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# PLANNING STATEMENT

to support s.254 licence application for

## TELECOMMUNICATIONS INFRASTRUCTURE

at

### ROBINHOOD INDUSTRIAL ESTATE, DUBLIN 22

Client: Signal Infrastructure Ltd.

21<sup>st</sup> January 2022

## 1.0 INTRODUCTION

David Mulcahy Planning Consultants Ltd have been instructed by **Signal Infrastructure Ltd**<sup>1</sup> to prepare a planning statement to support a Section 254 licence application for a telecommunication structure at Robinhood Industrial Estate, Dublin 22.

The purpose of this report is to describe the planning context including receiving environment, planning history, planning policies and objectives, outline the development to be retained and demonstrate how the proposal accords with the proper planning and sustainable development of the area.

This report should be read in conjunction with the drawings prepared by **Jason Redmond Associates, Consulting Engineers** who are the agents for this application. All correspondence should be sent to Jason Redmond Associates<sup>2</sup>.

Note: all underlined italic text is author's emphasis. All maps are orientated due north.

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<sup>1</sup> Suite 311, Q House, Sandyford Industrial Estate, Dublin 18, D18 YV50.

<sup>2</sup> Signal Infrastructure Ltd., C/O Jason Redmond Associates, 5 Lismard, Portlaoise, Co. Laois.

## 2.0 LOCATION AND DESCRIPTION

### 2.1 Location

The site is located at a roundabout junction in Robinhood Industrial Estate. Please refer to the site location map submitted with the application.

### 2.2 Description

The site currently consists of a grass verge at the back of a public footpath.



**Fig No.1** Photograph of subject site taken from the roundabout junction.



**Fig No.2** Aerial photograph with approximate location of site indicated.

### **2.3 Ownership**

The site is located on land owned by South Dublin County Council.

### **2.4 Adjoining Land Uses**

There is a public footpath to the front (south) of the site with a grass verge beyond. This verge contains a tall street light.

There is a boundary of an industrial premises to the rear of the site (wall with railing over). There is dense, mature, evergreen hedging inside this boundary.

The area is commercial in nature and there are no residential dwelling in the vicinity.

## **3.0 PROPOSED DEVELOPMENT**

### **3.1 Description**

The proposal consists of an 18m Lollipop Streetpole with 1no. 2m hexaband antenna at azimuths 60°, 160°, 260° & 1no. ø300mm dish (to be included only if no fibre infrastructure in area), along with ancillary cabinet (1.649m high x 1.168m wide x 0.793 deep).

Refer to drawings and CGI images prepared by Jason Redmond Associates, Consulting Engineers for further details.

### **3.2 Technical Justification**

#### **3.2.1 Objective of Search Ring Area**

The search ring, or area within which a telecommunications installation is required in order to meet the search ring objectives, is an area of c. 400 metres in diameter. The site is required in order to improve network coverage in the area. It has been identified by radio engineers that an installation within the search ring will bring required coverage to the coverage black spot, subject to a site-specific assessment and radio clearance - see diagram of search ring below.



Fig No.3 Search Ring for subject site.

### 3.2.2 Reason why location was chosen:

The location at Robinhood Industrial Estate was chosen because of the following:

- It's within the Search Ring coverage footprint.
- There is adequate space to locate a street works solution and cabinet.
- There is fibre located nearby to ensure connectivity into the network.
- No overhead cables located at the proposed location.
- The location will not interfere with existing services.

### **Other Locations Reviewed by Eir:**

Other locations reviewed were:

- Heiton Buckley - The SP was not interested in the proposal to install a pole structure within their grounds.
- Smurfit - did not entertain a proposal to erect a telecoms structure on their grounds.
- Musgraves - The SP is not interested due to further plans to redevelop.

No suitable rooftop solutions or commercial building nearby therefore the installation of a streetworks was the only realistic workable solution for this search ring area.

Eir are upgrading the network in Dublin to provide customers with good quality voice and high-speed data services. As part of Eir Ltd licensing requirements and the continuing rollout of their 3G and 4G network, Eir requires a site at Robinhood Industrial Estate, Dublin 22.

