



TELECOMS

In Support of a Planning Application for Retention Permission for the Existing Telecommunications Compound, including Enclosure and Ground Mounted Equipment; and Permission for the Replacement of a 25m High Lattice Tower with a New Monopole carrying Antennae, Dishes and Associated Equipment with Groundworks, including Foundation (overall height of 20m, excluding Lightning Finial) at ESB Telecoms Ltd lands at ESB Clondalkin 38kV Substation, Ninth Lock Road, Clondalkin, Dublin 22

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1. INTRODUCTION

1.1 The Proposal

This Supporting Statement forms part of a planning application made to South Dublin County Council (SDCC) for permission to enable retention of an existing telecommunications compound, including enclosure and ground mounted equipment; and the replacement of a 25m high lattice tower with a new monopole carrying antennae, dishes and associated equipment with groundworks, including foundation (overall height of 20m, excluding lighting finial) at ESB Telecoms Ltd lands at ESB Clondalkin 38kV Substation, Ninth Lock Road, Clondalkin, Dublin 22.

The Statement begins by introducing the application site, the recent planning history before detailing the proposed development. The proposal will then be considered in the context of national, regional and local planning policies as well as relevant Ministerial guidance. Against this background specific elements of the proposal will be considered in more detail including the need for the development, consideration of alternative sites, siting and design including the visual impact the proposal would have, landscaping, co-location, and the potential to deliver telecoms fibre to the site. Finally, regard will be had to wider environmental considerations. In doing so it will be demonstrated that the proposed development would comply fully with all relevant planning policy at all levels, facilitating the continuance of a robust mobile and broadband service to customers to Clondalkin and the immediate area, while representing proper planning and sustainable development of the area.

2. SITE AND CONTEXT

2.1 Nature of the Site

The subject site is located within the outer compound of ESB network's Clondalkin 38kV Substation site on Ninth Lock Road, Clondalkin. The subject site is wholly independent of the ESB Substation having been transferred to ESB Telecoms Ltd (ESBT) in 2004. Within the ESBT site there is a 25m high telecommunications lattice tower and a small single storey building, and cabin housing telecommunication equipment associated with the mast. The ESBT compound is located wholly within the wider Substation lands, to the west of the main substation complex. The site is accessed from a secure gated access of Ninth Lock Road that serves both the main Substation and the ESBT compound.

The site is located Clondalkin town centre, on the eastern side of the L1026 Ninth Lock Road. The Grand Canal c. 450m due north of the site, and the M50m is c.1.3km due east. The Ninth Lock Road becomes Tower Road just to the south of the subject site. Clondalkin Round Tower is c.300m south along the same road. Immediately opposite the site is The Mill Shopping Centre. To the south is an Intreo Government Services building, while to the north a residential building. The area is generally characterised by mixed use development. The area zoned 'TC' in the South Dublin County Development Plan 2016 - 2022 which seeks 'to protect, improve and provide for the future development of Town Centres'.

The boundaries of the Substation lands are enclosed with palisade fencing with brick columns along the northern and western boundaries. The southern and eastern boundaries have been

planted with a combination of evergreen and deciduous trees, providing screening to the Substation when viewed from the south or east.

The majority of the surrounding development is either in retail or office uses and is also zoned 'TC', however the area to the south east of the subject site contains residential uses. Along the eastern boundary of the Substation there are 4 electricity pylons, associated with the transfer of electricity into and from the Substation. Approximately 100 metres to the north of the Substation an 1110kv line passes in an east-west direction, carried on larger pylons.

The role of the site plays in the context of ESB's Network Design and the role of ESB itself is outlined further in **Appendix 1** attached.

2.2 Planning History

The site has been subject to a number of planning applications in recent years, details of which are summarised as follows:

Planning Ref.: S95A/0521; ABP Ref. PL 06S.098071

On 16th May 1996 SDCC granted permission for the erection of 'a free standing steel lattice telecommunications mast, carrying mobile phone cellular antennae and microwave dishes overall height 25 metres over ground and associated ground mounted equipment cabinet security fence with pedestrian gate at existing 38kV substation at Ninth Lock road, Clondalkin, Dublin'. Condition 1 of the permit limited the permission to a period of 5 years.

Planning Ref.: S02/0577

On 14th January 2003 SDCC granted retention permission to ESB Ltd to 'retain a 25 metre high, free standing communications mast, carrying antenna and dishes within a 2.4 metre palisade compound with pedestrian gate'. Condition 2 limited the permission to a period of 2 years.

Planning Ref.: SD05A/0023

On 21st April 2005 SDCC granted ESB Ltd retention permission to retain 'a 25 metre high, freestanding communications mast, carrying antennae and dishes, within a 2.4m palisade compound, with pedestrian gate'. Condition 2 of the permit limited the permission to a 5 year period.

Planning Ref.: SD10A/0097

On the 22nd July 2010 SDCC granted ESB Ltd 'permission to retain the existing 25m high, free standing lattice communication structure, carrying antennae and communication dishes with associated ground-mounted equipment cabinets, within an existing 2.3m high palisade compound and permission to attach antennae and dishes to allow for future third party co-location'. Condition 2 limited the permission to a 5 year period.

Planning Ref.: SD14A/0113; ABP Ref. PL 06S.243666

On 17th July 2014 SDCC granted permission to ESB Ltd for the 'continued use of the existing 25m high, free standing lattice communication structure, carrying antennae and communication dishes within an existing 2.4m high palisade compound (previously granted temporary permission under Reg Ref SD10A/0097); additional antennae and dishes for possible future



third party co-location'. Condition 2 requested the permission to a period of five years. Condition 3 required 'removal of the outer fence facing the Ninth Lock Road, tree planting and hard surfacing, street furniture'. A third party appealed the decision and the applicant appealed conditions 2 and 3 to An Bord Pleanála (Ref PL06S.243666). On 2nd December 2014 An Bord Pleanála granted permission for a period of three years removing the landscaping requirements of condition 3.

