



An
Bord
Pleanála

Inspector's Report ABP315862-23

Development	Replacement of 12m high wooden pole with a 15m high monopole telecommunications structure, with antennas, dishes and associated infrastructure
Location	eir Exchange, Lower Road, Knocknagree, Co Cork.
Planning Authority	Cork County Council.
Planning Authority Reg. Ref.	22/05119.
Applicant(s)	Eircom Ltd (t/a eir).
Type of Application	Planning permission.
Planning Authority Decision	Refusal of permission
Type of Appeal	First Party
Appellant(s)	Eircom Ltd (t/a eir)
Observer(s)	None.
Date of Site Inspection	3 rd May 2023
Inspector	Ann Bogan.

1.0 Site Location and Description

- 1.1. The site is located in the village of Knocknagree in County Cork, close to the Cork Kerry border, approximately 15km from Millstreet and 4km from Rathmore. The village is centred around the historic Fair Green (a protected structure), an open grassed and landscaped area. Arranged around the Green to the north and south, is a row of one and two storey residential and commercial buildings, many of traditional /vernacular design. There is also a 19th century church located on the northside of the Fair Green. The L1108 referred to as Lower Road, runs along the southern side of the Fair Green.
- 1.2. The proposed telecommunications mast would be located beside the eir Exchange on the southern side of the Fair Green. The Exchange is a .01ha area site with a single storey flat roofed Exchange building and an existing 12 m wooden mast located on its western side. A barn is located to the west of the Exchange, with dwellings beyond it, and a domestic garage and some dwellings to the east.

2.0 Proposed Development

- 2.1. The proposed development consists of the removal the existing 12m high wooden pole and the erection of a 15m high monopole telecommunications mast with antennas, dishes and associated telecommunications equipment, topped by a 1.5m lightning finial. The new steel mast would be located to the west of the 6.5m high Exchange building, towards the rear of the site. Operating equipment including antennae would be fixed towards the top of the pole in two clusters. Two cabinets to be located on the eastern side of the Exchange would house additional equipment.
- 2.2. Further information was sought on 11th July 2022 in the form of a request for a visual impact assessment and photomontages of the proposed development, including close mid and far range viewpoints, in particular close range viewpoints of the Fair Green (a Protected Structure) and the Church (a Recorded Monument and on NIAH). A visual impact assessment was received on 19th December 2022 which included seven photomontages. It asserted that the proposed structure would have an acceptable impact on the character and setting of the area and would not adversely affect the visual amenity of the area.

3.0 Planning Authority Decision

3.1. A decision to refuse planning permission was issued by Cork County Council on 24th January 2023 for the following reason:

‘The proposed 15m high monopole telecommunications structure together with antennas, dishes and associated telecommunications equipment, which proposes to replace a 12m high wooden pole, is located in close proximity, and opposite the Fair Green, Knocknagree, which is a Protected Structure no. 00255. In addition, it also has a relationship with the Village Church, nearby and opposite, which is a Monument (CO029-087) and is listed on the National Inventory of Architectural Heritage (Reg No20902901 with a Regional rating.

Overall, and on balance, it is considered that the 15m high mast and antennae, by reason of its scale, height and utilitarian nature, would be out of keeping with its historic surroundings, constitute a visually discordant feature that would be detrimental to the distinctive architectural and historic character of the area, which is appropriate to preserve and would seriously injure the visual amenity of the area and appreciation of protected structures within the wider vicinity, and would as a result be contrary to the proper planning and sustainable development of the area. The proposed development would materially contravene ‘Objective HE16-14:Record of Protected Structures’ as well as HE 16-15: Protection of Structures on the NIAH’ and would therefore be contrary to proper planning and sustainable development’.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Report dated 11th July 2022: The Planning Officer considered the applicants contention that there is on-going poor coverage in the area and no other suitable structures for antenna in the wider area, and concluded the key issues were the visual impact of the proposed development on the Fair Green, Church and impacts on the residential area of Knocknagree. A Visual Impact Assessment was therefore requested by way of Further Information.

Report of the Planning Officer date 23rd January 2023 – having considered the Visual Impact Assessment and Development Plan and National policies, the Planning Officer concluded that serious concern remains in respect of the visual impact of the mast on its immediate environment in close proximity to the Fair Green, and Church, and refusal was recommended.