The current coverage for Eir does not provide adequate indoor service for high speed mobile broadband and voice services in and around the area. Without a new site at this location, parts of this area will continue to 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 data sessions which will also possibly limits people's ability to work from home on the Eir network.

### **3.2.3 Coverage Map**

The coverage maps below are self-explanatory. The *do-nothing* approach would result in a continued deficit in indoor/in car coverage in addition to outdoor mobile and wireless broadband cover over a significant section of the subject urban environment. The *do something* approach will bring full

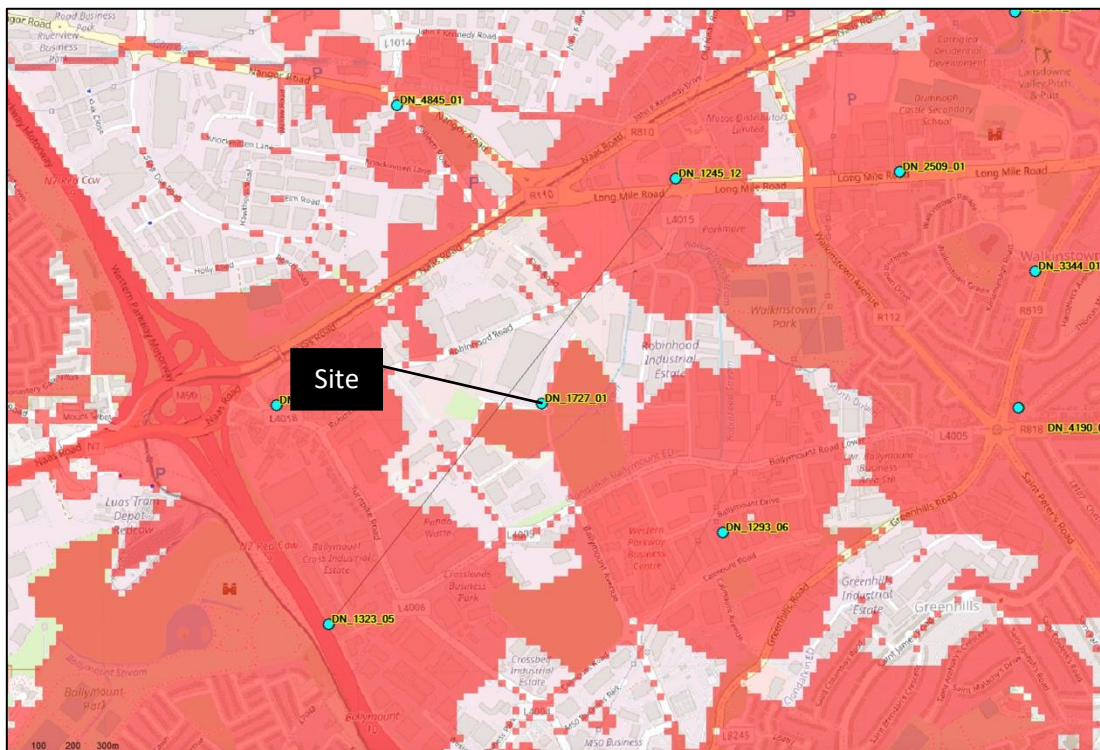
indoor/outdoor coverage to a significant splay of residential and business premises in this area and surrounding environs.

Figure 4 below demonstrates the existing indoor around the site.

Figure 5 demonstrates the predicted indoor coverage levels, which will result if the proposed LA is granted (blue area). This represents a substantial increase in indoor coverage service levels in this area.

