



An
Bord
Pleanála

Inspector's Report ABP-311575-21

Development

Construction of 24-metre monopole telecommunications support structure carrying antennae and dishes, together with associated ground equipment and ancillary works.

Location

St. Marys AFC, St. Marys Park, White Cross, Cork.

Planning Authority

Cork City Council

Planning Authority Reg. Ref.

21/40217

Applicant(s)

Cignal Infrastructure Ltd

Type of Application

Permission

Planning Authority Decision

Grant Permission

Type of Appeal

First-Party vs. Condition

Appellant(s)

Cignal Infrastructure Ltd

Observer(s)

None

Date of Site Inspection

13th April 2022

Inspector

Stephen Ward

1.0 Site Location and Description

- 1.1. The appeal site is located in the White's Cross area in the northern environs of Cork City. It is approximately 4km north of the city centre and is part of a transitional area between the expanding low-density suburbs and the surrounding rural countryside. The area is served by a local road which connects the Kilcool area (to the east) with the Old Whitechurch Road (to the west).
- 1.2. The site is annexed from the larger St Mary's Park playing fields and comprises an area of 0.016 hectares in the southeast corner of the park. The remainder of the park comprises football pitches, a clubhouse, storage shed, car-parking, and floodlights. An existing internal access road would provide access to the site. The surrounding area to the north, east, and west, consists of relatively flat topography. The site is more elevated in relation to land to the south.
- 1.3. Apart from an existing cemetery (to the north), the surrounding land to the north, west and south is largely undeveloped and is of rural character. There is an existing campsite to the immediate east. Further east of the site (c.300m) are the beginnings of low-density residential development which generally forms a continuous link with the expanding northern environs of the city.

2.0 Proposed Development

- 2.1. The proposed development comprises the erection of a 24m high multi-user monopole telecommunications structure to support antennae, dishes and equipment. It is intended to accommodate mobile network operators as well as local and national broadband providers and would allow all operators to deploy 3G and high speed 4G broadband services. In summary, the proposed development includes the following:
 - 24m high monopole support structure (25m with lighting finial)
 - Access track (3m wide x 30m long) to connect to existing internal access road
 - Site compound to be bound by 2.4m high palisade fencing and 2m wide access gate
 - Operator cabinets, power meters and associated equipment at ground level

- Attachment of several antennae, dishes and equipment to facilitate 3 future operators and a broadband provider.

2.2. In addition to the standard planning application documentation and drawings, the application was accompanied by the following:

- Supporting report from '4Site'
- Technical Justification report by 'Vilicom'
- Photomontage images and visual impact assessment.

3.0 Planning Authority Decision

3.1. Decision

By order dated 8th September 2021, Cork City Council (CCC) issued notification of the decision to grant permission subject to 15 conditions. Condition No. 2 of the decision is as follows:

The height of the permitted telecommunications mast shall not exceed 21m.

Reason: In the interest of visual amenity.

3.2. Planning Authority Reports

3.2.1. Further Information

Following an initial assessment of the application, a request for further information was issued. The issues raised can be summarised as follows:

- Identification of significant noise sources and outputs
- Proposals to screen the base area from public view, to include a landscaping plan.

3.2.2. Planner's Reports

The initial Planning Officer's assessment (14th July 2021) can be summarised as follows:

- Development Plan objectives support the provision of telecommunications infrastructure, and a case has been made in respect of broadband requirements for the area.
- The area is designated as 'Prominent and Strategic Metropolitan Greenbelt Areas requiring Special Protection' where it is an objective to protect the features and gaps between main Greenbelt settlements.
- The Development Plan recognises that there may be developments of strategic and exceptional nature that cannot be suitably located on zoned lands, and these may be accommodated on Greenbelt lands.
- The site is elevated and there will be views of the structure, particularly from the south. However, consideration can be given to a monopole structure at this location having regard to the established use of the site; the existence of floodlights (stated to be 18m); and the separation distance from the road and any residences. Landscaping proposals should be submitted to screen the base area.
- A further information request was recommended in accordance with the details outlined in section 3.2.1. above.

