 6 Discounted Structures

The Comreg map below shows the full extent of telecommunications structures situated in the Newcastle area. As seen there is one single structure situated in the area.

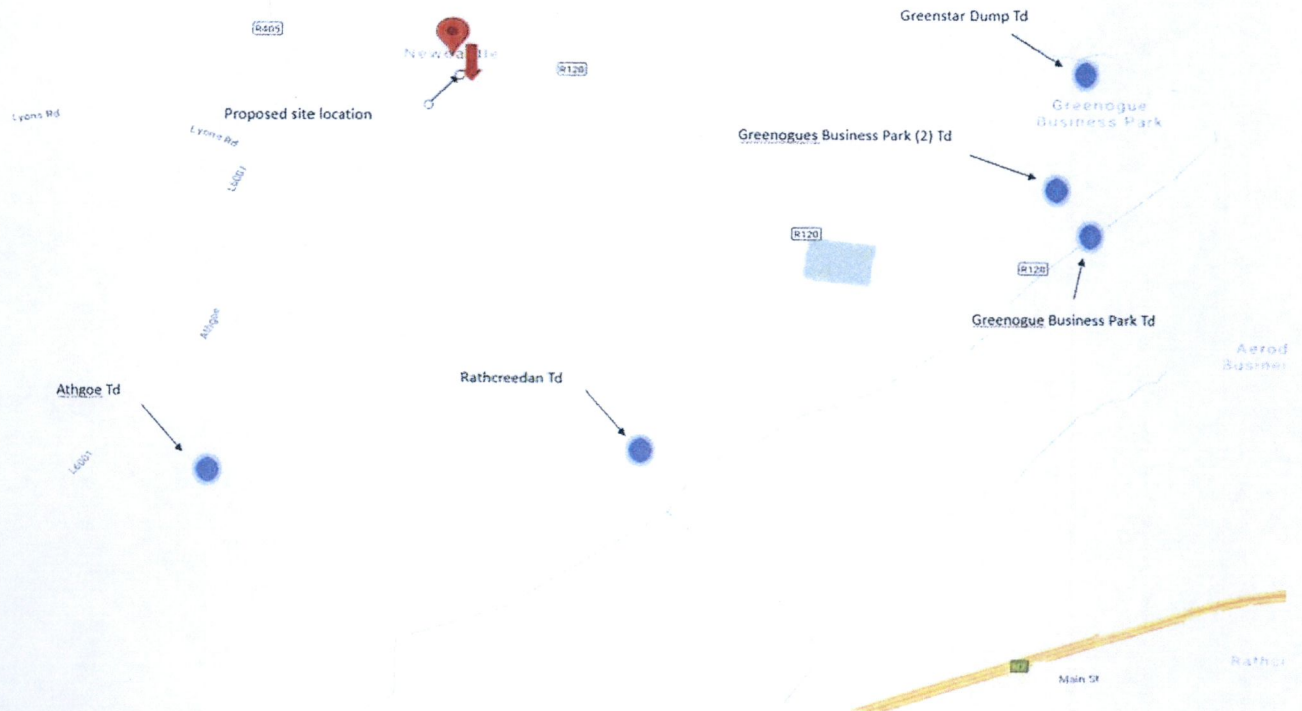


Figure 6: ComReg Site Viewer extract showing all telecommunications structures in the Newcastle area

Vodafone is already located at two of the five structures identified above, however all five sites were considered before submitting this application.

1. **Rathcreedan:** Three Ireland currently transmit from a 15m high structure at this location. It is approximately 1.33km south-east of the application site. Due to the distance and low height of the structure, Vodafone would not achieve their technical objectives for the target area locating their equipment at this structure. As a result, this structure has been discounted.
2. **Athgoe:** Three Ireland, Vodafone and eir currently transmit from an 18m high structure located 1.57km south of the proposed development site. As Vodafone are already present, further equipment at this location would not improve coverage in the target area. As a result, this structure has been discounted.
3. **Greenogue Business Park:** Vodafone currently transmit from an 18m high structure located in Greenogue Business Park located approximately 1.7km from the application site. As Vodafone are already present, further equipment at this location would not improve coverage in the target area. As a result, this structure has been discounted.
4. **Greenogue Business Park (2):** Three currently transmit from the roof of a warehouse building located in the same business park as structure No. 2. The distance is also 1.7km and so this structure has been discounted as the distance is too great.
5. **Greenstar Dump Td:** eir currently transmit from a structure located on the grounds of Greenstar Dump. This is over 1.74km from the site in question. As this distance is too great to allow Vodafone address the current service issues in Newcastle it must be discounted.

