

## Land Use Planning & Transportation

07 NOV 2021

South Dublin County Council

**charterhouse**  
INFRASTRUCTURE CONSULTANTS

South Dublin County Council  
County Hall  
Tallaght  
Dublin 24

12<sup>th</sup> October 2021

**RE: Application for Licence under Section 254 of the Planning & Development Act (as amended) for a 15m high telecommunications street-work structure at Stocking Avenue, Ballycullen, Co. Dublin.**

A Chara,

On behalf of Vantage Towers Ltd we wish to submit a Section 254 Licence application for the above development. In this respect we detail the purpose and reasoning for the application below.

### 1 Applicant Introduction

#### 1.1 Vantage Towers

Vantage Towers is one of Europe's leading tower companies created from the Vodafone Group in 2020. As an independent Company, today Vantage owns, operates, and manages 82,000 towers across 10 countries where it is usually the leading or second largest supplier. It owns 1,300 masts in Ireland and combines the scale, stability, and quality of a leading tower network to provide infrastructure and technologies for Vodafone and other communications operators in an ever-changing and increasingly digital world.

The digital market is expanding and growing at exponential rates. Today mobile phones are only one component of a digital world inhabited by a wide range of communications services including wearable technology and IoT. Vantage Towers benefits from the resources and investment to provide the fabric for an emerging market across the country to meet the increasing demand for faster, greener, more reliable, more secure, and more efficient connectivity for a variety of operators.

#### 1.2 Operator Requirement

Transmitting from existing traditional structures and rooftops has led to coverage and data blackspots. The target area has been identified as such a blackspot. Existing infrastructure within the area is inadequate to fill this blackspot. To rectify this shortfall, a more focused solution in the form of a street-pole style monopole together with ground cabinet is required. The proposed development is specifically for Vodafone coverage and shall substantially improve 3G, 4G and 5G connectivity services along the road and for the surrounding road network and housing estates.

The above coverage deficiencies have significant and detrimental effects on the local community. A failure to grant the licence would have an enduring negative effect on local mobile phone and broadband service provision as expressed by the local community's inability to connect wirelessly or to participate in high speed, high-capacity data availability.

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## **2 Justification for New Structure**

### **2.1 Coverage Requirement**

Transmitting from existing traditional structures and rooftops has led to coverage and data blackspots. The target area has been identified as such a blackspot. Existing infrastructure within the area is inadequate to fill this blackspot. To rectify this shortfall, a more focused solution in the form of a street-pole style monopole together with ground cabinet is required. The proposed development is specifically for Vodafone coverage and shall substantially improve 3G and 4G connectivity services along the road and for the surrounding road network and housing estates.

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## **3 The Proposed Development**

### **3.1 Site Location**

Providing reliable indoor service to residential premises in particular for modern technologies in and around the area is challenging.

After extensive site searching, the only suitable location that could be identified taking both technological and planning considerations into account, was a section of grass along Stocking Avenue.

The site is located just outside the southern boundary of Woodstown housing estate. To the east are more housing estates and beyond these, approximately 720m from the application site is the M50 motorway. To the south of the site is greenfield, agricultural land. East of the site is a number of housing estates, small businesses and community services.

The site itself is located just off a foot and cycle path 2m in front of a wall. There are street lights of the same height, mature trees, hedges and traffic signs in the surrounding area.