The Planning Officer's reports informed the Planning Authority decision to refuse planning permission for the proposed development.

3.2.2. Conservation Officer

- Stated *'the proposed structure being in the immediate vicinity of a protected ensemble of traditional/vernacular design, low scale, high integrity, high significance and marked horizontally has a high negative visual impact on the protected structure and neighbouring church introducing an element of a utilitarian scale design and height completely discordant with its historic context'*.
- Notes the reduction in height from previous application but is of the view that it looks substantially the same and is of considerable scale.
- In summary, recommends refusal as the structure would be detrimental to the distinctive architectural and historic character of the area and would seriously injure the visual amenity of protected structures in the vicinity, contravening HE 16-14 of the Development Plan

3.2.3. Other technical Reports

Area Engineer: Recommends permission subject to standard conditions

Environment Section/Broadband Officer: Recommends conditions requiring the decommissioning of the structure when no longer in use and for it to be made available for use for co-location by other operators, as well as standard conditions relating to noise, waste, drainage, etc.

3.3. Prescribed bodies

Irish Aviation Authority (IAA): No requirement for obstacle lighting on the proposed communications structure.

4.0 Planning History

20/06320: Refusal of permission on subject site for an 18m high monopole telecommunications support structure with antennas, dishes, on the eastern side of the Exchange site (not appealed) for reasons similar to the refusal reasons attached to the current Planning Authority decision: due to its scale, height and utilitarian nature it would seriously injure the visual amenity of protected structures in the vicinity and be contrary to the objectives of Cork County Development Plan 2014; and that it would be out of keeping with the distinctive architectural and historic character of the area and be seriously injurious to the amenities of the area.

5.0 Policy and Context

5.1. Development Plan

Cork County Development Plan 2022-2028

Volume 3: North Cork

Knocknagree is classified as a key village in the County Development Plan and relevant extracts from the plan are set out below:

2.17.2 Local Context

'Knocknagree is situated adjacent to the County Kerry border. The village is approximately 15km to the northwest of Millstreet and 4km north of Rathmore. The village exhibits a formal layout with the strong streetscape of two storey dwellings around the Fair Green area providing a strong focus for the village centre. This Fair Green runs on an east-west axis and is a particularly prominent and unique feature in the area....'

2.17.7 Placemaking

'The Fair Green area provides a strong and attractive focus for the village centre. The traditional style terrace housing and green have pleasant views out to the wider countryside and mountains to the south....'

Specific Development Objective for Knocknagree

GR-01 Fair Green: Passive public open space with parking provision

Volume 1 Main Policy Material

The importance of telecommunications infrastructure for the social and economic well being of communities, as well as the need to protect the urban and rural landscape from significant impact are recognised in the plan:

‘13.18 Communications and Digital Connectivity

13.8.1 Access to high quality digital and mobile telecommunications infrastructure is critical to the social and economic wellbeing of communities and can support the revitalisation of towns, villages and rural areas. Developments in digital, information and communications technology continue to fundamentally change how our society and economy functions. The relational proximity of all locations will improve with advances in technology. To optimise the opportunities from smart technology, access to high-speed, high capacity digital and communications infrastructure needs to improve across the County.

13.8.2 The Council recognises the provision of a modern, efficient communications system and digital connectivity is essential for the economic development of the region and supports the development of the new Smart Region and Smart Technology initiatives that are coming on stream in urban and rural areas. Enhanced digital connectivity and the roll out of smart technologies can improve quality of life by offering new choices in services, education, employment, entertainment, communications, mobility etc.

13.8.3 While the importance of telecommunications infrastructure is acknowledged, it is equally as important that the landscape, both urban and rural, are considered and protected from any significant impact caused by such infrastructure. Visual impact should be minimal in the landscape and therefore, telecommunications infrastructure will be subject to a Visual Impact Assessment. Environmental, heritage and ecological impacts of any such infrastructure will also be assessed in accordance with standard Council policies and procedures’.

‘County Development Plan Objective ET 13-28: Information and Communications Technology

a) Facilitate the delivery of a high-capacity ICT infrastructure and high-speed broadband network and digital broadcasting throughout the County in accordance with the Guidance on Environmental Screening / Appropriate Assessment of Works in relation to the Deployment of Telecommunications Infrastructure (2020)’.