The subsequent Planner's report (8th September 2021) can be summarised as follows:

- The further information response was satisfactory.
- The height of the mast should not exceed 21 metres so that it merges better with the existing floodlight structures.
- Conditions are not required in relation to the lifetime of the permission; financial bonds for the reinstatement of the site; air safety lighting; or development contributions.
- A grant of permission was recommended, and this forms the basis of the CCC decision.

3.2.3. Other Technical Reports

Environment Report: The initial report of 11th June 2021 requested further information on noise sources and outputs. Following the further information response, the report of 25th August 2021 confirmed that there are no objections subject to conditions.

Contributions Report: No conditions apply.

Area Engineer: No objections subject to conditions.

3.3. **Prescribed Bodies**

Irish Aviation Authority: The Authority has no requirement for obstacle lighting in this case.

Cork Airport: No comment.

3.4. **Third-Party Observations**

None.

4.0 **Planning History**

The following applies to the overall park grounds.

P.A. Reg. Ref. 13/5136: Permission granted (March 2013) for erection of floodlighting structures to pitch No. 1 consisting of 6 No. 18m high masts.

P.A. Reg. Ref. 06/12414: Permission granted (September 2007) for demolition of clubhouse and construction of two storey clubhouse with training hall, dressing rooms, referee room, meeting rooms and installation of biocycle treatment plant and percolation area.

5.0 Policy & Context

5.1. National & Regional Policy/Guidance

Project Ireland 2040

- 5.1.1. The National Planning Framework (NPF) acknowledges that telecommunications networks play a crucial role in enabling social and economic activity. For rural Ireland, it states that broadband is essential enabling infrastructure that affords rural communities the same opportunities to engage with the digital economy as it does to those who live in our cities and towns. National Policy Objective 24 aims to 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. National Strategic Outcome 5 also recognises the importance of digital and data innovation in maintaining a strong economy supported by enterprise, innovation and skills.

Regional Spatial & Economic Strategy (RSES) for the Southern Region

- 5.1.2. The RSES sets out the strategic regional development framework for the Region, with a primary aim to implement the NPF at the regional tier of Government and to support the achievement of balanced regional development. It recognises that Enhanced quality and provision of digital and mobile telecommunications infrastructure is critical for the revitalisation of cities, towns, villages and rural areas. Aspects of relevant objectives can be summarised as follows:

RPO 46 Expedite infrastructure servicing diverse settlements, including high quality broadband and mobile communication services to all rural areas.

RPO 134 Support investment in broadband, fibre technologies, wireless networks and integrated digital infrastructures.

RPO 136 Expedite the implementation of the National Broadband Plan.

RPO 137 Strengthen high-speed, high-capacity digital and mobile infrastructure investment.

RPO 192 Plans should include cultural policies and objectives aimed at delivering and optimising high-speed broadband to support the digital media and remote working.

Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996)

- 5.1.3. These guidelines, hereafter referred to as the Telecommunications Guidelines, set out the criteria for the assessment of telecommunications structures. Section 3.2 sets out that an authority should indicate in their Development Plan an acceptance of the importance of a high-quality telecommunications service, as well as any locations where telecommunications installations would not be favoured or where special conditions would apply. Such locations might include high amenity lands or sites beside schools.
- 5.1.4. Section 4.3 outlines that 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. Whatever the general visual context, great care will have to be taken when dealing with fragile or sensitive landscapes. The sharing of installations and clustering of antennae is encouraged, as co-location would reduce the visual impact on the landscape according to Section 4.5 of the Guidelines.
- 5.1.5. The Guidelines acknowledge that some masts will remain quite noticeable in rural areas and local factors and the extent and magnitude of visibility will need to be considered. In city suburbs, operators should endeavour to locate in industrial areas/land, commercial/retail areas, and ESB substation sites. In urban and suburban areas, the use of tall buildings or other existing structures is always preferable to the construction of an independent antennae support structure. Only as a last resort should free-standing masts be located in a residential area or beside schools. If such a location is necessary, existing utility sites should be explored and the structure should be designed for the specific location, including minimum height and width.