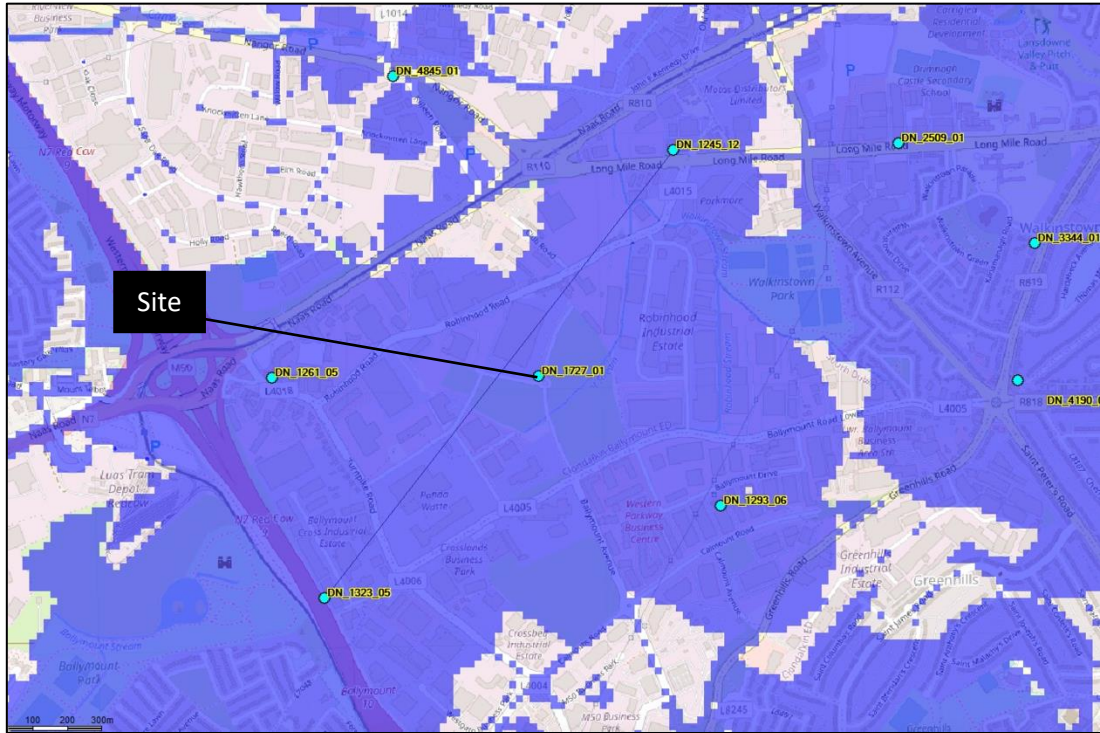
Figure 6 demonstrates the comparison of coverage levels between existing (red) and proposed (blue).

It is respectfully submitted that the coverage maps below clearly demonstrate the significance of the proposed installation with respect of the telecommunications network.