Planning Ref.: SD18A/0456

On 21st December 2018 permission for the retention of existing 25m high freestanding lattice communication structure, carrying antennae and communication dishes with associated ground mounted equipment cabinets within the existing 2.4 metre high palisade fence and walled compound for a period of 18 months was sought by ESBT Ltd. The application was subsequently refused by SDCC on 25th February 2019 for the following reason:

1. The exceptional circumstances that justified a grant of retention permission for a temporary period by An Bord Pleanála in 2014 (SD14A/0113 & PL06S.243666) do not apply, notwithstanding that a new site has not been identified in the four year period that has elapsed. The delay in identifying and transferring to another site does not justify the continued retention of the structure. The Planning Authority finds that there are no exceptional circumstances for the purposes of Circular PL07/12, and pursuant to Ministerial Guidance it would be inappropriate to grant permission for retention for a period of 18 months.

Having regard to the above, the development would materially contravene a condition attached to an existing permission for development (namely condition 2 of an An Bord Pleanála permission PL06S.243666). Furthermore, the proposed development would be contrary to the Ministerial guidelines issues to planning authorities under section 28 of the Planning and Development Act 2000 (as amended), which relate to 'Telecommunications Antennae and Support Structure Guidelines.' Thus, the proposed development would contravene the proper planning and sustainable development of the area.

Other Planning Matters

Pre-Planning Consultations

Meeting between SDCC and ESBT

On 14th March 2019 a meeting between ESBT with SDCC was held in an attempt to address the reasons for refusal, including alternative sites and design solutions. During the meeting the importance of the site and lack of other sites in the immediate vicinity were considered. The mast at the Garda Station was discussed. While there were no firm conclusions arising from the meeting it was agreed that possible design alternatives for a structure at the site more sympathetic to the area would be looked at.

Pre-Planning Ref. No. PP026/20

Pre-planning consultation was sought with SDCC in August 2020. A pre-planning Consultation Report Form was received from SDCC, dated 14th August 2020. The advice contained therein is noted and matters raised have been used to inform the current application.



Planning Enforcement

ENF. S8815 & S8822

On 30th September 2021 and 12th October 2021 SDDC issued a Warning Letters to ESBT pursuant to the provisions of Section 152 of the Planning and Development Act, 2000 (as amended). The letter of the 12th October 2021 states that 'It has come to the attention of the Planning Authority that an unauthorised development may have been carried out on the land referred to above. The unauthorised development is as per refused retention of planning application SD18A/0456.' The letter invited submissions or observations to be made to SDDC by 13th November 2021.

ESBT acknowledged these letters 28th October 2021, clarifying the current planning situation and advising that it is intended to submit a planning application that would seek to address the matters raised. This is the intention of this current application that seeks to replace the existing 25m high lattice tower with a lower and less visually intrusive 20m monopole structure.

2.3 The Proposed Development

The proposed development proposes the retention of ESBTs telecommunications compound located within ESBs Sub-Station and the replacement of the existing 25m high lattice tower with a new monopole in the same location. The specific works would include the following elements:

- Decommissioning and removal of the existing 25 metre high lattice tower and associated equipment.
- Assessment and preparation of foundations.
- Erection of new monopole (overall height of structure to be 20 metre above ground level, excluding lightning finial).
- Installation of antennae, dishes and associated equipment.

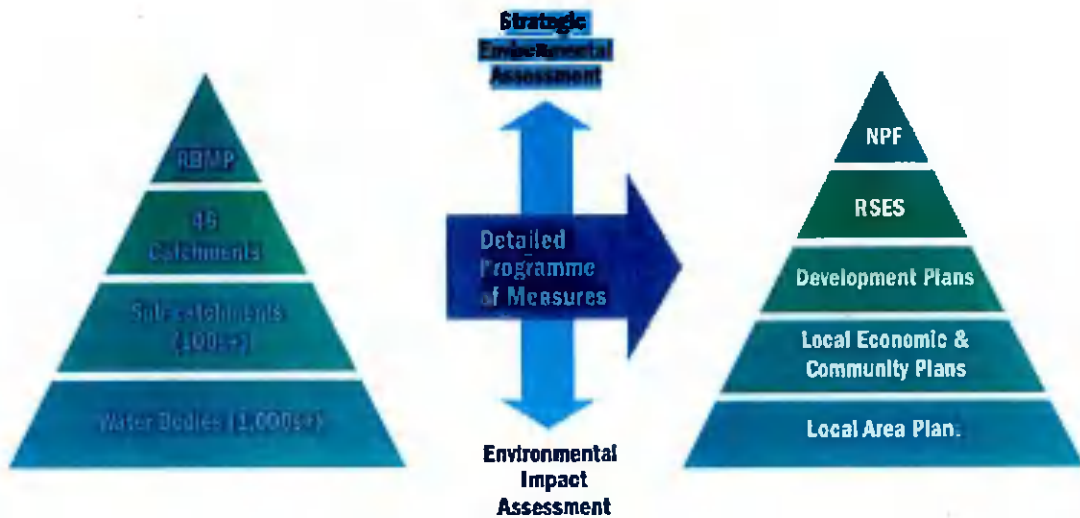
In order to ensure the minimal loss of mobile and broadband services to customers in the Clondalkin area are kept to a minimum for businesses, residents and visitors, it is envisaged that upon commencement of development involving the removal of the existing lattice tower would and the erection of the new monopole and associated antennae, dishes and equipment becoming operational, the new works would be undertaken immediately after the decommissioning of the existing apparatus.

It is anticipated that the actual build time would be determined by a number of factors, for example the foundation details necessary will only be determined when the existing structure is removed. It maybe that the existing foundation slab can be modified to accommodate a new 20m monopole, or alternatively a 1m high foundation block will be required upon which a 19m monopole will be attached. This proposal would allow for both scenarios, the drawings showing where visible the 1m foundation stand, however in any event the main structure will not exceed 20m in height above ground level (excluding a lighting finial).

3. NATIONAL, REGIONAL & LOCAL PLANNING POLICY CONTEXT

The proposal is now set out in terms of its planning policy context from the national, regional and more local level.

Figure 9.1 | Hierarchical Structure of RBMP and Planning Policy



Picture 1: Taken from the NPF 2018-2040.