A further search for telecoms, masts and towers was undertaken on the South Dublin County Council planning website. It is noted that as part of the residential development planning reference SHD3ABP/313814/22 a rooftop installation is proposed. It is noted that Vodafone and Three have both given their support to Vantage application, while no such commitment has been given by Three and Vodafone for the SDH application. In addition the reason why the proposed dedicated structure is at a height of 24 metres is due to trees nearby blocking the propagation of signal.

It can be concluded that in order to provide reliable high-speed coverage for the Newcastle area, the 24 m high application structure is required. It is submitted it meets the objectives for planning, the Guidelines and technological requirements to ensure proper coverage.

## **7 Planning History**

A search of the South Dublin County Council planning website confirmed there is no relevant planning history in relation to the application site. However, there is relevant planning history to a site nearby which Vantage Towers sought permission in 2021.

Planning Reference Number: SD21A/0248

Vantage Towers applied for permission to erect a 24m monopole structure located on the grounds of Annie May's Pub, Newcastle. Permission was refused by South Dublin County Council on the 1<sup>st</sup> November 2021 for the following reason;

The location within the Newcastle Architectural Conservation Area and its proximity to St. Finian's Roman Catholic Church a Protected Structure would contravene Objective UC3 Objective 1 of the South Dublin Development Plan which seeks to protect and conserve the special character of the historic core of the traditional villages.

This decision was appealed to An Bord Pleanála by Vantage Towers. An Bord Pleanála upheld the decision of South Dublin County Council stating the reason for refusal as;

The height, scale and location of the development in an Architectural Conservation Area and proximity to a protected structure including St. Finian's Roman Catholic Church and Newcastle National School would have an unacceptable impact and adversely affect the visual amenities of the area.

Both the reasoning and decision of South Dublin County Council and An Bord Pleanála have been considered before submitting this current application. The site location has been carefully chosen in order to minimise impact on the sensitive areas outlined above including the ACA and protected structures.

## **8 Planning Policy**

### **8.1 South Dublin County Development Plan 2022 to 2028**

Under 11.4 Information and Communications Technology, the Development Plan states

The continued widespread availability of high-quality Information and Communications Technology (ICT) networks within the County is critical to the development of the County's economy and to social progress. It will ensure that the County remains attractive to hi-tech knowledge-based

industries providing for high value employment. It is also a huge asset to the residents of the County encouraging home working and individual entrepreneurial activity.

Policy IE5: Information and Communications Technology (ICT)	
It is an objective of the Council to: Promote and facilitate the sustainable development of a high-quality ICT network throughout the County in order to achieve social and economic development, whilst protecting the amenities of urban and rural areas.	
IE5 Objective 1:	To promote and facilitate the provision of appropriate telecommunications infrastructure, including broadband connectivity and other innovative and advancing technologies within the County in a non-intrusive manner.
IE5 Objective 2:	To co-operate with the relevant agencies to facilitate the undergrounding of all electricity, telephone and television cables in urban areas wherever possible, in the interests of visual amenity.
IE5 Objective 3:	To permit telecommunications antennae and support infrastructure throughout the County, subject to high quality design, the protection of sensitive landscapes and visual amenity.
IE5 Objective 4:	To discourage a proliferation of telecommunication masts in the County and promote and facilitate the sharing of facilities.
IE5 Objective 5:	To ensure that above ground utility boxes are sensitively located and finished to reduce their visual impact, designing out anti-social behaviour and promoting soft planting around existing and new ones where feasible.
IE5 Objective 6:	To require the identification of adjacent Public Rights of Way and established walking routes by applicants prior to any new telecommunication developments and to prohibit telecommunications developments that impinge thereon or on recreational amenities, public access to the countryside or the natural environment.
IE5 Objective 7:	Ensure that applications made in relation to the provision of overground telecommunications infrastructure, including planning applications and Section 254 licence applications, take into consideration and demonstrate compliance with the 'Guidance on the Potential Location of Overground Telecommunications Infrastructure on Public Roads' (2015).
IE5 Objective 8:	To investigate the potential for the provision of fibre optic cables in the County to facilitate the delivery of high-speed broadband and to work collaboratively with providers in facilitating the same.