The rural economy

The importance of digital connectivity for economic development in rural areas is also recognised in the Development Plan:

‘8.15.1.....’Good digital connectivity is considered to be vital to the rural economy and is discussed further in Chapter 13 Energy and Telecommunications’.

8.15.2 recognises the economic role of smaller settlements for their hinterlands and aims to support infrastructure projects including the provision of high-quality broadband and mobile communication services to all rural locations’.

Protected Structures

The Plan includes policies to provide for protection of structures on the Record of Protected Structures and their curtilage and to protect buildings on the NIAH, which are relevant to this case:

Record County Development Plan Objectives HE 16-14: Record of Protected Structures:

‘d) Ensure the protection of all structures (or parts of structures) contained in the Record of Protected Structures.

e) Protect the curtilage and attendant grounds of all structures included in the Record of Protected Structures.

f) Ensure that development proposals are appropriate in terms of architectural treatment, character, scale and form to the existing protected structure and not detrimental to the special character and integrity of the protected structure and its setting.

g) Ensure high quality architectural design of all new developments relating to or which may impact on structures (and their settings) included in the Record of Protected Structures.....’

County Development Plan Objectives HE 16-15: Protection of Structures on the NIAH

‘Protect where possible all structures which are included in the NIAH for County Cork, that are not currently included in the Record of Protected Structures, from adverse impacts as part of the development management functions of the County’.

Volume 2 of the County Development Plan: The Fair Green is included in the Record of Protected Structures (No 00255).

Church of Christ the King Knocknagree, is a recorded monument (CO029-087) and is listed on the National Inventory of Architectural Heritage (Reg No20902901) with a Regional rating.

5.2. National Policy

5.2.1. National Planning Framework

‘National Policy 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’.

‘National Policy Objective 48: In co-operation with relevant Departments in Northern Ireland, develop a stable, innovative and secure digital communications and services infrastructure on an all-island basis.’

5.2.2. The Telecommunications Antennae and Support Structures: Guidelines for Planning Authorities (Dept. of Environment, 1996).

The guidelines aim to provide a modern mobile telephone system as part of national development infrastructure, whilst minimising environmental impact. Amongst other things, the Guidelines advocate sharing of installations to reduce visual impact on the landscape.

The Guidelines state: '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'.

The guidelines also note that 'Only as a last resort ...should free-standing masts be located in a residential area or beside schools. If such a 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 and should be monopole (or poles) rather than a latticed tripod or square structure'.

4.3 Visual Impact: The guidelines note that visual impact is one of the more important considerations which have to be taken into account and also that some masts will remain quite noticeable in spite of the best precautions.

4.5 Sharing Facilities and Clustering: Applicants will be encouraged to share facilities and to allow clustering of services and will have to satisfy the Planning Authority that they have made a reasonable effort to share.

5.2.3. **Circular Letter PI07/12 'Telecommunications Antennae and Support Structure Guidelines'**

This Circular was issued to Planning Authorities in 2012 and updated some of the sections of the above Guidelines including ceasing the practice of limiting the life of the permission by attaching a planning condition.

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'.

5.3. **Natural Heritage Designations**

The site is approximately 1km from River Blackwater Special Area of Conservation (SAC)

5.4. **EIA Screening**

Having regard to the nature and scale of the proposed development, comprising of erection of a 15m high communications mast, it is considered that there is no real likelihood of significant effects on the environment arising from the proposed development. The need for an environmental impact assessment can, therefore, be excluded by way of preliminary examination.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

- Vodafone's coverage in Knocknagree is substandard and in need of improvement. 4G coverage is 'fair' and 5G is not available. Maps from ComReg website show the gaps in coverage in the area. The existing installation located at the Exchange is not capable of providing the level improved service and coverage required.
- Locating the proposed structure at the existing Exchange will allow use of established utilities and links within the Vodafone network. It is economical for the business and avoids the need for alternative development in the area.
- There are no alternative locations suitable to provide the necessary modern services and coverage. Three existing telecommunications structures within 5km of Knocknagree were examined and a fourth 8km distant, but all were found to be too distant to give adequate coverage.
- Applicant considers Section 13.8.3 of the County Development Plan (which states that it is important that the urban and rural landscape be protected from significant impact of communications structures), to be weak as by the nature of a mast it will have a visual impact, and by the nature of modern technologies and associated demand, masts will be brought into sensitive

landscapes, towns and villages. Contends that the proposal meets the County Plan policies on Information and Communications Technology as it provides critical services to Knocknagree.