3.1 National Planning Framework (NPF) (Project Ireland 2040) & The National Development Plan (NDP) 2018-2027

The NPF was published in 2018. It is the Government’s high-level strategic plan for shaping the future growth of Ireland to the year 2040. It sets out both the National Strategic Outcomes (NSOs) and National Policy Objectives (NPOs) for the future growth and sustainable development of the country to 2040.

The NSOs cover a wide range of themes such as enhanced regional accessibility, strengthened economies and communities. The proposed development would help support the likes of NSO5 that relates to a strong economy supported by enterprise, innovation and skills, and whereby sustainable full employment will be achieved in part through digital and data innovation; for example, supporting the implementation of the National Broadband Plan and promoting our cities as demonstrators of the latest information and communications technology.

NPOs support the NSOs, The NDP sets out the investment priorities that will underpin the NPF, including the latest information and communications technology.

The current proposal is in accordance with the NPF and NDP and will contribute to the overall NSOs and NPOs contained therein.

3.2 National Broadband Plan 2012

The National Broadband Plan recognises ‘the importance of digital engagement for Ireland, both economically and socially’ and the Government commitment to the rollout of high speed broadband.

In order to drive commercial rollout of high speed broad band:

‘The Government is committed to a range of actions that will facilitate the more efficient rollout of infrastructure including addressing planning and road opening challenges, assisting getting citizens and businesses online, measures relating to spectrum technology and maximising the use of State assets where possible.’

It is envisaged that 'once completed all parts of Ireland will have access to a modern and reliable broadband network, capable of supporting current and future generations.'

In the most recent update on the National Broadband Plan roll-out map Clondalkin is shown as a 'Blue area' where commercial operators are delivering or have indicated plans to deliver high speed broadband services. Operators are continuing to enhance their services in these area to improve access to high speed broadband.'

Eir and Vodaphone, currently operating from the site are two such operators delivering broadband into the Clondalkin area. The current proposal would contribute to the objectives of the National Broadband Plan.

3.3 Regional Spatial and Economic Strategy (RSES: Eastern & Midland Regional Assembly (EMRA) 2019-2031

The RSES is a strategic plan which identifies regional assets, opportunities and pressures and provides appropriate policy responses in the form of Regional Policy Objectives. At this strategic level it provides a framework for investment to better manage spatial planning and economic development to sustainably grow the Region to 2031 and beyond. The EMRA made the RSES on 28th June 2019.

The principal statutory purpose of the RSES is to support the implementation of Project Ireland 2040 – National Planning Framework and National Development Plan 2019-2027 and the economic policies of the Government by providing a long-term planning and economic framework for the development of the Region.

The importance of connectivity is made throughout the RSES to realise the potential of Dublin and its wider metropolitan area, within which the application site is a part. For example, Chapter 8; Connectivity: 'Section 8.6 Communications Network and Digital Infrastructure' acknowledges that the increasing use of digital technologies is impacting on every aspect of our lives: from transport, to education, leisure and entertainment and health services. Infrastructure to deliver better connected services is vital to our continued growth, supporting businesses and enhancing our communities....'

While the RSES is a high-level strategic document, the importance of good communications of which the subject proposal is a part will contribute to the realisation of the RSES, its overall Vision and Objectives. ESBT consider that the proposed development will aid delivery of vital telecommunications infrastructure and enable the site to continue to form an integral link in the mobile operators' wireless broadband network in the locality, Clondalkin and the wider surrounding area.

3.3 South Dublin County Development Plan 2016 – 2022

The South Dublin County Development Plan (2016-2022) sets out policies and objectives to guide how and where development will take place in the county over the lifetime of the Plan. It provides an integrated, coherent spatial framework to ensure the county is developed in an inclusive way which improves the quality of life for its citizens, whilst also being a more attractive place to visit and work. The Plan was adopted by South Dublin County Council on 10th June 2016 and came into effect on 12th June 2016.

The development plan is generally positive towards the telecommunications infrastructure in appropriate locations. Chapter 7.4.0 relates specifically to Information and Communications Technology, in which the Council recognises that "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". The Development Plan lists as a stated action that South Dublin County Council will co-operate with service providers in securing a greater range and coverage of telecommunications services in order to ensure that people and businesses have equitable access to a wide range of services and the latest technologies as they become available.

Accordingly, it is the policy of the Council to promote and facilitate the sustainable development of a high-quality ICT network throughout the County in order to achieve balanced social and economic development, whilst protecting the amenities of urban and rural areas.

The proposed development would be in accordance with and aid in the delivery of several key objectives, notably **IE4 Objective 1** which seeks to "promote and facilitate the provision of appropriate telecommunications infrastructure, including broadband connectivity and other innovative and advancing technologies within the County." Furthermore, **IE4 Objective 3** aims to "permit telecommunications antennae and support infrastructure throughout the County, subject to high quality design, the protection of sensitive landscapes and visual amenity."

ESB Telecoms offer all our infrastructure to all telecoms providers at market rates, ensuring the proposed development would be in alignment with **IE4 Objective 4**, the aim of which is to "discourage a proliferation of telecommunication masts in the County and promote and facilitate the sharing of facilities. " The location of the proposed development, within an existing live substation, ensures there would not be any impingement on walking routes, as specified in **IE4 Objective 6**.

In the consideration of proposals for telecommunications antennae and support structures, applicants will be required to demonstrate:

- 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,
- On a map, the location of all existing telecommunications structures within a 2km radius of the proposed site, stating reasons why (if not proposed) it is not feasible to share existing facilities having regard to the Code of Practice on Sharing of Radio Sites issued by the Commission for Communications Regulation (2003),

The South Dublin County Development Plan, 2016 – 2022 identifies Clondalkin as a major Town Centre, at the top of the County's urban hierarchy and it is the policy of the Council to reinforce this.

Chapter 5 of the Plan specifically refers to Urban Centres identifying Clondalkin as a vibrant Town Centre. A number of Actions are listed including 'Protect and enhance town centre facilities in Tallaght Town Centre and Clondalkin Town Centre'. Section 5.1.1 refers to Clondalkin along with Tallaght as a major town centre at the top of the county's hierarchy.

To support their role (Tallaght and Clondalkin) the Plan includes a number of Objectives UC1 Objective 1 – Objective 8 are relevant to this application and are duly noted.