## 8.2 Implementation and Monitoring

Under section 12.11.2 Information and Communications Technology the plan states;

In the consideration of proposals for telecommunications antennae and support structures, applicants will be required to demonstrate:

- 1) Compliance with the document Telecommunications Antennae and Support Structures: Guidelines for Planning Authorities (1996) and Circular Letter PL 07 / 12 issued by the Department of

the Environment and Local Government (as may be amended), and to other publications and material as may be relevant in the circumstances;

2) On a map, the location of all existing telecommunications structures within a 2km radius of the proposed site, stating reasons why (if not proposed) it is not feasible to share existing facilities having regard to the Code of Practice on Sharing of Radio Sites issued by the Commission for Communications Regulation;

3) The degree to which the proposal will impact on the amenities of occupiers of nearby properties, or the amenities of the area (for example, visual impacts of masts and associated equipment cabinets, security fencing treatment) and the potential for mitigating visual impacts including low and mid-level landscape screening, tree-type masts being provided where appropriate, colouring or painting of masts and antennae, and considered access arrangements;

4) The significance of the proposed development as part of the telecommunications network.

### **8.3 Core Strategy and Settlement Strategy**

The Development Plan lists Newcastle as a self-sustaining growth town stating that the settlement needs to develop at an incremental pace, based on the delivery of social, physical and transport infrastructure and services, supported by the LAP. The capacity of zoned lands is considered to be sufficient to meet long term demand for the settlement.

Policy and Objectives for Newcastle are listed below;

Policy CS9: Newcastle Support the sustainable long-term growth of Newcastle by focusing development growth within the current settlement boundary and based on the ability of local services to cater for sustainable growth levels.

CS9 Objective 1:

To ensure that development proposals provide for infrastructure including community buildings, sports pitches and service provision in line with population growth as set out in the Newcastle LAP (2012 extended to December 2022) or any succeeding plan.

CS9 Objective 2:

To support well designed infill and brownfield development on zoned lands along the main street, in particular where it provides for improved services, commercial, retail or mixed use provision to meet the needs of the growing population.

CS9 Objective 3:

To proactively support and promote the highest appropriate levels of services, social infrastructure, facilities, retail, open space amenity and economic activity to meet the needs of current and future growth in line with the scale and function of Newcastle within the settlement hierarchy.

CS9 Objective 4:

To facilitate and commit to the delivery of new residential development in a coordinated manner, ensuring alignment with investment infrastructure and supporting amenities and services. Such measures shall be delivered through appropriate phasing in line with CS9 SLO1, SLO2, SLO3 and SLO4.

#### 8.4 Zoning

The proposed site is subject to zoning objective 'RES-N,' where the stated objective is 'To provide for new residential communities in accordance with approved area plans' in the South Dublin County Development Plan 2022-2028.

Public Services are defined in Appendix 6 - Definitions of Use Classes of the Development Plan 2022-2028 as:

*'A building or part thereof or land used for the provision of public services. Public services include all service installations necessarily required by electricity, gas, telephone, radio, telecommunications, television, drainage and other statutory undertakers; it includes public lavatories, public telephone boxes, bus shelters, bring centres, green waste composting facilities.'*

It is considered that the proposed telecommunications structure and ancillary cabinets, equipment and fencing constitute a 'public service' use.

The use class 'Public Services' is permitted in principle under the 'RES-N' zoning objective subject to its design being in accordance with the relevant provisions in the Development Plan and national policy and guidelines.

