

Hendrik W van der Kamp, MScEng, FIPI, MIEI
Town Planner
1, Woodstown Court
Knocklyon
Dublin 16

Tel: 087 2020387 E-mail: hendrikwvanderkamp@outlook.com

Observation on a Planning Application

Statement of observation in relation to the planning application by Ontower Ireland Limited to South Dublin County Council to replace an existing decommissioned 12 m chimney flue with a 20 m multi-user telecommunications support structure to include antennas and dishes at Ballyroan Community and Youth Centre, Marian Road, Rathfarnham, Dublin 14.

The observation is made on behalf of the Butterfield District Residents' Association, 30, Ballyroan Crescent, Rathfarnham, Dublin 16. Planning register reference: **SD21A/0155**.

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1 Introduction

This observation is on a planning application to South Dublin County Council by Ontower Ireland Limited to replace an existing decommissioned 12 m chimney flue with a 20 m multi-user telecommunications support structure to include antennas and dishes at Ballyroan Community and Youth Centre, Marian Road, Rathfarnham, Dublin 14.

The planning application has ref. no. **SD21A/0155** and was received on **10th June 2021**.

The observation is made on behalf of the Butterfield District Residents' Association (BDRA), 30, Ballyroan Crescent, Rathfarnham, Dublin 16. The BDRA represents 2,250 homes in the surrounding area, with the proposed telecommunications mast being located in the centre of the BDRA's catchment area.

The BDRA acknowledges the need to provide adequate telecommunications infrastructure. The BDRA recognises that this may result in the need to provide improved facilities in the area and that the proposed development may be required to improve mobile and broadband coverage in the surrounding area.

The detailed observations are set out in sections 4-8 of this submission. Section 9 provides a summary of the issues raised. The BDRA representing the local community requests the planning authority to take these matters into account in considering the proposed development.

2 Proposed Development

The proposed development comprises the erection of a 20 metre high telecommunications mast together with support cabinet and antenna and dishes attached to the mast. The proposed development includes a proposed shroud enclosing the proposed mast plus attachments. However, this shroud is not shown on the elevation drawings.

The location of the proposed development is described as: "Existing Yard at Ballyroan Community and Youth Centre, Marian Road, Rathfarnham, Dublin 14." However, it would appear that this address is incorrect as the proposed development is within the grounds of the Church.

3 Development Plan Policy

The site is in an area zoned Local Centre with the objective: "*to protect, improve and provide for the future development of local centres.*"¹ Telecommunication masts are not a listed use that is either permitted, open for consideration or not permitted under

¹ *South Dublin County Council Development Plan 2016-2022, Map 10.*

the zoning objective.² This policy has not changed in the draft county development plan that is currently on display.³

4 Impact on Protected Structure

It is noted that the proposed telecommunications mast is in close proximity to the Church which is listed as Church of The Holy Spirit, Marian Road, Rathfarnham, in the Record of Protected Structures that forms part of the development plan.⁴ As the Church is a protected structure under the provisions of the development plan, the impact of the proposed mast is of particular concern.

The cover letter with the application states that the proposed mast is 30 m from the Church. More importantly it appears to be within the curtilage of the Church and therefore of the protected structure.

The development plan sets out the policy in relation to protected structures as follows: ...*"It is the policy of the Council to conserve and protect buildings, structures and sites contained in the Record of Protected Structures and to carefully consider any proposals for development that would affect the special character or appearance of a Protected Structure including its historic curtilage, both directly and indirectly."*⁵

Under this policy it is a specific objective to ensure the protection of not only the building but also ...*"the immediate surroundings including the curtilage and attendant grounds of structures"*⁶. Furthermore, the development plan states as an objective to ...*"ensure that all development proposals that affect a Protected Structure and its setting including proposals to extend, alter or refurbish any Protected Structure are sympathetic to its special character and integrity and are appropriate in terms of architectural treatment, character, scale and form."*⁷

The development plan also states that ...*"Planning applications for development in proximity to a Protected Structure may require a design statement to outline how the proposal responds to the setting and special interest of the Protected Structure and its curtilage."*⁸ No such design statement was submitted with the planning application documentation.