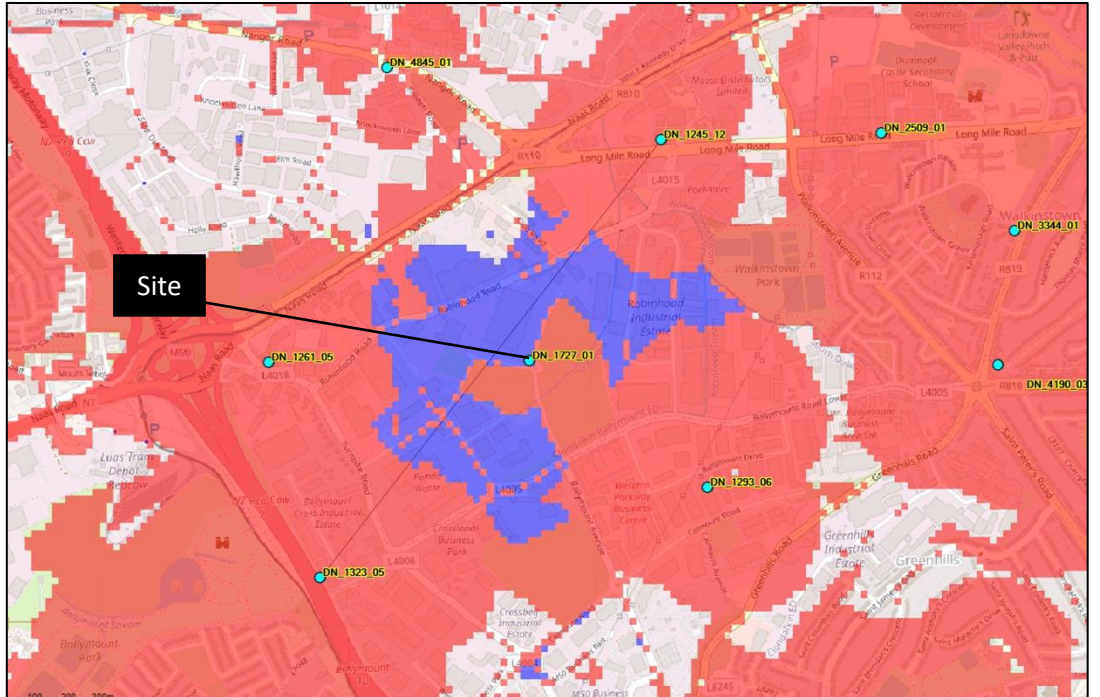


**Figure 4:** Existing Indoor coverage footprint in the area without Cignal site.





**Figure 5:** Predicted indoor coverage (blue) with new Cignal Site.



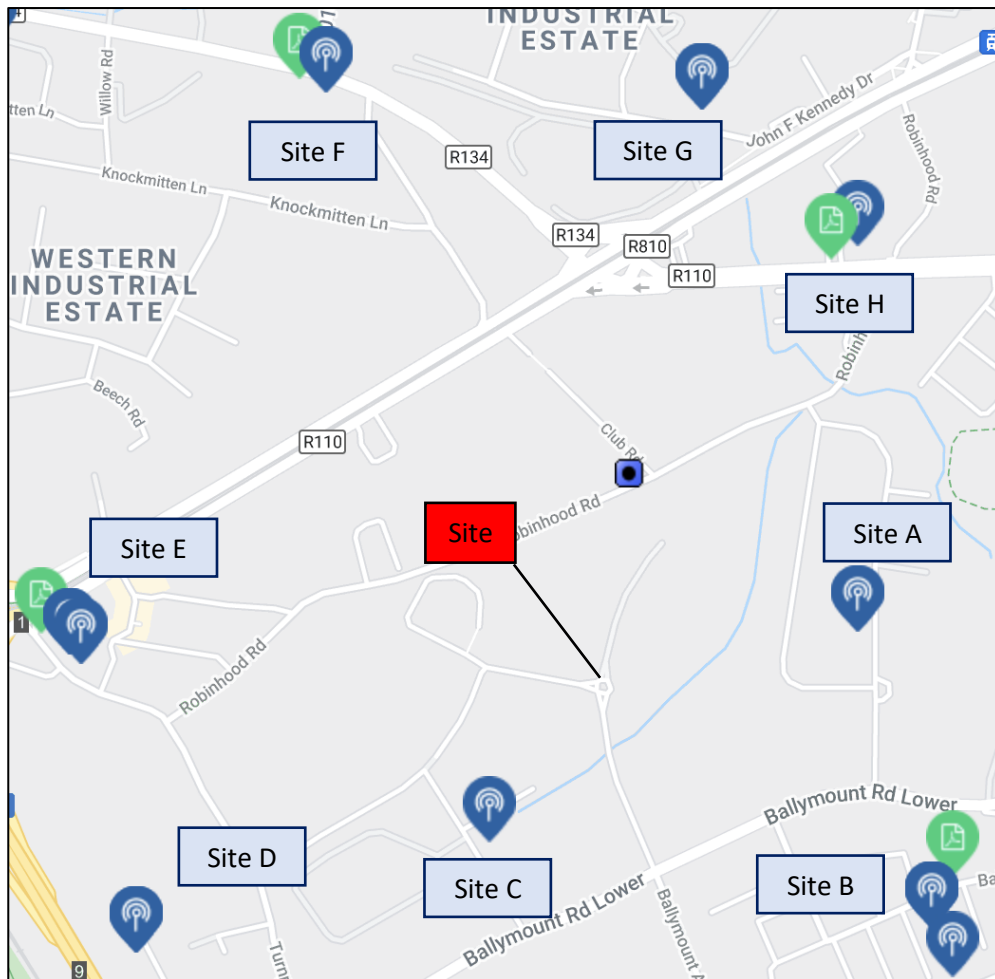
**Figure 6:** Comparison coverage levels between existing (red) and proposed (blue).