#### 8.5 Newcastle Local Area Plan

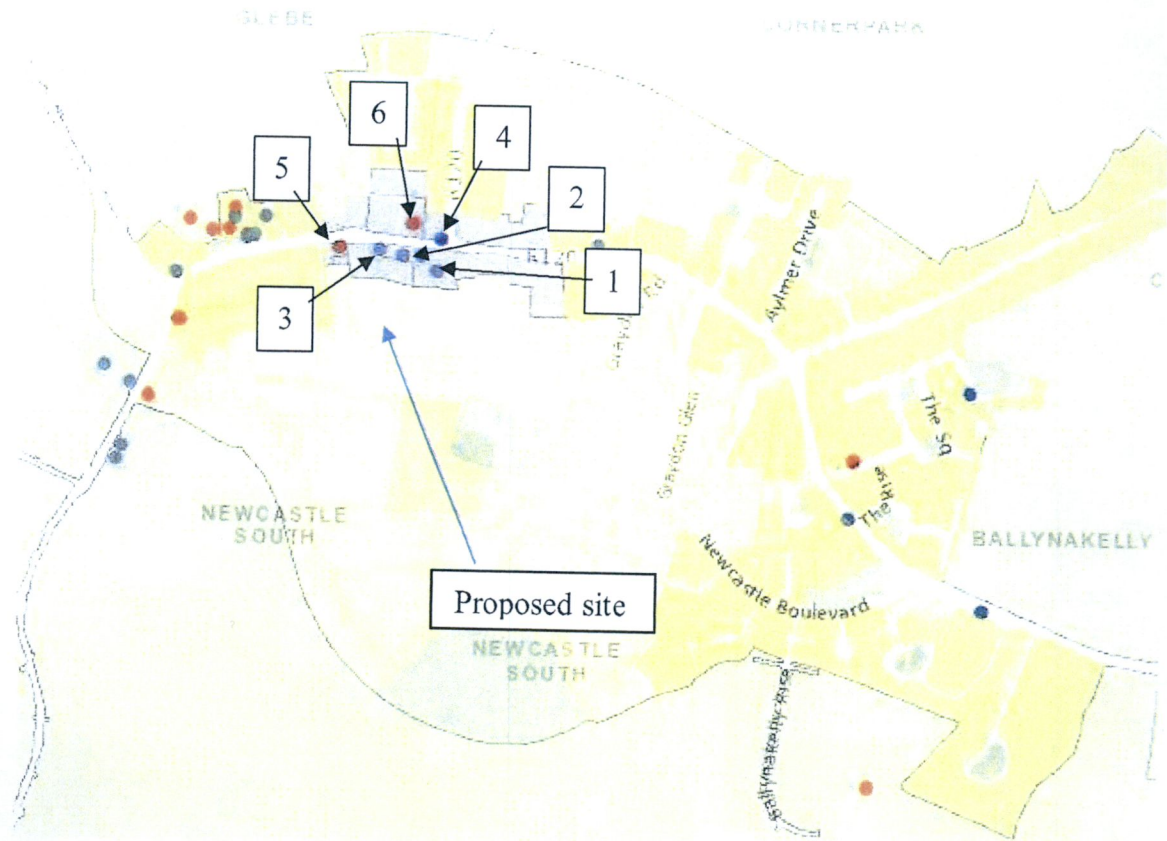
The subject site is located within the administrative area of the Newcastle Local Area Plan, which into effect in December 2012. On the 23rd of October 2017, by resolution, the Local Area Plan was extended for further period (in accordance with Section 19 of the Planning and Development Act 2000, as amended). Possibly well out of date at this stage, the Local Area Plan is due to expire in January 2023.

#### 8.6 Newcastle Architectural Conservation Area:

The most proximate locations of protected built heritage to the application site are shown by coloured circles on the attached plan, taken from Myplan.ie.

The nearest structures to the location are;

- (1) Distance= 110 m; NIAH Site Name: St Finian's R.C. Church Registration No: 11,212,002
- (2) Distance= 122 m; NIAH Site Name: Newcastle National School Registration No:11,212,003/11,212,004
- (3) Distance= 132 m; NIAH Site Name: The Loft (Kelly Estates) Registration No: 11,212,005
- (4) Distance= 155 m; NIAH Site Name: Water Pump Registration No:11,212,001
- (5) Record Number: DU021-017001- Classification: Well. (Not visible)
- (6) Record Number: DU021-017002- Classification: Castle - tower house. The site has been developed over and there are no visible remains at ground level.



## 9 Telecommunications Antennae and Support Structures 1996

Relevant Sections of the Policy are set out under Section 4.2 relating to Design and Siting and Section 4.3 relating to Visual Impact with the key policy paragraphs in support of the applicant's proposal underlined.