Furthermore, it is relevant to note that Ministerial Planning Guidelines for Telecommunications Structures state that ...*"proximity to listed buildings, archaeological sites and other monuments should be avoided."*⁹

It is important that the impact of the proposed telecommunications mast on the Church as a protected structure is fully considered. This may require a design statement and architectural assessment having regard to the qualities of the

² *South Dublin County Council Development Plan 2016-2022*, Table 11.9, p. 192.

³ *Draft South Dublin County Council Development Plan 2022-2028*, Table 13.9, p. 509.

⁴ *South Dublin County Council Development Plan 2016-2022*, Schedule 2, p. 253.

⁵ *South Dublin County Council Development Plan 2016-2022*, Policy 3, p. 154.

⁶ *South Dublin County Council Development Plan 2016-2022*, HCL 3 Objective 1, p. 154.

⁷ *South Dublin County Council Development Plan 2016-2022*, HCL 3 Objective 2, p. 154.

⁸ *South Dublin County Council Development Plan 2016-2022*, p. 221.

⁹ *Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities*, July 1996, p. 8.

Church building that has justified its status as a protected structure under the Development Plan.

5 Precautionary Principle

The proposed telecommunications mast is stated to be in the yard of a community and youth centre. While this may not be correct, it is certainly close to the community centre where many young people meet. A children's playground that is attached to the Montessori and childcare facility in the Community Centre, adjoins the site of the proposed development. In addition, it is close to a parade of shops as well as the Church and Library. In these circumstances it is evident that the telecommunications mast will be located in an area where all age groups of the local community are likely to be present on a regular basis. While the health impacts as a result of radiation from telecommunication masts are contested and not proven, there is no doubt that concerns continue to exist about this aspect amongst the general public.

While neither the development plan nor national guidelines any longer stipulate minimum distance requirements to community facilities or dwellings, it is an established principle in proper planning and sustainable development to adopt a precautionary approach where there are concerns about possible impacts on health or where such impacts are perceived to exist.

Under the precautionary principle the location of the proposed mast appears to be contrary to good planning unless all alternative locations are ruled out.

6 Site Selection

The applicant has submitted a Technical Justification Report¹⁰ as part of the planning application documentation. In this report, the availability of 'co-location' on existing masts in the area has been considered. Three existing sites have been examined but considered not suitable to accommodate the proposed development. However, while it is recognised that the applicant has considered existing options, this analysis does not address alternative sites for a proposed mast of this nature. In other words, only existing masts are considered. The technical justification report does not address a systematic analysis of alternative sites with advantages and disadvantages so that a rational evaluation can be carried out. In the absence of such analysis it is very difficult for a local community to gauge whether the proposed development is really needed at this location or whether the site is simply convenient or available to the applicant.

In this regard it is also unclear whether the proposed development will provide sharing facilities itself. The applicant Ontower Ireland Limited states to be a provider of infrastructure services to: *...support Irish mobile and other telecommunications service providers.*¹¹ However, the application seems to be in conjunction with Three Ireland and intended to improve the communications network of that company.

¹⁰ RF Technical Justification Report, August 2019

¹¹ Cover letter dated 10/6/21, p. 10.

Although the applicant states that the proposed development will provide space for future broadband providers for the area, it is not clear that Three Ireland will deliver on that commitment. It is therefore important to establish whether the proposed telecommunications mast has capacity for future additions of antenna and dishes and whether this is the expectation or intention of the applicant.

Finally, it is noted that the Technical Justification Report is almost two years old and may not represent the up to date situation. It appears to have been commissioned by Three Ireland, rather than the applicants for the proposed development.

The planning authority should address by request for further information whether all suitable sites in the catchment area have been considered plus evidence of this process in the form of a site selection report. Furthermore, the applicant should be asked to indicate whether other telecommunications companies will be able to use this mast and whether that is likely to happen.

7 Visual Impact

A visual impact analysis of the proposed telecommunications mast has been carried out by the applicant. This analysis has examined the impact of the proposed mast on seven viewpoints in the local area. For six of the seven viewpoints the impact of the proposed mast is considered to be negative and of a serious nature. It is noted that the proposed vertical structure will be *'highly prominent'* in all cases.¹² The cover letter with the planning application states that the location of the site is considered to be: *"...medium to high sensitivity to change"*.¹³ In these circumstances it is doubtful that the proposed development can be considered to be in accordance with the proper planning and sustainable development of the area.