In addition, specific reference is made to the following Objectives as they are considered particularly pertinent to the current application as the proposal will assist in the reinforcement of Clondalkin Town Centre.:



UC2 Objective 2:

To promote Clondalkin Town Centre as a primary urban centre in the County by directing higher order retail, retail services, residential, cultural, leisure, financial, public administration, restaurants/bars, entertainment and civic uses within and adjoining the Core Retail Area of this centre.

UC2 Objective 6:

To provide a broad range of facilities and services in Tallaght and Clondalkin Town Centres and support the role of these centres as the focus for commercial activity, leisure, entertainment, community activities and public transport.

The subject site also falls within the Core Retail Area for Clondalkin as identified in Figure 5.5 of the Plan. Section 5.6.3 specifically relates to Clondalkin where four specific objectives are listed and where the overall policy is to 'maintain and enhance the Level 3 retailing function of Clondalkin Town Centre.'

Chapter 7.4 (Information and Communications Technology)

recognises that '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.'

It is the policy of the Council to promote and facilitate the sustainable development of a high quality ICT network throughout the County in order to achieve balanced social and economic development, whilst protecting the amenities of urban and rural areas. The following Objectives are pertinent to this application:

IE4 Objective 1:

To promote and facilitate the provision of appropriate telecommunications infrastructure, including broadband connectivity and other innovative and advancing technologies within the County.

IE4 Objective 2:

To co-operate with the relevant agencies to facilitate the undergrounding of all electricity, telephone and television cables in urban areas wherever possible, in the interests of visual amenity and public health.

IE4 Objective 3:

To permit telecommunications antennae and support infrastructure throughout the County, subject to high quality design, the protection of sensitive landscapes and visual amenity.

IE4 Objective 4:

To discourage a proliferation of telecommunication masts in the County and promote and facilitate the sharing of facilities.

The CDP Lists the following ICT actions:

- South Dublin County Council will co-operate with service providers in securing a greater range and coverage of telecommunications services in order to ensure that people and businesses have



equitable access to a wide range of services and the latest technologies as they become available.

- The Planning Authority will create and maintain a register of app telecommunications structures supported by relevant databases in coope with operators.

The subject site is located outside the Clondalkin Village ACA.

In the consideration of proposals for telecommunications antennae and support structures, applicants will be required to demonstrate:

- 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,
- On a map, the location of all existing telecommunications structures within a 2km radius of the proposed site, stating reasons why (if not proposed) it is not feasible to share existing facilities having regard to the Code of Practice on Sharing of Radio Sites issued by the Commission for Communications Regulation (2003),
- Degree to which the proposal will impact on the amenities of occupiers of nearby properties, or the amenities of the area (e.g. visual impacts of masts and associated equipment cabinets, security fencing treatment etc) and the potential for mitigating visual impacts including low and mid-level landscape screening, tree-type masts being provided where appropriate, colouring or painting of masts and antennae, and considered access arrangements, and
- The significance of the proposed development as part of the telecommunications network.

The sharing of existing communication structures is promoted by the Council. Having regard to the site's history and use as a telecommunications base station since 1996, ESBT maintain that the continued use of this site would not impact unduly negatively on the surrounding properties. IE4 Objective 4 identifies the preference of co-location. The existing site is in line with this objective as the site is shared by a number of mobile network operators.

The Development Plan in Chapter 6: Economic Development, Section 6.5: Infrastructure & Communications Technology is also supportive to ICT in general, ensuring for example communications infrastructure is widely available. While the proposed development is in a mixed use area there are residential uses nearby and likely to be more residential uses in future therefore it is also worth noting that Objective ED108 seeks to 'Support the provision of home based economic activity that is subordinate to the main residential use of a dwelling and that does not cause injury to the amenities of the area.' This is particularly relevant in recent times where home working, along with normal usage has placed increased demands and reliance on a robust communications network.

Clondalkin village is identified as an Architectural Conservation Area (ACA) as it incorporates a high-quality group of historic structures within the village area, including the Round Tower, which now acts as a community hub for residents, while providing a tourism draw for visitors to the area. The application site is located outside of the ACA and importantly the proposed

development would not impinge on view of the Round Tower or village centre. Furthermore, it is worth noting that a customer has relocated from the application site onto the nearby Garda mast which is clearly visible from the Round Tower and which impacts on views of the Tower. In any event the Garda mast has reached structural capacity and is considered unlikely that any application at the Garda site would receive permission for a more robust structure given its sensitive location.

3.4 Draft South Dublin County Development Plan 2022-2028

In July 2020 SDDC announced its intention to prepare the new Development Plan. Preparation of the Plan is well underway and following publication of the Draft Plan the period for public consultation ended on 15th September 2021. On 7th December 2021 Councillors began to consider Submissions received on the Draft Plan. The new Plan is due to come into effect in June 2022.

While it is acknowledged that the current proposal will be assessed against the current 2016-2022 Development Plan, due to the relatively advanced stage of the new Plan the subject application has also been prepared with regard to the provisions of the new Plan in mind.

With specific regard to Telecommunications Section 11.4 Information and Communications Technology states that 'The continued widespread availability of high-quality Information and Communications technology (ICT) networks within the County is critical to the development of the County's economy and to social progress. It 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. The following Policy and Objectives are considered to be particularly relevant: in this regard:

Policy IE5: Information and Telecommunications Technology (ICT)

Promote and facilitate the sustainable development of a high-quality ICT network throughout the County in order to achieve social and economic development, whilst protecting the amenities of urban and rural areas.

IE5 Objective 1:

To promote and facilitate the provision of appropriate telecommunications infrastructure, including broadband connectivity and other innovative and advancing technologies within the County in a non-intrusive manner.

IE5 Objective 3:

To permit telecommunications antennae and support infrastructure throughout the County, subject to high quality design, the protection of sensitive landscapes and visual amenity.

IE5 Objective 4:

To discourage a proliferation of telecommunication masts in the County and promote and facilitate the sharing of facilities.