### 4.2 Design and Siting

The design of the antennae support structure and to a great extent of the antennae and other "dishes" will be dictated by radio and engineering parameters. There may be only limited scope in requesting changes in design. However, the applicant should be asked to explore the possibilities of using other available designs where these might be an improvement. Similarly, location will be substantially influenced by radio engineering factors.

### 4.3 Visual Impact

The visual impact is among the more important considerations which have to be taken into account in arriving at a decision on a particular application. In most cases the applicant will only have limited flexibility as regards location, given the constraints arising from radio planning parameters, etc.,

Some masts will remain quite noticeable in spite of the best precautions. The following considerations may need to be taken into account:

Along major roads or tourist routes, or viewed from traditional walking routes, masts may be visible but yet are not terminating views. In such cases it might be decided that the impact is not seriously detrimental

Similarly along such routes, views of the mast may be intermittent and incidental, in that for most of the time viewers may not be facing the mast. In these circumstances, while the mast may be visible or noticeable, it may not intrude overly on the general view of prospect.

There will be local factors which have to be taken into account in determining the extent to which an object is noticeable or intrusive – intermediate objects (buildings or trees), topography, the scale of the object in the wider landscape, the multiplicity of other objects in the wider panorama, the position of the object with respect to the skyline, weather, and lighting conditions, etc.

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.

## **9.1 Photomontage**

For the purposes of this appeal a photomontage has been prepared and attach to Appendix 1. This has been prepared by a specialist independent party with instructions to identify key locations where the structure may be considered sensitive in relation to the ACA. Five photomontage have been taken and all show that the proposed structure would not have an unacceptable impact on the character and setting of the Newcastle Architectural Conservation Area and would not adversely affect the visual amenity of the area.

Viewpoint 1; Taken just off the main street on the road leading to the school and northeast of the proposed structure by 203 metres. The photograph is aimed directly at the proposed structure using a lens that is considered closest to the human eye to create as realistic impression as possible. A purpose of this angle however was to compare the proposed structure with the Church. The Church is located off picture and to the right of the photograph. This will become apparent on inspection. Also apparent is that the proposed structure is at a distance from the Church, so combined with the tree cover the impact is minimal.

Viewpoint 2; The photograph is taken a little further away from outside the Newcastle Shopping Centre. This time the Church can be seen with the proposed structure a distance away, essentially hidden by the trees along the side of the road. Again the visual impact is minimal.

Viewpoint 3; This viewpoint is taken at the junction opposite the Church and near the water pump. Again due to the angle lens of the camera the photograph looks at the structure rather than the Church. On inspection this will be apparent, and it is submitted that the structure is essentially hidden by the trees and does not divert one's attention from the Church.

Viewpoint 4; This viewpoint is taken northwest of the proposed structure close to the protected building known as The Loft / Kelly Estates being adjacent to the Lidl supermarket proposal and referred to above under 3.1 and 8.6. This viewpoint, and Viewpoint 4 are both relatively close to the structure at 163 and 164 metres respectively. Again it is submitted that the structure is essentially hidden from view and does not negatively impact the area. Even if the Lidl supermarket proposal is granted and the immediate scene is changed, the impact of the proposed structure is expected to be even less as the supermarket will attract people's attention.

Viewpoint 5: The viewpoint is taken a little further towards the northwest of the proposed structure and a little further away from Newcastle. It highlights the fact that at the edges of the town the structure is totally hidden from view, as is the case of the Church and other structures within the town. This situation also occurs from the opposite direction of town however a photomontage was not prepared showing this. Nevertheless, from inspection it will be apparent.

In conclusion it is submitted that the proposed structure is well hidden from the Main Street, any views being intermittent and essentially of the top section and it does not impact on the key protected structures or the Architectural Conservation Area. It also meets with the requirements of the Development Plan, the 1996 Guidelines to provide essential services to a growing town.

## **10 Assessment:**

### **10.1 Structure Requirement and Site Characteristics**

Vodafone's and Three Ireland's 4G and 5G coverage in Newcastle and its environs is substandard and must be addressed, especially when considering the recent and short term growth of Newcastle and that it is within the environs of Ireland's capital city.

