



An
Bord
Pleanála

Inspector's Report

ABP-319135-24

Development

Permission for the replacement of an existing 12 metre high wooden pole with a new 15 metre high shrouded pole (16 metre overall height to top of lightning finials) together with antennas, dish, associated telecommunications equipment and ground level equipment cabinet

Location

Eir Exchange, Lower Road,
Knocknagree, Co. Cork

Planning Authority

Cork County Council

Planning Authority Reg. Ref.

236375

Applicant(s)

Eircom Ltd. (t/a eir)

Type of Application

Permission

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party

Appellant(s)

Eircom Ltd. (t/a eir)

Observer(s)

None

Date of Site Inspection

27th August 2024

Inspector

Matthew McRedmond

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1.0 Site Location and Description

- 1.1. The site is in the village of Knocknagree in County Cork, close to the Cork/Kerry border. 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 0.01ha 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 of an existing 12m high wooden pole, to be replaced by a 15m shrouded pole that extends to 16m to top of attached lightning finials, together with antennas contained within the pole, an external attached dish and associated operators' cabinet at ground floor level.

3.0 Planning Authority Decision

3.1. Decision

On the 30th January 2024, Cork County Council refused permission for the proposed development for the following reasons:

1. The proposed structure, 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 and appreciation of Protected Structures within the wider vicinity. The proposed development would materially contravene 'Objective HE 16-14: Record of

Protected Structures’ whereby it is a Policy to ‘Protect the curtilage and attendant grounds of all structures included in the Record of Protected Structures’, as well as ‘HE 16-15: Protection of Structures on the NIAH’, whereby it is a policy to protect them ‘from adverse impacts as part of the development management functions of the County,’ and would therefore be contrary to proper planning and sustainable development.

2. Having regard to the nature and scale of the proposed development for a 15 meter high shrouded pole 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.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Local Authority Planner had regard to the locational context of the site, planning history including any pre-planning engagement, national and local policy and to the referral responses and submissions made. Their assessment included the following:

- Issues with planning status of existing mast
- Separate application for 30m high mast to the north east (ref. 23/05836) is noted

- Justification for subject proposal lacks evidence to support the view that no alternative sites available.
- Trees providing screening as relied upon by the applicant could be removed at any stage as they are outside the red line boundary.
- The comments of the conservation officer were noted.
- Having considered the Visual Impact Assessment and Development Plan and National policies, the Planning Officer concluded that concern remains in respect of the visual impact of the mast on its immediate environment in close proximity to the Fair Green, and Church.

3.2.2. Conservation Officer Report

- Notes the 7no. viewpoints submitted with 5 of these considered to be specifically selected to show minimal visual impact.
- While technical necessity for telecommunications structure is noted, impacts of proposal are significant.
- 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 and 16-15 of the Development Plan

3.2.3. Other Technical Reports

- Area Engineer - Recommends permission subject to standard conditions.

3.3. Prescribed Bodies

Irish Aviation Authority (IAA)

IAA advise there is no requirement for obstacle lighting on the proposed communications structure.

3.4. Third Party Observations

None on the file.

4.0 Planning History

22/05119: Refusal of permission for the removal of 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 decision was appealed by the applicant and refused by An Bord Pleanála.

20/06320: Refusal of permission on subject site for an 18m high monopole telecommunications support structure with antennas and dishes. Refused 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.

Surrounding Area

Reg. Ref. 23/03586: On 23rd February 2024, Cork County Council granted permission for a 30m telecommunications mast, approximately 400m north east of the appeal site.

5.0 Policy Context

5.1. National Policy

‘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.’

5.1.1. **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 must 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.

The Guidelines also note *‘Proximity to listed buildings, archaeological sites and other monuments should be avoided.’*

5.1.2. 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’.

5.2. Development Plan

Cork County Development Plan 2022-2028

The current Development Plan came into effect on 6th June 2022. The subject appeal was submitted under the provisions of this plan.

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....’

The Development states it is considered that the development boundary provides sufficient capacity to cater for the future development needs of the village and that the village could support the development of up to 20 dwellings over the plan period.

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.

X-01 - Use for business / retail development including convenience retail, light industry, wholesaling trade showrooms, incubator units and car showrooms.

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:

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.

5.3. Natural Heritage Designations

5.3.1. The site is approximately 1.3km to the east of the River Blackwater Special Area of Conservation (SAC) (Site Code: 002170).

5.4. EIA Screening

5.4.1. The proposed development is not a class of development under Schedule 5 of the Planning and Development Regulations, 2001, as amended, and therefore EIAR screening is not required.

6.0 The Appeal

6.1. Grounds of Appeal

A first party appeal was submitted by the applicant against the decision of the Planning Authority. The main issues raised by the appellant can be summarised as follows:

- The subject site is an existing utilities site with a history of telecommunications use. There has been telecoms infrastructure on the subject site for over 20 years.
- Demand has grown for internet services, which has given rise to the need to upgrade existing facilities in line with the Telecommunications Guidelines 1996.
- The shrouded monopole structure is considered an appropriate design in a village centre setting.
- The proposal will result in enhanced 4G/5G coverage to the village.
- Upgrade requirements cannot be provided with the existing infrastructure, which would only support omni directional antenna which is limited to 2G and 3G services.
- The 15m proposed height would clear existing treelines to provide adequate coverage.
- The proposed structure could accommodate additional telecoms equipment in a discreet manner.
- It is not uncommon for such structures to be in close proximity to towns or villages and the presence of commercial and retail premises, dwellings and recreational uses in the area increases demand and justification for the proposed infrastructure.
- The position of the site in the context of the varied roofscapes, streetlights, electricity poles, existing telecoms infrastructure and natural screening all mitigate the visual impact of the proposal. Photomontages provided support this position and illustrate the visual impact will not be significant nor detrimental to the special character or protected structures in the area.
- The subject proposal replicates as close as possible the existing installation on site while also providing necessary technical upgrades.
- The proposal is consistent with local and national policy in relation to the provision of necessary broadband services.