Figure 1; Site Location

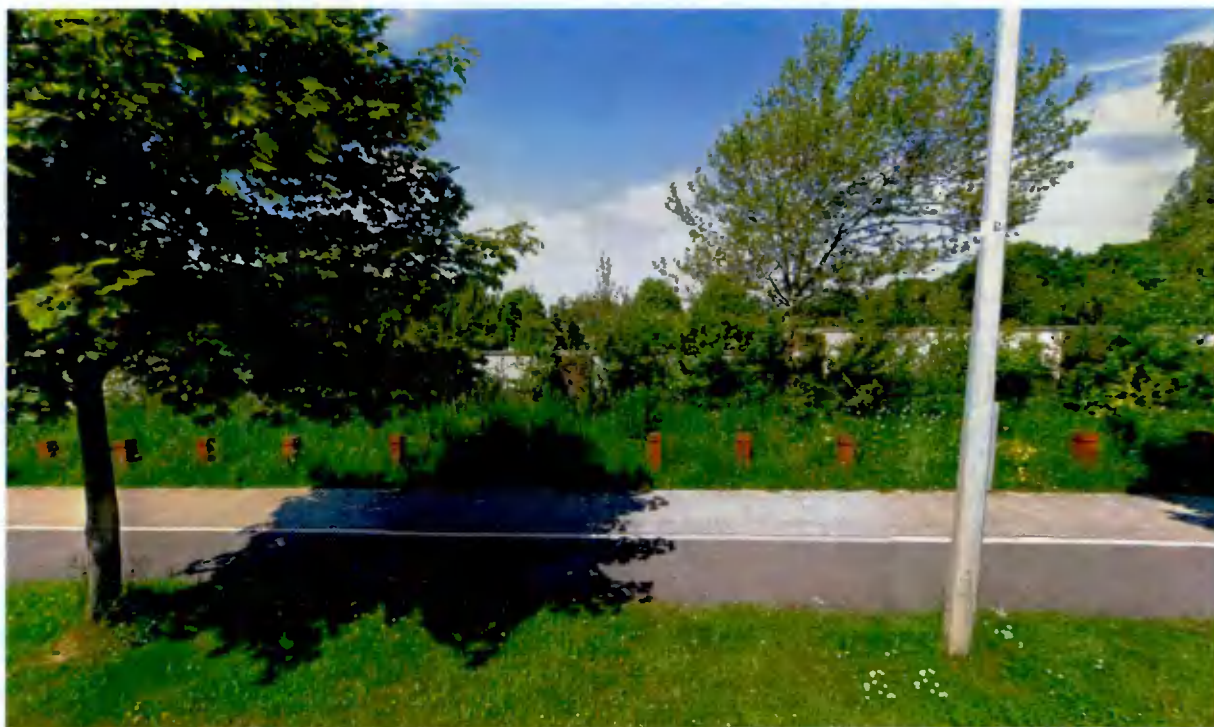


Figure 2; Streetview of application site

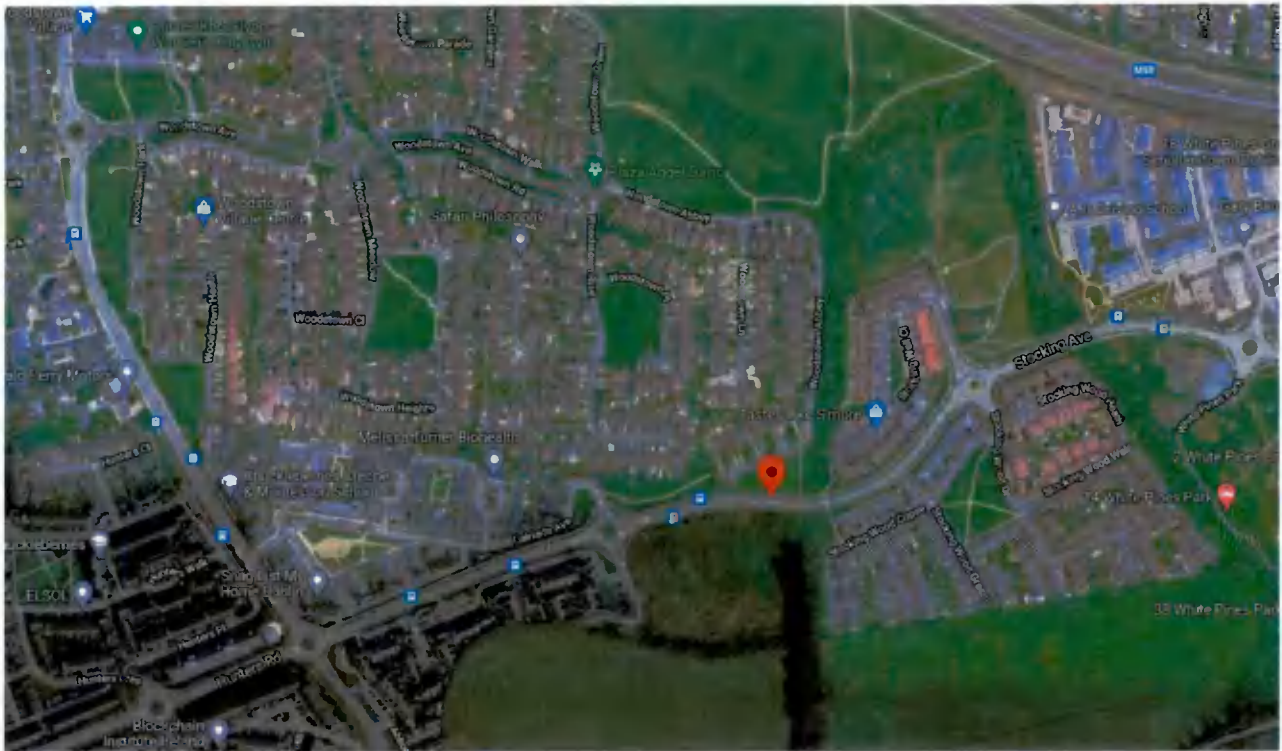


Figure 1; Satellite view of application site

### 3.2 The Proposed Structure

The proposed development will comprise a 15m high slim pole more commonly referred to as telecom street works. The lower section of the pole has an approximate diameter of 325mm from base to approximately 11.3m. Above this height a small 300mm dish with antennas will be mounted. To minimise any visual impact, the antennas are then shrouded by a matching sheath approximately 400mm in diameter and to the full height of 15m. In addition, a small GPS antenna will be attached just above the dish. The entire structure is constructed of galvanised steel, coloured grey and fixed to a base plate foundation.

A cabinet will accompany the structure. This is mounted onto a concrete plinth as shown on the attached plans.

Due to its slim line design, the structure is unable to be used to support other operators' equipment.

The design is seen on the photography below. This photograph shows two similar structures at Malone Road, Belfast:





#### 4 Discounted Structures

##### 4.1 Alternative Structures

The ComReg site viewer map identifies existing communication sites. The map below illustrates the structures within the area.