As a result of the refusal for a mast Planning Reference Number: SD21A/0248 Vantage have taken into consideration the reasons for refusal and ensuring technological requirements are being met have applied for the subject site. It must be emphasised there is no alternative structure or location that will achieve the coverage objectives for the target area of Newcastle, and for 5G propagation, particularly for a population the size of Newcastle, the mast must be within close proximity of the demand.

Vodafone has an obligation to provide coverage and the current coverage disparity will be exacerbated as operators 3G layers are switched off in 2023 and 2024 and where those 5G higher frequency technologies are short wave and have a lesser geographical reach than existing 4G, 3G, and 2G technologies.

The design is a lattice style which can accommodate more equipment, particularly at similar heights compared to the alternative monopole design. The height of 24 metres is the minimum height possible and this is as a result of the trees either side of the proposed site.



Also, with regard to design, there are numerous planning cases which show a positive precedence for lattice structures in town settings. Many towns with Architectural listing can be found with lattice masts. The majority of towns in Ireland having a Garda mast. Most towns are capable of absorbing lattice structures, particularly when considering the streetscape and manmade objects along roads and pathways. It is respectfully submitted that the photomontages submitted with this appeal process highlight this. The response to the request for further information also gave a detailed argument for the lattice structure when comparing it to the monopole in a rural area.

When considering the topography of the area, the proposed structure is designed to a height and in a location where it can secure necessary coverage, particularly to the town of Newcastle.

With regard to zoning, the site is within an area in accordance with the Development Plan matrix.

## **10.2 Architectural Conservation Area – Visual Assessment**

In the 2012 Local Area Plan it states that *Newcastle is designated as an Area of Archaeological Potential and is the largest such designation within the County*. Taking into consideration the settlement boundary and growth of Newcastle, current and in the short term, the designation therefore covers a wide area which will impact future economic growth of the town.

The reason for refusal states *that the height, scale of the proposed development within an area designated as an Architectural Conservation Area, in close proximity to a number of Protected Structures and the low prevailing height of the surrounding area, it is considered that the proposed development would have an unacceptable impact on the character and setting of the Newcastle Architectural Conservation Area and would adversely affect the visual amenity of the area*. We respectfully disagree on this point. The fact that a structure may be seen is not in itself objectionable. All objects may be seen; it is the degree to which the object is incongruent with its setting that determines its impact. One cannot reasonably draw the conclusion that the structure, overwhelmingly hidden from the streetscape, would have the effect stated in the planning authority's reasons for refusal. Yes, it shall have some effect; it is a physical object, but its effect is minimal and one that would not be so significant as to detract from the inherent attractiveness of Newcastle, its heritage buildings and protected structures. Further, it is noted that a substantial amount of modern development has taken place in the town, for example of the site of the Castle Tower House, recent grant for a Supervalu supermarket, proposals for a Lidl supermarket that if granted will impact The Loft / Kelly Estates building. Also substantial residential development has taken place and is further expected.

In addition, the application structure is situated 140m off the main street and is screened by large trees to the west and east. As stated earlier it is due to the height of the trees that a 24 metre high structure is required in this location.

Its impacts shall not in any way result in the level of visual impact determined by the local authority.

There are several town's comparable in attractiveness to Newcastle (e.g., Kinsale, Clonakilty, Birr, Listowel) where the presence of a town centre, or off-town centre, telecommunications structure,

such as a Garda communications mast has not detracted from the town's attractiveness. In fact, these structures generally go unnoticed. The applicant is of the view that the visual impact of the application structure is negligible and would have a far lesser effect on Newcastle than say a derelict site on the Main Street, a poorly painted shopfront or inappropriate shop signage.

In relation to the impact on the historic structures, we note that the nearest protected structures, the St Finian's R.C. Church, Newcastle National School Registration and The Loft (Kelly Estates) are all to the north of the proposed structure, on the Main Street and situated circa 110m to 32 m away. We cannot agree with the local authority assessment that the proposed development would injure the visual amenities of the area. The proposed structure is set well back from the Main Street which runs west to east and therefore direction of travel is at a 90' angle to the site in question.

It is inaccurate to state that the proposed development would have a negative impact on the either of the protected structures or on Newcastle's streetscape in general. The separation distances taken together with the intervening buildings, topography and high level of tree cover negate any visual connection in that regard.