### 3.2.4 Comreg Map/Policy

The following map sets out the existing Comreg Sites in this area. Please refer to <https://siteviewer.comreg.ie/#explore>.

The maps below show there is a notable absence of telecommunication infrastructure in the vicinity of the subject site.

It should be noted that telecommunications traffic through urban/commercial areas require more capacity and therefore more infrastructure, given the smaller spatial footprint of search areas and higher development densities in association with higher volumes of radio traffic (owing to modern technologies and devices not limited to mobile phone devices) through any individual radio cell.



**Fig. No.7** Comreg Maps of closest Existing Sites in General Area.

### 3.2.5 Alternative sites

Please refer to the above Comreg Map under figure 7 above, which sets out the other relevant Infrastructure in the subject general area of Robinhood Industrial Estate, Dublin 22. It must be noted that all of the sites identified are situated outside the required search ring, which has a diameter of c.400 metres.

As all of the nearest sites in a radial pattern surrounding the proposed development are outside of the required search ring, sharing of facilities on other installations, outside of the required search ring will not address the coverage objectives of the subject search ring. However, in the interest of demonstrating other sites in the broader area for assessment purposes by the planning authority, the following table indicates the closest established sites within a 2 km radius and also presents the associated 'Discounted Reasons':

Site:	Name of Site (Comreg):	Approx. Distance from Site:	Details/Discounted Reason(s):
<b>A</b>	THREE_DU0921	402m	Site is outside of the required search ring, therefore there is no benefit in adding equipment at this location towards the end of achieving current required search ring objectives.
<b>B</b>	METEOR DN_1293; THREE_DU0134; VODAFONE_DN302	646m	Site is significantly outside of the required search ring, therefore there is no benefit in adding equipment at this location towards the end of achieving current required search ring objectives. Eir is already positioned at this site therefore equipment at this location would not address the service needs of the subject search ring.

<b>C</b>	VODAFONE_DN218	284m	Site is significantly outside of the required search ring, therefore there is no benefit in adding equipment at this location towards the end of achieving current required search ring objectives.
<b>D</b>	METEOR DN_1323; THREE_DU0825	800m	Site is significantly outside of the required search ring, therefore there is no benefit in adding equipment at this location towards the end of achieving current required search ring objectives. Eir is already positioned at this site therefore equipment at this location would not address the service needs of the subject search ring.
<b>E</b>	METEOR DN_1261; THREE_DU1587	780m	Site is significantly outside of the required search ring, therefore there is no benefit in adding equipment at this location towards the end of achieving current required search ring objectives. Eir is already positioned at this site therefore equipment at this location would not address the service needs of the subject search ring.
<b>F</b>	METEOR DN_4845; VODAFONE_DN386	968m	Site is significantly outside of the required search ring, therefore there is no benefit in adding equipment at this location towards the end of achieving current required search ring objectives. Eir is already positioned at this site therefore equipment at this location would not address the service needs of the subject search ring.
<b>G</b>	THREE_DU0176	870m	Site is significantly outside of the required search ring, therefore there is no benefit in adding equipment at this location towards the end of achieving current required search ring objectives.

H	METEOR DN_1245	760m	Site is significantly outside of the required search ring, therefore there is no benefit in adding equipment at this location towards the end of achieving current required search ring objectives.
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## 4.0 APPLICANT: BACKGROUND

### 4.1 Introduction

The applicant, Cignal Infrastructure Ltd is a company of Cellnex, which is a European Telecommunications infrastructure provider, which specifically facilitates co-location to the communications sector in Ireland and Europe. Cignal was purchased by Cellnex in September 2019. Cignal Infrastructure Ltd remains the legal entity or trading name for the organisation in Ireland. The organisation has significant commercial relationships with each mobile network operator in the State namely Three, Vodafone and Meteor/eir in addition to radio, broadband and emergency communication service providers. Whilst managing their existing portfolio of 300 former Coillte sites, in addition to over 250 new sites., Cellnex has recently completed the purchase of an additional 1150 sites from CK Hutchinson in Ireland. This brings the total portfolio in Ireland to **c.1800 sites nationwide**. The applicant plans to add new developments to support the ongoing infrastructural requirements of the telecommunications industry and to facilitate the provision of broadband in current “**black spot**” **areas** and to also facilitate higher data transmission speeds in urban areas through various initiatives. It is submitted that the intervention of private sector firms such as Cignal Infrastructure Ltd. (and its parent company Cellnex), in the roll-out of telecommunications infrastructure, is a significant and fundamental pillar in the Governments telecommunications policy and its future plans.