5.1.6. Issued in 2012, this Circular Letter revises elements of the 1996 Guidelines. In summary, the revisions are as follows:

- Temporary permissions should only be used in exceptional circumstances where particular site / environmental conditions apply.
- Separation distances between telecommunication structures and sensitive receptors should not be incorporated into statutory plans.
- Bonds for the removal of structures should not apply.
- A register of approved structures should be maintained.
- Clarification that Planning Authorities do not have competence to assess health and safety matters as these matters are regulated by other codes.

5.2. Cork County Development Plan 2014

5.2.1. The subject site is now sited within the jurisdiction of Cork City Council, having been subject to a boundary extension / transfer with Cork County Council. The relevant Development Plan for the purposes of the assessment of this application remains the Cork County Development Plan 2014 (CDP), which will continue to apply in the 'transfer area' until such time as it is superseded by a new Development Plan currently being prepared by Cork City Council.

5.2.2. Relevant designations and policies of the Plan include the following:

High Value Landscape – Objective GI 6-2 aims to ensure that the management of development throughout the County will have regard for the value of the landscape, its character, distinctiveness and sensitivity as recognised in the Cork County Draft Landscape Strategy and its recommendations, in order to minimize the visual and environmental impact of development, particularly in areas designated as High Value Landscapes where higher development standards (layout, design, landscaping, materials used) will be required.

Prominent and Strategic Metropolitan Greenbelt – Objective GI 8-1 aims to protect those prominent open hilltops, valley sides and ridges that define the character of the Metropolitan Cork Greenbelt and those areas which form strategic, largely

undeveloped gaps between the main Greenbelt settlements. It is an objective to preserve them from development. Objectives RCI 5-1 to RCI 5-7 set out further policies for the protection of the Cork Metropolitan Greenbelt, with RCI 5-7 recognising that developments of a strategic and exceptional nature may be accommodated successfully in Greenbelt locations.

- 5.2.3. Section 9.7 of the CDP addresses Telecommunications Infrastructure. The following two objectives are set out under this Section:

ED 7-1 Telecommunications Infrastructure

Support the provision of telecommunications infrastructure that improves Cork County's international connectivity. Facilitate the provision of telecommunications services at appropriate locations within the County having regard to the DoEHLG "Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities". Have regard to environmental and visual considerations when assessing largescale telecommunications infrastructure.

ED 7-2: Information and Communication Technology

Facilitate the delivery of a high capacity ICT infrastructure and high speed broadband network and digital broadcasting throughout the County. Support a programme of improved high speed broadband connectivity throughout the County and implement the National Broadband Strategy in conjunction with the Department of Communications, Marine & Natural Resources.

5.3. Natural Heritage Designations

None.

5.4. Environmental Impact Assessment

The development is not of a class of development set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended). Accordingly, I am satisfied that EIA or EIA screening is not required in this case.

6.0 The Appeal

6.1. Grounds of Appeal

The applicant has appealed Condition no. 2 of the CCC decision, which requires a reduction in height of the proposed structure from 24 metres to 21 metres. It requests that the condition be removed, and the grounds of appeal can be summarised as follows:

Technical Justification and Coverage Requirements

- The requirement for a new site in the area is detailed in the Technical Justification report from Vilicom.
- To provide the best coverage for each co-locating network, a 24m monopole structure with headframe is proposed to avail of maximum height while maintaining horizontal separation between antennae.
- The Telecommunications Guidelines outline that the height and design of structures/equipment will normally be dictated by service requirements and some cases will require a trade-off between the height of a given structure and the number of base stations required.
- By imposing a lower height of 21m, the planning authority did not take sufficient regard of the design recommendations and coverage analysis. The further information request made no reference to a height reduction and compliance with the condition would require complete re-design which would radically alter the nature of the development. This departs from guidance contained in section 7.7 of the Development Management Guidelines for Planning Authorities.