- Proposed 15m pole is the minimum height that can achieve the basic target coverage.
- The proposal is essentially an upgrade on the existing pole which has been in place for 20 years, is only 3 m higher than the existing pole and the monopole form is slim. It is submitted it does not seriously injure the visual amenity of the protected structures within the vicinity and does comply with the Development Plan and 1996 Guidelines and National Policy. The base of the structure will be concealed by the existing Exchange and due to the location of the structure in relation to the Green and the associated trees it will not impact on the Green to the extent it warrants a refusal. Existing tall mature trees to the rear of the Exchange will provide a backdrop for the structure and also screen it from the rear.
- The Church is on the opposite side of the Green and therefore views of the church and the proposed structure will not be together and therefore not comparable. It is submitted that existing poles and wires have more of an intrusive visual impact on the church than the proposed structure would.
- Appellant refers to Section 4.3 of the 1996 Guidelines in relation to visual impact, where reference is made to the lack of flexibility available to applicants as regards suitable location, and the recommendation to use sites already developed for utilities, where locations within towns and villages or near residential areas should become necessary.
- While the proposed monopole would be visible in certain views, these would be intermittent and incidental so that it would not be detrimental to the overall amenity of the area. The proposed structure would be noticeable rather than obtrusive and would reasonably assimilate into the village landscape, within an established utilities setting.

6.2. **Planning Authority Response**

- Planning Authority advises that all relevant issues have been covered in the technical reports forwarded. No further comment.

6.3. **Observations**

- None

6.4. **Further Responses**

- None

7.0 **Assessment**

7.1. The main issues that arise for assessment in relation to the appeal can be addressed under the following headings:

- Principle of development
- Requirement for development
- Visual impact
- Impact on recreational and residential amenity
- Appropriate Assessment

7.2. **Principle of Development**

There are no site specific land use zonings in the village of Knocknagree, apart from the specific objective for (GR01) for use of the Fair Green as a public open space and car parking. The subject site has been in use as an Exchange and has had a telecommunications pole in place for a considerable time period. Therefore, the principle of a utility use of the site has been established.

7.3. Requirement for the Development

- 7.3.1. The applicant has justified the proposed development on the basis that it would greatly improve Vodafone's 4G service in the Knocknagree area which is currently classified by ComReg maps as 'fair', as well as providing for a 5G service. In addition, they submit that the use of the existing Exchange site will allow use of established utilities and links and would be economic from a business perspective and 'avoid other development in the area'. The applicant also states that the proposed structure would also be suitable for co-location by other providers.
- 7.3.2. Three alternative sites approximately 4km from the proposed site were considered by the applicant and a further site 8km distant. All of these sites already house telecommunications infrastructure and Vodafone already has a presence at two of them. These sites were discounted based on distance and even if facilities were upgraded, they would not achieve the desired extent and quality of coverage. I am satisfied that the applicant has established the need for an upgrade in services for the area and that the proposed development would improve services in Knocknagree, as well as providing potential for future co-location, and that they have considered alternative sites that already have telecommunications structures in the area.
- 7.3.3. The applicants contend that due to the mature nature of the Vodafone network in respect of coverage overlap and links for line of sight the area suitable for a new structure is very limited and that due to this and technical issues and planning considerations the subject site is the only realistic site available. It is accepted that the reuse of the existing utility site is the most obvious solution when selecting a location in Knocknagree, but apart from the general statement of lack of alternative suitable sites it is not clear from the information supplied that the applicants considered or assessed the suitability of any alternative locations/sites in the immediate vicinity of or near Knocknagree village.

7.4. Visual Impact

- 7.4.1. The proposed structure is located in the centre of Knocknagree Village across the road from the Fair Green (protected structure) and opposite the Church (recorded monument and on NIAH). While I acknowledge the proposed development would

improve telecommunications services to the village, I would be concerned of the visual impact it would have on the village centre. The Visual Impact Assessment submitted by way of further information shows that in mid and far range views the visual impact of the structure is of a relatively low level due to distance and being partially obscured by the surrounding vegetation and landscape. However, the proposed 15m monopole would be clearly visible within the low-rise streetscape of the centre of the village.