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## 5.0 PLANNING CONTEXT

### 5.1 Taskforce: Backdrop to Process

The Section 254 Telecommunications Licence Process has evolved as a direct outcome of the Government's Programme for Government, which gave a commitment to establish a Mobile Phone and Broadband Task Force to identify immediate solutions to broadband/mobile phone coverage deficits and to investigate how better services could be provided to consumers. The Taskforce made a number of key recommendations and set out clear actions, which have evolved with reference to the Implementation Report, inter alia.

Chapter 2, Planning and Licencing, of the Taskforce Report recommended that: *'Provisions relating to planning exemptions for telecommunications infrastructure should be amended to facilitate its smoother deployment and the removal of barriers to investment'*. [author's emphasis]

The Task Force also recommended the following:

*'That a review of the relevant statutory Planning Guidelines should be undertaken, in conjunction with telecoms industry representatives and other relevant stakeholders, with the aim of evaluating and updating key aspects of the Guidelines to provide clarity and consistency in their interpretation and implementation'*.

### 5.2 Distinction between Section 254 and Class 31

As a direct result of this Government Task Force Report and addendum Implementation Report, two crucial yet mutually exclusive instruments of Irish Planning Law were enacted by resolution of the Oireachtas in order to facilitate the Government's aim; *'To identify immediate solutions to broadband/mobile phone coverage deficits and to investigate how better services could be*

*provided to consumers'*. These two legislative instruments were also supported under European Law by the European Union (Reduction of Cost of Deploying High-Speed Public Communications Networks) Regulations 2016.

Putting it simply, the key differentiating element of the Section 254 legislation is that it refers to **Public Roads** whilst the Class 31 exemptions refer to Private Lands and associated 'Exemptions'.

Section 254 requires the applicant to acquire a Licence for the construction of such Telecommunications Infrastructure adjunct to Public Roads. This licence application must demonstrate how the proposal conforms to the proper planning and sustainable development of the area. Under Section 254, an Appeal of a decision to An Bord Pleanala is provided for. There are no height stipulations provided for therein, however Cignal is committed to the highest standards of proper planning and sustainable development and aims to achieve highest possible environmental assimilation standards. One such example of this aim is portrayed in the pursuit of slim line design prototypes, which have evolved since the enactment of the legislation, such as the Alpha 2 model (inter alia), which has combined highly technical specifications with a slim line aesthetically attractive construct with credit afforded to the Cignal Design Team in conjunction with JRA (Jason Redmond Associates).

### **5.3 Spirit of the Legislation**

Planning Authorities, An Bord Pleanala and the Judiciary invariably refer to the 'Spirit of the Legislation', under their respective reports/summations, in drawing conclusions and in issuing Judgements. It is therefore respectfully submitted that the spirit of the Section 254 Licence process is to 'remove barriers' to the roll out and deployment of Telecommunications Infrastructure nationally in order 'to provide immediate solutions to mobile voice and broadband deficits in Ireland'. However, it is noted that regard must be had to the proper planning and

sustainable development of an area and be in accordance with respective Development Plans.

#### **5.4 Provisions of Section 254, Planning and Development Act 2000 (as amended)**

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

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

*F924 [(ee) overground electronic communications infrastructure and any associated physical infrastructure, ]*

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

*(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.*

#### **5.5 Licence History & Precedent**

##### **5.5.1 Previous Licence Application on Subject Site**

A Section 254 Licence was recently approved (S25421/16) by South Dublin County Council approximately 800m southeast of the proposed development on Ballymount Rd Lower. The Ballymount Rd Lower site addresses another blackspot in Eir's mobile coverage and will be constructed in the next few months.