Visual Impact

- The application includes a visual impact appraisal which assesses the extent and sensitivity of the visual impact from 12 viewpoints within a 400m radius of the site.
- The site is within a rural agricultural character area and can be described as having low sensitivity to changes, particularly elements which may be

prominent but not uncharacteristic in the context of the existing floodlights within the park.

- The viewpoint analysis indicates that the majority of views (i.e. those outside the park) are limited by topography and vegetation and would have an impact significance described as 'imperceptible'. The impact from the cemetery entrance (to the north) would be 'slight/imperceptible', while the impact from the Scouts' campsite to the south would be 'moderate/significant'. Otherwise, the views from within the park itself are described as 'slight' to 'moderate'.
- While lattice multi-user support structures would normally be the preferred solution in such cases, it has been agreed to use a monopole structure with headframe to be visually sympathetic to the floodlights and to allow for a reduced height.
- A height reduction to 21m is not expected to materially change impacts on the surrounding amenities of the area given that the greatest impact is within the park itself and the availability of screening in the wider area. Overall, given the technical requirements, the 24m structure is justified.

Policy

- Local and national policy supports continued investment in telecommunications infrastructure in order to compete in the Digital Economy, to support communication, and to enable social activity. The importance of tower infrastructure is growing, and wireless mobile communications will not be possible without them.
- The proposed multiuser structure is designed for co-location and will facilitate future equipment in the Whitecross area, which is known for poor mobile and data coverage.
- The demand for remote working is expected to continue and the expansion of services is necessary to maintain and improve expected service provisions.

6.2. Observations

None received.

6.3. Planning Authority Response

None received.

7.0. Assessment

7.1. Introduction

- 7.1.1. This first-party appeal relates only to Condition no. 2 and requests its omission from the CCC decision to grant permission. The proposal involves the erection of a multi-user telecommunications structure in a rural transitional area in the northern environs of Cork City. The application is supported by a 'Technical Justification' which identifies the areas of poor coverage at this location; establishes the lack of opportunity to co-locate on other existing structures; and demonstrates that the proposed development would result in significant service improvements. The appeal site is not within a residential area or close to a school and I am satisfied there are no other preferred locations (i.e. tall buildings, utility sites, industrial areas) that would suitably serve the target area. I note the location of the site within a 'greenbelt' area and that suitable development can be accommodated in such areas in accordance with CDP policy.
- 7.1.2. Having regard to the above, I consider that the proposed development would be consistent with national, regional and local planning policy to support telecommunications infrastructure in areas like this. I consider that the proposal for a new structure at this location is acceptable in principle and the planning authority clearly share this view. Accordingly, I do not consider that the determination by the Board of the application as if it had been made to it in the first instance would be warranted in this case and my assessment will be limited to the matters raised in relation to the terms of the condition, pursuant to the provisions of section 139 of the Planning and Development Act 2000 (as amended).
- 7.1.3. Having inspected the site and examined the application details and all other documentation on the appeal file and having regard to relevant local/national policies and guidance, I consider that the main issues for assessment relate to coverage requirements and visual amenity.