The proposal to encase the proposed mast with a 'shroud' of flexible material should be considered in terms of its visual impact and its durability.

Having regard to the acknowledged sensitivity of the site surroundings in visual terms and the likely impact it will have on local viewpoints and the protected structure, it is doubtful that the proposed development can be considered to be in accordance with the proper planning and sustainable development of the area.

8 Other Issues

The description of the location of the proposed development in the public notices appears to be incorrect while reference should be made to the protected structure. The location of the site notice at the rear of the local centre may also be a deficiency of concern.

¹² Cover letter dated 10/6/21, p. 12.

¹³ Cover letter dated 10/6/21, p. 10.

The site location map does not comply with the statutory requirements in terms of a red line showing the site boundary. The entire Church grounds should be shown as the boundary of the site having regard to the integrated nature of the curtilage of the Church as a protected structure.

9 Overall Conclusions

- **The proposed development may well form an important and critical element of telecommunications infrastructure but in the absence of certain information it is difficult to ascertain whether the location and design of the proposed development are appropriate.**
- **Having regard to the status of the Church grounds as a protected structure under the Development Plan and the significant visual impact of the proposed development, it would appear that the location is unsuitable for the proposed telecommunications mast.**
- **The applicants should be asked to demonstrate that the proposed development is necessary given the lack of available alternative sites by supplying a site selection analysis report.**
- **The applicants should be asked to provide a design statement in accordance with the policies of the Development Plan.**
- **The applicants should be asked by request of further information, to indicate whether telecommunications companies other than Three Ireland will be allowed to install equipment on the proposed mast.**
- **The applicants should be asked to submit further information to address issues raised in this submission and provide fresh public notices with the correct address of the proposed development.**

The Planning Authority is requested to consider the matters that are raised in this submission in deciding whether the proposed development is in accordance with the proper planning and sustainable development of the area. Please direct all correspondence to the undersigned.

Yours sincerely,

Hendrik W van der Kamp.



Hendrik W van der Kamp
{re. Ballyroan Comm. & Youth centre }
1 Woodstown Court
Knocklyon
Dublin 16

Date: 13-Jul-2021

Dear Sir/Madam,

Register Ref: SD21A/0155
Development: Replace existing 12m decommissioned chimney flue with a 20m multi-user telecommunications support structure to include antennas and dishes and all enclosed within a shroud to match the existing decommissioned chimney flue; 2 outdoor cabinets and associated site works and a proposed new flue to replace an existing flue on an existing permitted building and accessed via the existing permitted access; the development will provide improved wireless broadband services in the area.
Location: Ballyroan Community & Youth Centre, Marian Road, Rathfarnham, Dublin 14
Applicant: Ontower Ireland Limited
Application Type: Permission
Date Rec'd: 10-Jun-2021

I wish to acknowledge receipt of your submission in connection with the above planning application. The appropriate fee of €20.00 has been paid and your submission is in accordance with the appropriate provisions of the Planning and Development Regulations 2001(as amended). The contents of your submission will be brought to the attention of the Planning Officer during the course of consideration of this application.

This is an important document. You will be required to produce this document to An Bord Pleanála if you wish to appeal the decision of the Council when it is made. You will be informed of the decision in due course. Please be advised that all current applications are available for inspection at the public counter and on the Council's Website, www.sdublincoco.ie.

You may wish to avail of the Planning Departments email notification system on our website. When in the *Planning Applications* part of the Council website, www.sdublincoco.ie, and when viewing an application on which a decision has not been made, you can input your email address into the box named "Notify me of changes" and click on "Subscribe". You should automatically receive an email notification when the decision is made. Please ensure that you submit a valid email address.

Please note: If you make a submission in respect of a planning application, the Council is obliged to make that document publicly available for inspection as soon as possible after receipt. Submissions are made available on the planning file at the Planning Department's public counter and with the exception of those of a personal nature, are also published on the Council's website along with the full content of a planning application.

Yours faithfully,

Mary Crowley
for Senior Planner