There are a number of other Policy Objectives that specifically apply to Clondalkin. Of note here is **EDE4 Objective 14:** that seeks to prepare a LAP for Clondalkin, the extent of the boundary to be defined, which will be guided by the Local Area Plans Guidelines for Planning Authorities, 2013 (DoE, C and LG) or any superseding guidelines and which will incorporate: A vision for



the development of Clondalkin,, wider urban design principles, framework for larger infill sites, a Conservation Plan, a Local Green Infrastructure Strategy derived from the County GI Strategy, and a traffic movement strategy,

With particular regard to Clondalkin it is noted that the application site is located within an area subject to Zoning Objective 'TC': 'To protect, improve and provide for the future development of town Centres'. Draft Plan 01-Index Map and in particular 06 Sheet (Map-05) refers.

Under proposed land-use Zoning Objective 'TC' 'Public Services' is a Use Class that is 'Permitted in Principle'. The definition of Public Services includes Telecommunications as detailed in Appendix 6: Definitions of Use-Classes.

It is also noted that the Ninth Lock Road is part of the proposed route for the NTA Greater Dublin Cycle Network Plan. The proposed development would not impinge on this proposal.

Chapter 12 of the Draft Plan: Our Neighbourhoods, collates the key objectives specific to each particular neighbourhood area identified, of which Clondalkin is one, which when combined will contribute towards the achievement of the overall vision for the plan within each neighbourhood and the delivery of compact and sustainable neighbourhoods. It is considered that the proposal will contribute to the achievement of the overall vision for the plan.

In terms of historic heritage and specifically Clondalkin ACA: NCBH 20 Objective 10 seeks 'To extend Clondalkin's Architectural Conservation Area (ACA) subject to an assessment of the roadways, buildings and historic features as set out in Appendix 3C' of the Draft Plan. It will be demonstrated that the proposed development would not impinge on the ACA or historic character of Clondalkin.

Having regard to the above ESBT contend that the proposed development would be in accordance with the provisions of the Draft Development Plan.

3.5 South Dublin County Local Economic and Community Plan (LECP) 2016-2021

The LECP sets out, for the period 2016-2021, the objectives and actions need to promote and support the economic development and the local and community development of the local authority area, both by itself directly and in partnership with other economic and community development stakeholders.

The continuation of service and coverage from existing mobile operators at this site, as well as the potential for enhanced coverage the apparatus on the new structure will facilitate will in the opinion of ESBT assist in the delivery of the overall vision and objectives of the LECP by ensuring residents, businesses and visitors to the area have the opportunity to avail of a high quality mobile and broadband network.

4.0 MINISTERIAL GUIDANCE

4.1 Telecommunications Antennae and Support Structures (July 1996)

When considering proposals for new telecommunications facilities south Dublin County Council will have regard to the 'Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities'. Accordingly, this section will address the relevant issues raised by these Guidelines.

The Guidelines state that the design and siting of antennae support structures will to a large extent be dictated by radio and engineering parameters (Section 4.2 refers).

The Guidelines also state that where free-standing masts are required in the vicinity of larger towns and city suburbs, locations within commercial and retail areas should be investigated.

The guidelines state that 'substations operated by the ESB may be suitable for the location of antennae support structures' (Section 4.3 refers). The subject site and proposal sits neatly into the hierarchy of appropriate location for telecommunications structures in this area.

It is a primary aim of these guidelines to encourage local authorities to promote clustering and shared services at telecommunication masts, especially in suburban areas, with the aim of reducing visual intrusion (Section 4.5 refers). This site provides an excellent example of co-location and shared services as it is available to all operators to co-locate.

The visual impact of the development is one of the most important factors when assessing proposals of this nature and 'will vary with the general context of the proposed development' (Section 4.3 refers). Given the nature and location of the site, as previously asserted by ESBT that the existing structure is not unduly visually obtrusive or damaging to local amenity non the less, it will be demonstrated that the proposed replacement of the 25m high lattice structure with a lower 20m high monopole would be even less visually intrusive and would not be visually detrimental to the immediate or wider area. As the Guidelines note, 'along major routes or tourist routes or view from traditional walking routes, masts may be visible but yet are not terminating views. In such areas it might be decided that the impact is not seriously detrimental'. While this may apply to more rural areas it is contended that equally it may be applied to ore urban locations where a view of a structure is only intermittent or incidental .

4.2 Ministerial Circular PL07/12 – Revision to Guidelines (February 2018)

In 2018, against a background of the recently launched next generation broadband (4G) licenses, the Department issued updated guidance for local authorities in relation to telecommunication infrastructure.

The Guidance included advice to planning authorities to, amongst other things, cease attaching time-limited conditions to telecommunication masts as such structures will continue to play a vital role in delivering economic growth to the areas they service into the future. In addition, in general, future permissions should simply include a condition stating that when the structure is no longer required it should be demolished, removed and the site re-instated at the operators' expense. The lodgement of a bond or cash deposit is no longer required.

Health and Safety

In terms of health and safety, the Guidance advises that planning authorities are urged to concern themselves with design and siting issues only and should defer any health and safety issues and their monitoring to the relevant authorities, in this instance The Commission for Communications Regulation (ComReg). That said with many developments of this nature, there may be concerns from residents about the perceived implications of the development, primarily in relation to the adverse health effects of the installation. ESB Telecoms Ltd regards the protection of the health, safety and welfare of its staff and the general public as a core company value in all its activities. Accordingly, it is ESB Telecoms policy to continually review and update standards in light of new developments and research findings. For example, ESB Telecoms regularly undertakes radio frequency tests at all its sites. These are undertaken by certified contractors. Results consistently indicate that all ESB Telecoms sites, including the existing 25m mast at the site, operate well within the safety standards set out by ComReg. ESB telecoms sites are also available to be tested by ComReg itself. Again, where such testing has taken place results indicate that ESB Telecom sites fall within safety standards. In this regard the proposed structure, will subject to regular safety tests, with no reason to believe the proposal will not fully comply with safety standards.