7.2. Coverage Requirements

- 7.2.1. The Telecommunications Guidelines outlines that the height of support structures will vary and that the height will normally be a function of the terrain, the cell size and coverage requirements. It will be dictated by the requirements of the radio parameters, the coverage and the projected number of customers. It highlights that there is a trade off between the height of any given mast and the number of masts required for network coverage. Thus, as a general principle, the higher the support structures the lesser the number of base stations required in order to coverage for a given area.
- 7.2.2. I am satisfied that the applicant has demonstrated that the proposed structure has been designed to respond to the particular conditions and coverage requirements of the area. The proposed 24m height already appears to have been minimised through the incorporation of a headframe which allows multiple operators to locate horizontally at the same elevation, rather than requiring additional height in a vertical arrangement. It has also been designed in the spirit of co-location which would facilitate multiple future operators.
- 7.2.3. I would accept that a 3-metre reduction in the overall height of the structure would have a significant impact on the capacity and coverage of the proposed development. It is also reasonable to assume that it would lead to a demand for additional standalone structures in the area, which would not be consistent with the Telecommunications Guidelines policy to support mast-sharing and co-location. Accordingly, I do not consider that condition no. 2 would be in accordance with the proper planning and development of the area unless it is suitably justified in terms of visual impact.

7.3. Visual Amenity

- 7.3.1. My assessment of the visual impact of the development is based on my site visit and the applicant's photomontage images, as well as the relevant details and documents on file. I acknowledge the location of the site within a wider 'High Value Landscape' and 'Greenbelt' area as per the CDP. However, it should also be noted that the site is already developed with floodlighting and that it is located on the fringe of an

expanding urban area. The site is not affected by any designated scenic routes or protected views or vistas.

- 7.3.2. The applicant's visual analysis is based on 12 viewpoints. Views 1-3 are taken from within the wider St Mary's Park grounds. With a height of 24m, I accept that the proposed structure would be higher than the existing 18m-high floodlights. However, the proposed structure is located at a distance to the rear of the park and, due to this background location, it generally appears consistent with the height and scale of the other floodlighting poles. Accordingly, I would concur with the applicant's conclusion that the impact significance would not be more than 'moderate'.
- 7.3.3. View 4 is the closest viewpoint to the proposed support structure. It presents the structure in the foreground, with the lower floodlighting poles in the background. Understandably, this is where the visual impact is most significant. However, I do not consider that this is a prominent or sensitive viewpoint, and the impact of the structure is still somewhat mitigated by the presence of similar poles and significant vegetation. Accordingly, I do not consider that the proposed structure would significantly detract from the visual amenity at this location.
- 7.3.4. Views 5 to 12 are generally taken from the adjoining road to the north and the existing residential area further to the east. Having regard to the topography of the area and the extent of existing development and screening vegetation between these viewpoints and the appeal site, I would concur with the applicant's conclusion that the visual impact of the development would be largely imperceptible.
- 7.3.5. Having inspected the site and surrounding area, I am satisfied that there are no other viewpoints from which the proposed development would result in any significant or unacceptable visual impacts. I consider that the proposed structure would successfully assimilate with its surrounding context and that the proposed height of 24m is acceptable. Accordingly, the requirement for a height reduction of 3 metres is not warranted in this case.

8.0 Appropriate Assessment

The nearest Natura 2000 site is the Cork Harbour SPA (Site Code 004030) located c. 5.5km to the southeast of the appeal site. Having regard to the limited extent of the proposed works and the significant distance between the appeal site and the

Natura 2000 network, I do not consider that there is any likelihood of significant effects in this case. Accordingly, no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect either individually or in combination with other plans or projects on a European site.

9.0 Recommendation

I consider that the determination by the Board of the application as if it had been made to it in the first instance would not be warranted and that assessment should be limited to the matters raised in relation to the terms of the condition, pursuant to the provisions of section 139 of the Planning and Development Act 2000 (as amended). I recommend that the Planning Authority be directed to REMOVE Condition no. 2 for the reasons and considerations set out hereunder.

10.0 Reasons and Considerations

Having regard to the height and design of the proposed support structure and the pattern and character of development in the surrounding area, it is considered that the proposed development would facilitate co-location and mast-sharing in accordance with the recommendations of 'Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities' (Department of Environment and Local Government 1996) and would not detract from the visual amenity of the area. Accordingly, it is considered that Condition no. 2 of the Planning Authority's decision, requiring a maximum height of 21 metres, is not warranted in this case.

Stephen Ward
Senior Planning Inspector

14th April 2022