### **5.5.2 Previous Licence Applications in the Jurisdiction**

The reception of Licence Applications has been very positive for the most part. Numerous Licence Applications have already been approved by various planning authorities throughout the Jurisdiction. Such a positive reception of this new Statutory Instrument reflects innovative, proactive and positive engagement between Local Authorities and Telecommunications Infrastructure providers, which is a significant and dynamic step forward for the Telecommunications Sector, which was clearly espoused under the Taskforce Report and accords with 'the spirit of the legislation'.

The following Section 254 Licence Applications have been granted by An Bord Pleanála in recent times: ABP: PL.305114-19 (Lahinch Rd, Ennis), ABP: PL 306440-20 (Ballybane, Galway) and, ABP: PL 306033 – 05E (Letterkenny, Co. Donegal). PL06S.307196 (Lucan, Co. Dublin).

With regard to the principle of development and the associated acceptance of the proposed modernised type of telecommunications pole, under ABP PL 305114-19 the inspector referred, with regard to the principle of development, "*It is agreed that modern technology has provided for design standards that are more amenable to coming within the scope for a License application under Section 254*". This appeal was granted by the Board subject to conditions and it pertained to a similar development description; 15 metre Alpha 2.0 pole and cabinet, in height and general dimensions.

We also refer the Council to a recent decision by An Bord Pleanála (ref. LC93.309598) dated 28th July 2021 concerning a proposed for a 15m high streetpole solution to address identified mobile and mobile broadband coverage blackspots at the Junction of St. John's Hill and The Folly, Waterford (Reg. Ref. 19/523).

The An Bord Pleanála Inspector noted that:

- *“The structure may briefly be of visual interest but would then become an accepted and normal part of the urban streetscape. These structures are becoming more common”.*
- *“The structure will be very visible on the streetscape. However, a visual impact is unavoidable with telecommunications infrastructure such as this ... it would not have any undue adverse impact on the surrounding land uses or the protected structures”.*

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

## **5.6 Street Works in Northern Ireland and the UK, US.**

It is very important to convey that this type of Telecommunications solution is extremely commonplace in Northern Ireland, the UK, Europe and in the US.

Furthermore, ‘The Greenbook’, ‘Guidance on the Potential Location of Overground Telecommunications Infrastructure on Public Roads’ (April 2015), published by the Dept of DCCAE (see [www.dccae.ie](http://www.dccae.ie)) demonstrates various examples of such structures similar to the structure proposed herewith.

The Green Book acknowledges that the type of infrastructure required will vary, depending on a number of factors, such as location, existing road type and network coverage targets.

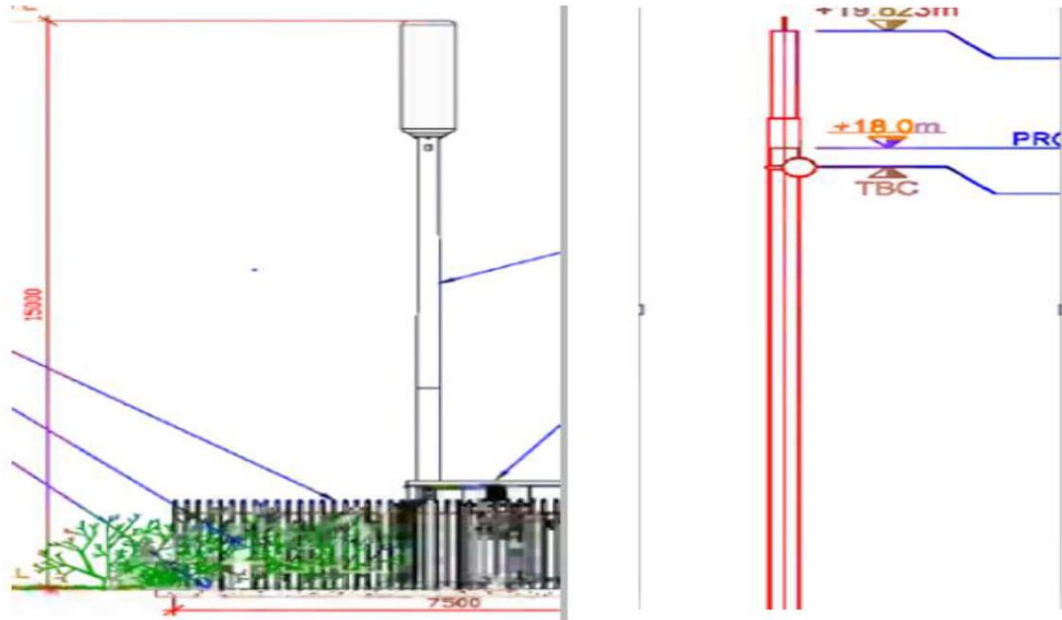
In Section 5.4 Consideration of Suitability of Locations, the Green Book refers to the use of standalone poles as the preferred option in urban settings where there is a wide verge or similar.