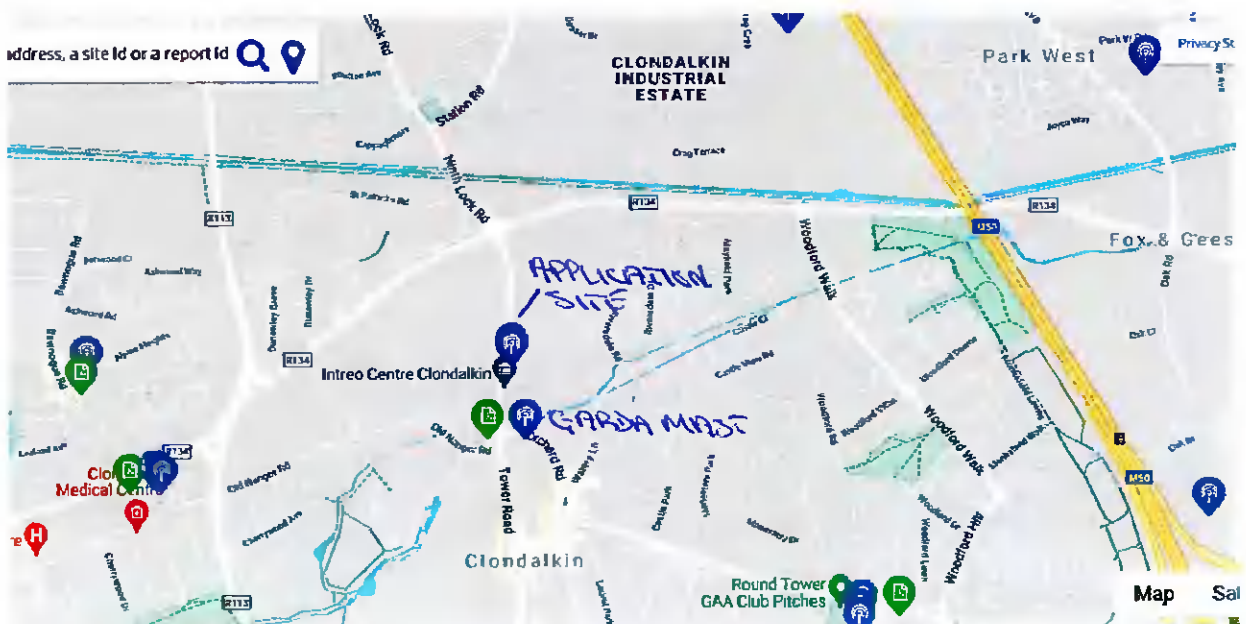
Health and safety issues are referred to further in **Appendix 2**. ESBT regularly undertakes radio frequency tests at its site. These are undertaken by certified contractors. Testing was last

undertaken at Clondalkin in 2014, 2015, 2017, 2019 and 2021. Results indicate that they were well within the safety standards set out by ComReg and are provided in the Appendix.

5.0 THE DEVELOPMENT IN CONTEXT

5.1 Need for the Proposal

The need for the proposal is apparent when considering the coverage that currently exists in the area for both mobile phone coverage and in particular the delivery of broadband. The existing lack of coverage can be clearly seen by assessing site location and coverage map provided by ComReg <https://coveragemap.comreg.ie/map>. The mapping provided shows the coverage for operators on the nearest telecommunication sites in the wider area. The Map below shows the location of the subject application, with the nearest telecommunication sites shown with blue pins. Note, the green pins simply relate to sites where ComReg have published reports.



Extract from ComReg Site Viewer

Two operators, Eir and Vodafone, currently operate from the existing site. Both operators have indicated the need to operate from this site in order to provide mobile and broadband coverage for this part of Clondalkin providing the following Technical Justification.

With regard to Eir, they have indicated that as part of the licensing requirements and the continuing rollout of their 3G and 4G networks, they require a site in Clondalkin and without a site in this part of Clondalkin 'parts of this area will suffer a severe degradation in mobile voice and data services which leads to poor mobile coverage and as a result there would be a large number of dropped/ blocked calls and poor data sessions which will possibly limit people's ability to work from home on the Eir network in this area if we are unable to maintain and upgrade Eir's coverage in the area'. The email is accompanied with coverage signal coverage maps that demonstrate that the areas which will be degraded by the loss of this site will include but not limited to a large stretch of the 9th Lock Road, The Mill Centre, Old Nangor Road, Thornfield Square, Castle Drive, Castle Grove and Clondalkin Main Street.

Vodafone have also indicated support for the proposal stating that if requested they will move from the the present 25m lattice tower to the proposed 20m monopole as if they had to exit

from this site, they would lose mobile coverage in the Clondalkin area as they have no available site replacement options. Vodafone have indicated that they would wish to retain a presence on this site even at a reduced height as at a lower height they will be above to provided at least a contiguous service albeit at a slightly reduced coverage. The letter of support is accompanied with coverage predictions showing 3G Coverage Prediction (as is), 3G Coverage Prediction with loss of site DN396, and 3G Coverage Prediction if height is reduced to 19m.

In both instances the need and justification for the site in the absence of any alternatives identified is clearly demonstrated. Statements of support with accompanying coverage information are given in **Appendix 3**.

5.2 Alternative Sites and Designs

In light of the zoning of the existing communication structure ESBT investigated eight possible alternative sites within the immediate area. Due to coverage requirements an alternative site would be required within the immediate vicinity of the structure to maintain the existing level of communication service.

The eight sites investigated are listed below:

- The Mill Shopping Centre
- Corner of Nangor Road & Ninth Lock Road
- Service Station
- Mormon Church
- Lidl
- Vacant Reserve Area
- Oakfield Trust Industrial/Retail Units
- Securispeed

The results of the investigation are given in **Appendix 4**. None of the sites were found to be viable alternatives, mainly due to a reluctance on the part of either owners or occupiers to engage with ESBT in regard to possible relocation.

In built up areas it is often the case suitable site are difficult to come by. This is an example of one such area. The dearth of alternative sites is further exemplified where, due to the uncertainty of the future of the existing 25m mast following the grant of permission on appeal in for a temporary period only (application SD14A/0113, ABP PL 06.243666 refers – that gave the structure a further 3 years permission, expiring on December 2017), one of the operators subsequently did manage to secure an alternative location and relocate. However, this was onto the mast at the Garda Station. ESBT would suggest that this is was a much less favourable site given its prominent location in the centre of Clondalkin, the ACA and protected Round Tower. In any event it is understood that the Garda tower is now at capacity.