Lastly, there are numerous vertical structures lining the streetscape, there are electricity and telegraph timber poles lining the street providing vital services to the town, in tandem there are styled lighting poles. Also it is interesting to note that many of the residential units, particularly to the north, that have very tall TV and satellite antennae equipment attached for services. This highlights a difficulty of securing the signal.

If granted permission, the application structure shall integrate into its surroundings and into the skyline together with the multiplicity of other manmade and natural objects to become, after a short period, a generally accepted and unnoticed feature save for the positive contribution it shall make to home, office working, retail and tourism all to the benefit of Newcastle businesses and residents generally.

### **10.3 Section 4.3 of The Telecommunications Guidelines 'Telecommunications Antennae and Support Structures.**

With reference to the Guidelines for Planning Authorities, DEHLG, 1996, under the Local Government Act an obligation is imposed on Planning Authorities ..... *"To have regard to policies and objectives of the Government or any Minister in so far as they relate to their functions. Government policy on the availability of top-quality telecommunications services throughout the State should therefore be taken into consideration ..."*

Section 4.3 of The Telecommunications Guidelines 'Telecommunications Antennae and Support Structures' states

*The visual impact is among the more important considerations which have to be taken into account in arriving at a decision on a particular application. In most cases the applicant will only have limited flexibility as regards location, given the constraints arising from radio planning parameters, etc.,*

*Some masts will remain quite noticeable in spite of the best precautions.*

A comprehensive photomontage has been provided with this appeal and addressed above. Although some impact will take effect it is submitted that this is not unduly negative, the surrounding trees, streetscape and various manmade features assist to assimilate the proposed structure into the environment. As mentioned earlier the height of 24 metres is required to overcome the height of the surrounding trees. The proposed structure provides a critical service for Newcastle which over recent years has grown from a village to a town.

The proposal meets with both the Development Plan and the Guidelines. It does not create a terminating view, does not impact any vulnerable features or amenities and is away from the protected sites or monuments. Therefore, 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.

It is therefore submitted to be incorrect to refuse the application on the grounds given.

Within Newcastle and the environs there is currently an obvious imbalance of facilitating the provision of telecommunications services in the interests of social and economic progress. Telecommunications services are essential for the economic development, for new and small businesses, tourism and in the interests of social and economic progress and maintaining a quality environment. This imbalance will be exasperated with both the growth of the town and the closure of 3G services when the need for the proposed structure will become even more critical.

## **11 Conclusion**

Vodafone's and Three Ireland's coverage in Newcastle is substandard and in need of significant improvement. It has been highlighted why the proposed structure is required and must be emphasised there is no alternative structure or location that will achieve the coverage objectives for the target area of Newcastle. As stated above, for modern services such as 5G within populated towns, it is necessary to be within close proximity to the service demand. Following the previous application, Vantage have taken into consideration the reason and secured the site in question to provide these vital services to Newcastle.

A comprehensive photomontage series has been submitted with the appeal process which demonstrates the visual impact of the structure is acceptable.

The application structure shall integrate into its surroundings and into the skyline and any visual impacts arising both within the immediate environs and when considered from the context of Newcastle village are minimal.

A grant of permission will allow the much-needed technological advancements to be completed in Newcastle. The structure will significantly improve Vodafone's and Three Ireland's coverage, it shall help eliminate coverage blackspots and shall make a significant positive contribution to the benefit of residents, businesses, and social enterprises in Newcastle, as well as to the local road network.

Vodafone and Three Ireland in their site selection and infrastructure development aim to provide their customers with a high-quality, high-speed network that can meet both current and future demand. When selecting a site, balance is sought between achieving technical objectives while also ensuring impact on local community is minimised. It is respectfully submitted that the subject application site achieves this.

Government policy and strategy from the top down promotes improved access to digital and broadband communications in a bid to revitalise rural Ireland, promote competitiveness, facilitate ICT structures, such as the application structure, are multi-decade essential infrastructure and must cater for existing customer needs but also future needs.

For the above reasons we respectfully request that An Bord Pleanála overturns the local authority decision to refuse permission and to grant permission for the application structure in due course.

Yours sincerely



Michael Foody  
Charterhouse,  
Agent for Vantage Towers

Appendix 1; Photomontage. 5 Viewpoints.