7.4.2. In my opinion, having visited the site and surrounding area and reviewed the photomontages, the proposed monopole and antennae and equipment would visually dominate the village centre and surrounding streetscape, including the Fair Green and Church, due to the nature and scale of the structure. While the Exchange would largely conceal the base of the structure and trees on the green would partially screen it from certain locations, the overall impact is overbearing, discordant and negative on the historic landscape and streetscape of the Fair Green and the surrounding buildings. It would have a detrimental impact on the distinctive architectural character of the village and would seriously injure the visual amenity of the protected Fair Green and the Church and I believe it would be an inappropriate form of development in the area.

7.4.3. In my view the proposed development would not comply with the County Development Plan requirement in Section 13.8.3 that the urban landscape be protected from significant impact from telecommunications structures: '*While the importance of telecommunications infrastructure is acknowledged, it is equally as important that the landscape, both urban and rural, are considered and protected from any significant impact caused by such infrastructure*'. Furthermore, I believe it would contravene the Development Plan objectives requiring the protection of protected structures and their curtilage (HE16-14) as well as buildings on the NIAH (HE16-15) and would not be in keeping with the guidance provided in the 1996 Telecommunications Guidelines that only as a last resort should such masts be located in towns and villages.

7.5. Impact on recreational and residential amenity

7.5.1. The Fair Green is the main recreational amenity area for the village and incorporates landscaped seating areas, trees and a play area. It is noted that some of the

buildings, in particular some of the houses on the southern side of the square have limited private amenity space so the Fair Green serves as an amenity area for them. I am of the opinion the structure would impact negatively on the Fair Green as a recreational amenity, due to its scale and overbearing nature. Furthermore, while the buildings immediately adjoining the Exchange site are not in active residential use, I believe the proposed development would have a significant impact on the residential amenity of nearby residential buildings in particular those to the east, and would be visually obtrusive when viewed from their private grounds.

- 7.5.2. On balance, whilst it is acknowledged that the improvement of telecommunications infrastructure is supported by national guidance and the development plan, in my opinion this is outweighed by the impact the proposed development would have on the visual amenity and character of the historic village centre and protected structures and on residential and recreational amenity, due to its scale, form, location and overbearing nature.

7.6. Appropriate Assessment

Having regard to the nature and scale of the proposed development and its location relative to Natura 2000 sites and a lack of ecological or hydrological connection between the development and any European site, no appropriate assessment issues arise and it is not considered that the development would be likely to have a significant effect, either individually or in combination with other plans or projects, on a European site.

8.0 Recommendation

- 8.1. I recommend that planning permission be refused for the proposed development.

9.0 Reasons and Considerations

1. Having regard to the nature and scale of the proposed development for a 15 metre telecommunications monopole and associated infrastructure in the centre of the village of Knocknagree, it is considered that the proposed development would result in a significant and negative visual impact on the

village centre and in particular on the Fair Green, the low-rise traditional buildings making up the streetscape around it, and the nearby Church, which is a National Monument and on the NIAH. It would also be contrary to national guidance as set out in section 4.3 of the Department of the Environment and Local Government Planning Guidelines 'Telecommunications Antennae and Support Structures' (1996) which seeks to limit such development in town and villages; and would not be in accordance with the Cork County Development Plan which stresses the importance of ensuring that the landscape, both urban and rural, are protected from any significant impact caused by telecommunications infrastructure (Section 13.8.3). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area

2. The proposed development by reason of its scale and overbearing nature would seriously injure the visual amenity and appreciation of the protected structure in the vicinity, namely the Fair Green, and would materially contravene Objective HE 16-14 of the Cork County Development Plan which seeks to protect structures on the Record of Protected Structures and their curtilage and attendant grounds and would therefore be contrary to the proper planning and sustainable development of the area.

3. Having regard to the Department of the Environment and Local Government Planning Guidelines 'Telecommunications Antennae and Support Structures' (1996) and the height, scale and location of the proposed development close to residential development, it is considered that the proposed development would have an overbearing impact on the nearby houses and would be visually obtrusive when viewed from the attendant open space of the houses. The proposal would therefore be seriously injurious to existing residential amenity. It would also have a negative impact on the Fair Green as a public open space amenity serving the

residents and local community, as identified in the County Development Plan Knocknagree Specific Objective GR-01. It would therefore be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Ann Bogan
Planning Inspector

10th May 2023