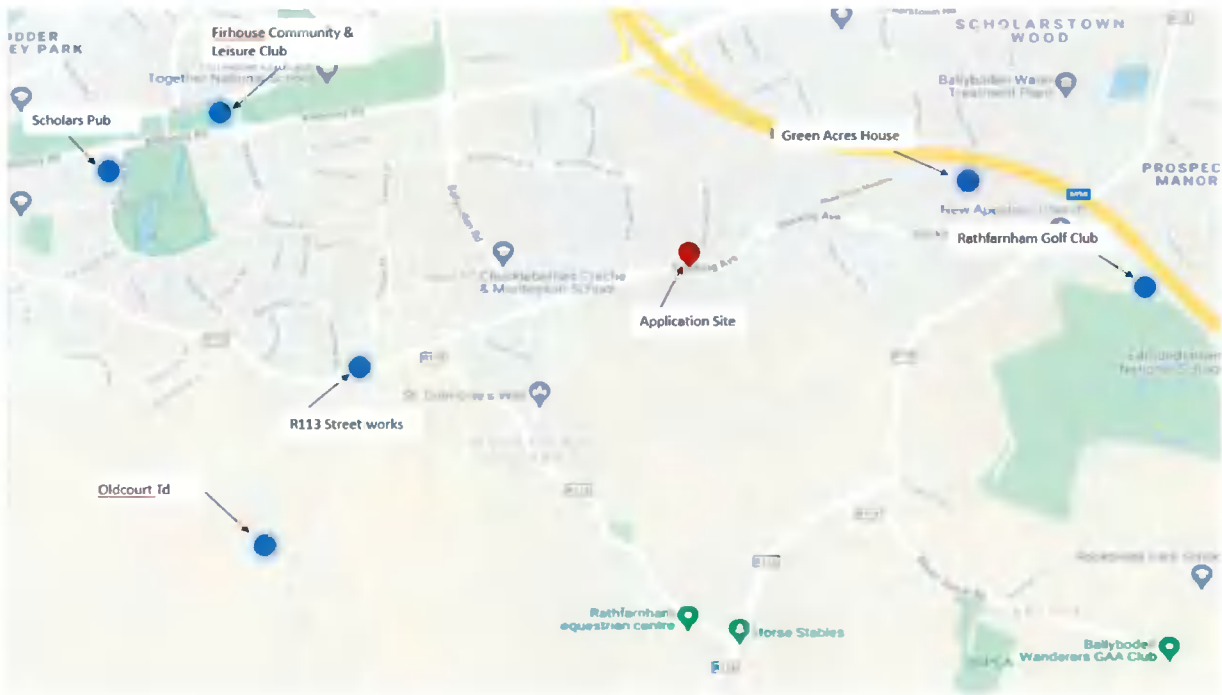


Figure 2; Discounted structures locations in relation to application site

Six operational sites are identified using the site viewer. Vodafone are already represented at 4 of these, however all were considered before submitting this application.

**1. Firhouse Community & Leisure Club:** Vodafone currently transmit from the rooftop of a Firhouse Community & Leisure Club approximately 1.4km north-west of the application site. As Vodafone are already present here, placing further equipment at this location would not achieve the technical objectives for the target area. As a result, this structure has been discounted.

**2. Scholars Pub:** Meteor currently transmit from antennas located at the Scholars Pub approximately 1.6km from the application site. This distance is too great to address the coverage issues in the target area. As a result, this structure has been discounted.

**3. R113 Street-works Structure:** Meteor currently transmit from a 15m street-works structure (same as application structure). The structure is approximately 920m west of the application site. As street-work structures are not suitable for site sharing, it has been discounted.

**4. Oldcourt Td:** Vodafone, Three Ireland and Meteor transmit from an 18m lattice structure located approximately 1.5km from the application site. As Vodafone is already present here, further equipment would not address the coverage issues in the target area. As a result, this structure has been discounted.

**5. Green Acres House:** Vodafone, Meteor and Three Ireland currently transmit from a 15m high monopole, approximately 800m north-east of the application site. As Vodafone is already present, further Vodafone equipment would not address the coverage issues in the target area. As result, this structure has been discounted.

**6. Rathfarnham Golf Club:** There are two structures located on the grounds of Rathfarnham Golf Club, approximately 1.2km from the application site. Vodafone transmit from a 24m high structure while Meteor transmit from a 20m structure. As Vodafone is already present here, further Vodafone equipment would not address the coverage issues in the target area. As a result, this structure has been discounted.

#### **4.2 Other Sites Considered**

The black-spot is in a dense, residential area with a busy road network. This combined with the mature nature of the current Vodafone network both in respect of coverage overlap and technical requirements for line-of-sight links to services, the area suitable for a new structure is very limited. Taking planning considerations and technical requirements into consideration to secure the necessary coverage and quality of coverage the site in question is the only realistic site available.

### **5 Provisions of Section 254, Planning & Development Act 2000 (as amended)**

#### **5.1 Section 254**

This application is in respect of Section 254 legislation, subsection F961 as amended.

The relevant provisions of Section 254 legislation under the Planning and Development Act 2000 (as amended) concerning the subject application are as follows:

*254 – (1) Subject to subsection (2) a person shall not construct, place or maintain –*

***F961 [ ( ee ) overground electronic communications infrastructure and any associated physical infrastructure, ]***

(F961 Inserted (27.04.2002) by Communications Regulation Act 2002 (20/2002), s. 54(1), commenced on enactment).