- There is established precedent for the granting of permission for structures of similar design and height.

6.2. Planning Authority Response

The Planning Authority advised 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. Having reviewed the details and appeal documentation on the file, the submissions made, having visited the site, and having regard to relevant local and national policy and guidance, I consider the main issues to be the following:

- Requirement for the Proposed Development
- Visual Impact
- Impact on Built Heritage and Recreational Amenity
- Appropriate Assessment

7.2. Requirement for the Proposed Development

7.2.1. The applicant has justified the proposed development on the basis that it would greatly improve Vodafone's 4G service in the Knocknagree area as well as providing for a 5G service. Service is currently classified by ComReg maps as 'fair'. 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 be suitable for co-location by other providers. I am satisfied that the applicant has established the need for an upgrade in Vodafone

services for the area and that the proposed development would improve services in Knocknagree, as well as providing potential for future co-location.

- 7.2.2. 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.
- 7.2.3. An additional 30m mast site has now also been granted permission by Cork County Council, approximately 400m north east of the appeal site (Reg. Ref. 23/03586). This is an alternative site location that was not considered by the applicant.
- 7.2.4. 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. I accept that the reuse of the existing utility site is an 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.
- 7.2.5. Given the recent approval of a 30-meter lattice structure to the north of the village, which has been identified as suitable for co-location, I am not satisfied that the requirement for the proposed development is justified.

7.3. Visual Impact

- 7.3.1. The proposed structure is located in the centre of Knocknagree Village directly adjacent to the Fair Green (protected structure) and approximately 100m south of the Church (recorded monument and on NIAH).
- 7.3.2. Section 13.3.8 of the Cork County Development Plan states: *'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'*

7.3.3. While I acknowledge the proposed development is at the site of an established telecoms pole, that has a level of existing visual impact and the proposal would improve telecommunications services to the village, I would be concerned the proposed design would have an unacceptable visual impact 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. The visual impact is also mitigated by existing electricity poles and wires in the village skyline. However, as evidenced during my site inspection, the existing mast is intermittently visible and the proposed 15m monopole would be clearly visible within the low-rise streetscape of the centre of the village and would extend to an unacceptable height within the village skyline.

7.3.4. 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 views of this area from the 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 must also be noted that during winter months, the proposal would be even more visible when the level of screening from existing trees would be minimised.

7.3.5. 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. The proposal would have a detrimental visual impact on the distinctive architectural character of the village and would seriously injure the visual amenity of the protected Fair Green and I believe it would be an inappropriate form of development in the area.

7.4. Impact on Built Heritage and Recreational Amenity

7.4.1. The Fair Green represents a significant asset of built heritage for Knocknagree, is the main recreational amenity area for the village and incorporates landscaped seating areas, trees and a play area. Specific Development Objective GR-01: Fair

Green as set out in the County Development Plan identifies the area for passive public open space with parking provision.

- 7.4.2. The built heritage merits and recreational amenity value of the Fair Green are strongly interlinked in my opinion. 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.
- 7.4.3. 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, notwithstanding the existing smaller and more slender mast at this location.
- 7.4.4. While the design changes to the development previously refused permission (ABP Ref. 315862-23) are noted, the proposed development has not adequately addressed the previous reasons for refusal in relation to the impacts on the area.
- 7.4.5. 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 character of the historic village centre and protected structures, and on the recreational amenity of the area, due to its scale, form, location and overbearing nature. The proposal should therefore be refused permission as it negatively impacts on Fair Green, which has a specific development objective as an area of Open Space under Objective GR-01 in the County Development Plan.

8.0 AA Screening

- 8.1. 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.

9.0 Recommendation

I recommend that planning permission be refused for the proposed development for the following reasons and considerations.

10.0 Reasons and Considerations

1. The proposed development by reason of its scale and overbearing nature would not be in accordance with the Cork County Development Plan 2022-2028 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 requirement for the proposed development has not been adequately justified by the applicant, would seriously injure the visual amenity of the area and would therefore be contrary to the proper planning and sustainable development of the area.
2. 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 impact on the village centre and in particular on the Fair Green, which is a protected structure, and the low-rise traditional buildings making up the streetscape around it. The proposal 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 the proposed development 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 a negative impact on the Fair Green as a public open space/recreational

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.

Matthew McRedmond
Senior Planning Inspector

05th September 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	ABP-319135-24			
Proposed Development Summary	Permission for the replacement of an existing 12 metre high wooden pole with a new 15 metre high shrouded pole (16 metre overall height to top of lightning finials) together with antennas, dish, associated telecommunications equipment and ground level equipment cabinet			
Development Address	Eir Exchange, Knocknagree, Co. Cork			
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes		
		No	√	
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?				
Yes			EIA Mandatory EIAR required	
No			Proceed to Q.3	
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?				
		Threshold	Comment (if relevant)	Conclusion
No		N/A		No EIAR or Preliminary Examination required
Yes		Class/Threshold.....		Proceed to Q.4

4. Has Schedule 7A information been submitted?

No		Preliminary Examination required
Yes		Screening Determination required

Inspector: _____ **Date:** _____