In addition, a further examination of the area was undertaken in July 2021 and November 2021. This included a re-appraisal of the original sites investigated, an extensive walk around the immediate area of the existing site and properties in the immediate and wider area as well as an examination of recent development proposals. The lands to the north west of the site and The Mill Shopping Centre appear suitable for strategic housing development(s). No suitable alternative sites were found. It is also understood that while plans to redevelop The Mill Shopping Centre for example have been suggested in recent years ESBT are not aware of any firm plans that are currently forthcoming.

In the opinion of ESBT, notwithstanding the absence of any readily available alternatives, the proposed continued use of the existing site with a lower, less visually intrusive monopole to



replace the existing 25m lattice structure represents the most feasible way of providing a service to customers in Clondalkin.

5.3 Siting and Design

The existing ESBT compound is set back from the Ninth Lock Road and within the wider ESB Substation lands. ESBTs land ownership is essentially limited to the area shown on the application drawings. Importantly, as will be detailed below the existing site from a visual perspective is considered to be appropriate, being set back from the road and between the buildings to the north and south of the site. The presence of the Substation proper and associated infrastructure precludes any positioning eastwards further into the substation on safety grounds. Any movement of a structure towards the Ninth Lock Road would result in any structure being more prominent in the street scene. In any event the land between the existing compound and the boundary of the Ninth Lock Road are outside of ESBTs ownership, being owned ESB. The land is part of the Outer Substation compound. ESBT are not aware of any plans that ESB have for these lands which provide an important buffer and parking area for ESB vehicles when visiting the site.

Previously the appropriateness of the design of the existing 25m high lattice tower has been questioned. It is acknowledged that the tower is now somewhat dated, a design process looking at number of alternative structures were subsequently undertaken as part of the application process. Some of these designs are given in the second part of **Appendix 4**.

From the design process it was considered that various 'totem' designs would in themselves appear visually incongruous against in the local street scene and against the backdrop of the electricity substation. The site after all is within an existing utility site. Therefore, on balance it is considered that a new simple monopole with a slight taper design would be most appropriate for the site. Particularly as it would be slimmer than the existing lattice and the overall height of such a structure could be reduced to 20m. This reduction in height would still enable a point of co-location for the two mobile operators currently sited on the lattice structure at a height where they would still be able to achieve acceptable levels of signal coverage while maintaining line of sight requirements. Any reduction below this height would not allow both operators to function from the site as nearby buildings and trees would block signals for the operator situated lower on the monopole.

5.4 Visual Impact

In compiling the original planning application ESBT gave consideration to all structures in its portfolio and considered that a lattice tower was at the time the most appropriate structure due to its structural capacity and ability to reduce the need for additional structures in the area.

During the intervening period changes in mast design and mobile technologies it is now considered that a monopole design would be better suited to the site. In addition, while the existing height of 25 metres is towards the lower end of the industry norm the simpler monopole design at 20 metres in height would be far less visually intrusive while maintaining the functionality of the site, allowing the 2 remaining operators to retain provision of services to their customers from this site. A Visual Impact Survey of the site and its impact on the surroundings is given as **Appendix 5**.

The visual impact that telecommunication structures can have in the receiving landscape is acknowledged. In this instance, as noted above, measures have been implemented to reduce the visual impact of the facility, and mast in particular, including the use of a simple monopole design that 'blends' in against the adjacent substation. This is considered to be in accordance with the Section 4.3 of the 1996 Guidelines where 'The support structure should be kept to a



minimum height consistent with effective operation and should be monopole (or poles) rather than a lattice tripod or square structure. A further advantage of a monopole, such as the one now proposed is that all cables, DC cables and fibres, can be concealed within the main body of the pole.

Given the nature of the existing telecommunications facility and the 38kV Substation, the proposed development is considered to be a modest alteration to the overall utility site. It will visually complement the existing telecommunication pylons and substation infrastructure, reducing the visual impact from further afield, including approaches to the site from along Ninth Lock Road and local road network generally. Most importantly, the site would not be visible from either the Grand Canal or Clondalkin village proper, particularly the from the Round Tower or its immediate surroundings.

Furthermore, having regard to the nature of the site and relative distances to neighbouring residential properties in particular ESBT are firmly of the opinion that visually the structure will not be overly dominant in the receiving streetscape where the existing lattice tower has become an established feature locally. It is therefore concluded that the provision of a lower, slimmer replacement structure will not cause undue harm to the visual amenities of the immediate area and wider locality.

Finally, as the proposed development is to be sited within the existing telecoms compound. The submitted plans have not detailed associated equipment cabinets, however these will be modest in size, located within the compound, behind the existing 2.4m high palisade fence, which will ensure they will not be unduly visible from outside of the compound. In any event any cabinets and equipment required will fall within the Exempted Development parameters given under Class 31(f) of the Planning and Development Regulations 2001 (as amended).

5.5 Landscaping

ESBTs' compound falls within the wider ESB Substation lands and as such landscaping adjacent to the compound would not be appropriate for safety reasons. The wider ESB Substation lands have however been landscaped along the southern and eastern boundaries, providing some screening of the utility installations when viewed from these directions.

There were a number of mature trees within the boundary of the outer substation compound brick and rail fence that runs along the western boundary of the site and Ninth Lock Road. However, in compliance with a condition attached to an earlier permission granted at the site the trees were felled (SD14A/01113; ABP Ref. PL 06S.243666; Condition 3 refers). While this has resulted in the subject site and wider Substation lands being more visible in the immediate vicinity, the set back of the Substation lands in relation to the substantial buildings to the north and south of the site means it does not dominate the wider area or streetscape. The boundary wall and fence along the western boundary also means that there is a good demarcation between the public domain, footpath and road, and the utility site beyond. In light of the aforementioned it is considered that further landscaping would not be appropriate and thus not required.

5.6 Co-Location

In line with Guidelines, ESBT makes available wherever possible all its existing structures with other licensed operators for co-location. This policy has been in place since 2001 and continues to be the case, reducing the unnecessary proliferation of such essential structures throughout the country.