*on, under, over or along a public road save in accordance with a licence granted by a planning authority under this section*

*And.*

*(5) In considering an application for a licence under this section a planning authority, or the Board on appeal, shall have regard to—*

*(a) the proper planning and sustainable development of the area,*

*(b) any relevant provisions of the development plan, or a local area plan,*

*(c) the number and location of existing appliances, apparatuses or structures on, under, over or along the public road, and*

*(d) the convenience and safety of road users including pedestrians.*

## **6 Licence History & Precedent**

### **6.1 Examples of Other Section 254 Applications**

Various planning authorities have already approved numerous S.254 Licence Applications throughout Ireland.

For example, the following Section 254 Licence Applications have been granted by An Bord Pleanála in recent times:

**ABP: PL 305114-19:** Claureen Roundabout, Lahinch Road, Ennis

**ABP: PL 3064440-20:** Castlepark Road, Ballybane, Galway

**ABP: PL 306033-05E:** Dr. McGinley Road, Glencar, Letterkenny, Co. Donegal

The above Section 254 LAs have similar characteristics to the subject area in terms of receiving environment.

## **7 Local & National Planning Policy**

### **7.1 Development Plan**

The current plan, South Dublin County Council Development Plan 2016 - 2022 under Section 7.4 and Section 11.6.2 outline the Information and Communication Technology policies and objectives.

The plan states *'The widespread availability of a high-quality Information and Communications Technology (ICT) network within the County will be critical to the development of the County's economy and will also support the social development of the County'*.

Section 7.4 also states *'To permit telecommunications antennae and support infrastructure throughout the County, subject to high quality design, the protection of sensitive landscapes and visual amenity'*.

Section 11.6.2 states *'Compliance with the Planning Guidelines for Telecommunications Antennae and Support Structures (1996) and Circular Letter PL 07/12 issued by the DECLG (as may be amended), and to other publications and material as may be relevant in the circumstances'*.

With reference to the draft 2022 to 2028 Development Plan, section 11.4 Information Communications Technology also supports the continued widespread availability of high-quality Information and Communications Technology (ICT) networks within the County recognising it is critical to the development of the County's economy and to social progress. The Council will ensure that the County remains attractive to hi-tech knowledge-based industries providing for high value employment. It is also a huge asset to the residents of the County encouraging home working and individual entrepreneurial activity.

Under **IE5 Objective 7:** *The Council will ensure that applications made in relation to the provision of overground telecommunications infrastructure, including planning applications and Section 254 licence applications, take into consideration and demonstrate compliance with the 'Guidance on the Potential Location of Overground Telecommunications Infrastructure on Public Roads' (2015).*

In relation to development/local area plans, section 254(5) of the Planning and Development Act 2000, specifically states that,

*"in considering an application for a license under this section a planning authority, or the Board on appeal shall have regard to – the proper planning and sustainable development of the area; any relevant provisions of the development plan or local area plan..."*

Accordingly, in making a determination as to whether or not a licence will be granted, the planning authority must have regard to the relevant development plan.

With reference to Section **11.6.2** and addressing the DoECLG Guidelines Telecommunications Antennae and Support Structures 1996,

The guidelines state that under the Local Government Act an obligation is imposed on Planning Authorities .....

*"To have regard to policies and objectives of the Government or any Minister in so far as they relate to their functions. Government policy on the availability of top-quality telecommunications services throughout the State should therefore be taken into consideration ..."*

The Guidelines were published by the Department of Environment in 1996 and one of the aims of which is to establish Guidelines for Local Authorities on appropriate Development Plan factors to consider in the assessment of telecommunications infrastructure. Section 4 outlines the assessment requirements. For this section 254 application the relevant subsections are considered below.

## **7.2 Telecommunications, Antennae and Support Structures, Guidelines for Planning Authorities 1996**

The guidelines state that under the Local Government Act an obligation is imposed on Planning Authorities.....