The subject site at Clondalkin is a good example of co-location, where until relatively recently three operators shared the mast. While one operator has recently moved to another site within Clondalkin, as noted earlier in this Statement the current proposal would still allow for co-location for two operators.

5.7 Realising the Potential of ESB Telecom Fibre

The site is currently not served by ESBT's fibre network. However, there is fibre in the area, following the line of the Grand Canal and if a longer term permission were granted at this site, subject to planning permission, the site would be connected to ESBT's fibre network allowing virtually limitless bandwidths (data rates) when compared to other forms of communication. Faster data transmission results in a better service delivery for the end user. The evolution of the telecommunications industry over the last number of years means that the presence of fibre at communication base stations is a key criterion for the provision of mobile technologies such as mobile broadband and internet services to mobile phones and home-based broadband customers alike.

Thus, a telecommunications base station at this location could ensure that an existing fibre in the locality could be extended and utilised to its full potential, providing network solutions for telecommunication operators in the area.

5.8 Environmental Considerations

Flooding

The OPW website, National Flood Hazard Mapping, launched in May 2018, shows that the site has not been subject to flooding. There is no record of recent flooding within the site or the immediate locality.

Natural Heritage Designations

In terms of natural heritage designations and specific regard to the requirement of EU Habitats Directive the following sites are noted:

- Glenasmole Valley SAC (Site Code 001209) c. 8.5km south of the site.
- South Dublin Bay SAC (Site Code 00210) c. 12km to the east of the site.
- South Dublin Bay and River Tolka SPA (Site Code 004024) c. 12km to the east of the site.
- Rye Water Valley/Carton SAC (Site Code 001398) c. 8km to the north-west of the site.

Having regard to the nature of the proposed development and location of the site and/or proximity to the nearest European sites, forming part of the Natura 2000 network (Article 6 of the EU Habitats Directive refers) and their qualifying features, no appropriate assessment issues arise. It is not considered that the proposed development would likely have a significant effect on the integrity individually or in combination with other plans or projects on a European site.

5.9 Duration of Permission

Ministerial Circular PL07/12 issued guidance to Local Planning Authorities to cease attaching time limited conditions to telecommunication structures, as structures will continue to play a vital role in delivering economic growth to the areas they service in the future. Only in exceptional circumstances where particular site or environmental conditions apply should a permission be issued with conditions limiting their life.

ESBT acknowledge that SDCC have identified Clondalkin as a vibrant town centre and have strong aspirations to see the continued development/redevelopment of the area. In this context ESBT in parallel with the current application have continued to undertake an extensive search

of the surrounding area in order to identify alternative locations for the communication base station.

This search has not identified any suitable location for the relocation of the base station. In light of the progression of the town centre redevelopment, the search for an alternative site and the continued need for communication coverage it is respectfully requested that the communication structure is granted a 10 year development approval. While this period may appear exceptional, it is ESBT's contention that the period represents a balanced response.

On the one hand the timeframe would provide economic justification to invest in a lower, less obtrusive structure, as well as allowing our customers certainty to allow for the upgrade of their equipment to ensure the latest services can be provided to their customers in the Clondalkin area.

On the other hand, such a timeframe would allow all parties, including SDDC, to consider how best the service can be secured as planned changes to Clondalkin and the built form are progressed in the medium to long term. This could for example be progress through the Local Area Plan, where a LAP for Clondalkin is overdue and the draft Development plan includes a commitment to undertake such an LAP during the timescale of the new Development Plan.

6. CONCLUSIONS

The importance of mobile and broadband infrastructure to the economic and social sustainability of South Dublin and the wider area are extensively acknowledged throughout the relevant plans and programmes, as outlined in this Statement.

Having regard to the importance of the site to provide a service into the centre of Clondalkin including potential linkages to national fibre networks and the services that can be supplied to our customers from this location, ESBT envisages this site remaining one of significant strategic importance for its customers and reducing the need for further future telecommunication structures in the area where no alternative sites have been found. This site, located as it is in one of fastest growing areas in the Greater Dublin Area, can play a key role in the timely delivery of next generation mobile services to the area.

The Ministerial Guidelines of 1996, and subsequent Circular, expand upon the general planning issues that arise in relation to telecommunications infrastructure. Notably, they set out the necessity for the development of telecommunications infrastructure and encourage such development into appropriate areas, such as "industrial areas" or sites already in use as ESB substation compounds. The Guidelines also support the sharing and clustering of services via co-location, a practice promoted at all ESBT sites.

When considering the relevant national, regional and local plans and strategy documents, and having regard to the relevant Ministerial Guidelines, it is the view of ESBT that the continued use of the communications structure at this location is accords with planning policy and guidance related to telecommunications structures as follows:

It is ESBT's contention that the proposed development is found to be:

- In accordance with The National Planning Framework (Project Ireland 2040) & The National Development Plan 2018-2027
- Supports the National Broadband Plan
- Is in accordance with the RSES 2019-2031
- Is in accordance with the South Dublin Development Plan 2016-2022



- Accords with the Vision, Aims and Objectives of the Draft South Dublin Development Plan 2022-2028
- Supports the overall Vision, Policies and Objectives of the South Dublin County LECP 2016-2021
- Accords with Ministerial Guidance, 'The Telecommunications and Support Structures (July 1996) and subsequent Revisions Ministerial Circular (Feb. 2018)

The proposed structure would be situated in an existing substation site and ESBT contends that the continued use of the site with a lower monopole structure as proposed would not be unduly visually obtrusive so as to be harmful to the visual amenities or be detrimental to the amenities of the area.

In light of the aforementioned it is considered that it is demonstrated that the proposed development on this site for telecommunications would be in accordance with the proper planning and sustainable development of the area. As such there is nothing to preclude a grant of retention permission and planning permission at this location.

Finally, while the investment by ESBT at this site would result in a structure capable of catering for the future needs of multiple operators, including the continued provision of the latest telephony technologies and would significantly enhance the mobile services available to Clondalkin into the future, such investment is not insignificant. Therefore, should the Council consider a permanent permission would not be acceptable at this time it is respectfully requested that a permission for a period not less than 10 years be considered.