*"To have regard to policies and objectives of the Government or any Minister in so far as they relate to their functions. Government policy on the availability of top-quality telecommunications services throughout the State should therefore be taken into consideration...."*

The guidelines were published by the Department of the Environment in 1996 and one of the main aims of which is to establish Guidelines for Local Authorities on appropriate Development Plan factors to consider in the assessment of telecommunications infrastructure. Section 4 outlines the assessment requirements.

### **7.2.1 Design & Siting**

Design and Siting fall within section 4.2 of the Guidelines. The chosen design is a street-work pole structure designed to create minimal visual impact and to blend into the existing streetscape. The site is located along an area of grass beside a foot and cycle path along Stocking Avenue

### **7.2.2 Visual Impact**

The Guidelines indicate that visual impact is one of the most important considerations when dealing with telecommunications structures. As stated in Section 4.3 of the Guidelines some masts will remain visible despite measures taken to minimise visual impact.

The proposal in question is located on the side of a road with existing street lamps of the same height, traffic lights and signs, trees and fencing. This is a busy junction where two main roads meet west of the M50.

It is acknowledged that there will be some visual impact, however, it is also submitted that the proposed design is minimalistic, that the location is not unduly obtrusive. It is also submitted that the nature of the surrounding road network and existing objects as mentioned above act to hide any visual impact, with any views of the structure being intermittent and incidental. Every effort has been made to create a structure that fits into the existing flow of streetlamps and other streetscape.

### **7.2.3 Access Roads**

The Guidelines refer to access roads under reference 4.4. in this instance this is not applicable.



#### **7.2.4 Site Sharing & Clustering**

Section 4.5 of the Guidelines refer to site sharing and clustering. Due to the slim design this structure is only suitable for single operator use. However, clustering is achieved as the proposed structure will be located adjacent to an existing street-works structure.

#### **7.3 Guidance on the Potential Location of Overground Telecommunications Infrastructure on Public Roads**

This document states 'The Plan is a framework for the provision of high-speed broadband through a combination of commercial and State investment. The Government sees high speed broadband as fundamental to Ireland's competitiveness and as a key component of modern society for the purposes of learning, health, and citizenship – and of course, entertainment. The Plan is a clear expression of the importance of quality broadband infrastructure to the achievement of Ireland's economic and social objectives. It commits to a range of actions that are facilitating the rollout of infrastructure and services including addressing planning and road opening challenges, investment focused regulation and maximising the use of State assets where possible.'

The proposed structure falls under Table A, Urban roads. It is recognised that opportunities are generally limited to locations where a wide verge or footpath allows the accommodation of small cabinets/antennae and/or the erection of stand-alone poles to accommodate telecommunications infrastructure. And comments that stand-alone poles are the preferred option in urban areas, as there are ongoing operational and maintenance issues relating to accommodating electronic equipment on lighting columns.

Vantage have met with different Authorities in respect of street design and their associated siting. A number of considerations are taken on board including drainage of paths and roads, traffic management issues and sightlines. Also, that footpaths, cycleways are not adversely affected especially for those with sight and mobility issues. In addition, structures should not necessitate the realignment of the public footpath/cycleway to allow for the circumnavigation of the structure thereby creating an obstacle. With regard to the proposed structure, it is submitted that it does not impact on any of the considerations raised and therefore is suitable in both design and location to meet planning, NRA and technological requirements to supply the services required.

#### **7.4 Project 2040**

Several objectives are contained in these planning framework documents aimed at supporting broadband rollout, including support for the National Broadband Plan (2012). Project 2040 incorporates the National Planning Framework and the National Development Plan 2018-2027.

#### **7.5 National Planning Framework**

The National Planning Framework lists the following relevant objectives and commentary:

- Improving local connectivity to principal communication (broadband), energy, transport, and water networks.
- 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.

#### **7.6 National Development Plan 2018-2027**

Broadband is more increasingly to the fore in national planning framework documents. In the National Development Plan 2018 – 2027 paragraph 1.1 reads ...

A fundamental underlying objective of the National Development Plan is, therefore, to focus on continued investment to yield a public infrastructure that facilitates priorities such as high-speed broadband and public transport in better cities and in better communities.

### **7.7 Covid-19 Crisis**

Ireland's National Action Plan in response to Covid 19 was approved on 16th March 2020 by the Cabinet Committee on Covid 19. One of the three aims of the Action Plan being to reduce the disruption to public health, the economy and social welfare. Due to the restrictions-imposed work, education, social interaction, and other lifestyles changed to be undertaken from home.

The digital communication economy experienced substantial demand putting pressure on services. As a result, telecommunications were designated an essential service by Government on 28th March 2020. These changes in lifestyle are expected to remain with many, and especially working from home slowly becoming a norm.

The telecommunications industry is acting to meet this demand and ensure this new developing economy is enabled. The proposed development also meets these changes in lifestyle.

### **8 Merits of Proposed Site Location**

It is respectfully submitted that the proposed development meets the criteria of the Guidelines. The proposed development and design will have minimal visual impact on its surroundings and will be readily absorbed into the streetscape. Its purpose-built nature means it will blend into the environment in a brief time yet provide important services to the community around.

Street poles are visually sympathetic; their use in urban areas is preferred to other more robust structures as they are readily absorbed amongst existing street lighting and backdrop development. This was highlighted in a recent decision by An Bord Pleanála (PL. 61.306440), which upheld an appeal against a decision of Galway City Council to refuse an Alpha 2.0 type street pole, the same as in the subject application. The inspector referred to the following concerning design and visual impacts:

*"I would consider that the structure itself is nondescript in character and is not dissimilar in scale or design of a lamp standard or traffic light pole. I would consider that the structure is of a design and scale that would not be out of character or be a visually obtrusive or an incongruous element in a suburban area such as this".*

### **9 Consequences of not Securing the Site**

A blackspot has been identified in the area. Also, demand has grown for services for both social and business purposes. The structure will enable Vodafone to provide immediate coverage to meet this blackspot and requirement for services. Failure to provide these services will have an adverse impact on the local area and its economy as recognised by the Development Plan regarding the importance of coverage and the huge asset to the residents of the County encouraging home working and individual entrepreneurial activity.

### **10 Conclusion**

#### **10.1 Demand in the Area**

Vodafone's current service provision in this area is inadequate. It requires fit for purpose supporting infrastructure from which to transmit. There is no available existing infrastructure capable of accommodating Vodafone's equipment requirements and consequently new telecommunications infrastructure is required.

The application site provides the optimal location from which to cover the blackspot and provide improved Vodafone communications services. The continued impact of COVID-19 has also highlighted the need to create a reliable, high-speed broadband network throughout Ireland. Since remote working has become the norm, it is vital that local areas have access to high-quality broadband.

## **10.2 Technical & Planning Requirements**

As recommended in the Telecoms Guidelines 1996, the 07/12 circular and in the County Development Plans, current and draft, the applicant has carefully reviewed all potential site options and structure designs. The proposed development represents the minimum acceptable design and height consistent with effective propagation of coverage and data services and shall have minimal visual impact on the surrounding streetscape.

## **10.3 Social & Economic Benefit**

A grant of permission will allow the much-needed technological advancements to be completed in this area. The structure will significantly improve 3G and 4G Vodafone coverage, it shall help eliminate the identified coverage blackspot and shall make a significant positive contribution to the benefit of residents, businesses, and social enterprises in the area.

## **11 Further Documentation**

In support of the application please find attached.

- Completed licence application form
- Site location maps and drawings
- License fee by way of cheque for €125
- Copy of insurance from the operator, Vodafone.
- Letter of Support from Vodafone Ireland

We trust the above is in order however if there is any matter, please do not hesitate to contact us. We have considered both technological and planning issues and respectfully request that South Dublin County Council grant the licence for the erection of the street-works structure.

Yours sincerely,



Emma Breen  
Charterhouse  
Agent for Vantage Towers