Consideration of Opportunities to Facilitate Telecommunications Infrastructure on the Roads Network			
Urban Roads			
	General	Opportunities	Comment
	<p>In the case of urban roads, there are generally few opportunities to cater for large, stand-alone masts. There may be opportunities in the vicinity of some roundabouts.</p> <p>There are, however, likely to be more opportunities to accommodate small telecoms antennae / cabinets within the streetscape. Also, it may be feasible to erect new poles to accommodate telecommunications infrastructure.</p>	<p>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.</p>	<p>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.</p>

**Fig.No.8** Guidance on potential location of overground telecommunications infrastructure on public roads.

In general, the height of telecommunications infrastructure is determined by the network requirements. According to EIR, an overall height of 18m is required at Robinhood Industrial Estate in order to provide the required coverage and to clear local obstacles that would cause network interference.

We note Appendix A of the Green Book, which offers examples of acceptable roadside infrastructure, particularly examples three and four, both of which are structures of 15m and over.



**Fig No.9** Image 5 Examples of small and medium size Single Operator Sites Extracted from the Green Book Appendix A.

For these reasons we suggest that the proposed development is in line with the National and EU digital agenda and the County Development Plan and as such should be permitted as a critical addition to the local service provision.

## **5.7 Proper Planning and Sustainable Development Considerations**

This section sets out the Planning Considerations relevant to the subject licence application. Cignal Infrastructure Ltd. has given due regard to the following policy documents in selecting the subject site.

### National Telecommunications Policy

- Planning Guidelines for Telecommunications Antennae and Support Structures' (1996).
- Circular Letter PL 07/12 issued by the Department of the Environment and Local Government.
- The 'Green Book': Guidance on the Potential Location of Overground Telecommunications Infrastructure on Public Roads (April 2015), Published by The Dept of DCCAE (Product of Collaboration with Department of Communications Energy and Natural Resources, Department of Transport Tourism and Sport, County and City Management Association, Office for Local Authority Management, National Roads Authority (TII)).
- The National Broadband Plan 2012 (and updated under Project Ireland 2040).

### **5.7.1 Project Ireland 2040 – The National Planning Framework**

The National Planning Framework, which is the Country's penultimate, high level planning steering document at national level, stresses the importance of island wide telecoms connectivity. It refers that in the information age, telecommunications networks play a crucial role in enabling social and economic activity.

### **5.7.2 Circular Letter PL 11/2020, Telecommunications Services – Planning Exemptions and Section 254 Licences**

This Circular was issued on 17<sup>th</sup> December 2020. It clarifies that a s.254 licence is required for overground electronic communications infrastructure and any associated physical infrastructure but such works are exempt from planning permission.

While a section 254 licence is required for such works, section 254(7) further provides that development carried out in accordance with a licence issued under section 254 shall be exempted development for the purposes of the Act.

### **5.7.3 East and Midlands RSES (Regional Spatial Economic Strategy)**

This strategic policy document refers under Chapter 11 that; *'In the information age, telecommunications networks play a crucial role in enabling social and economic activity. This RSES supports actions to strengthen communications links to develop a stable, innovative and secure digital communications and services infrastructure on an all-island basis'*.

Section 6.4: The Region's Economic Engines and their Sectoral Opportunities:

In alignment with the Growth Strategy for the Region in Chapter 3, and in conjunction with the Settlement Strategy expressed in Chapter 4, it is an aim of the RSES that there is a convergence between where people live and work and that settlements improve the quality of life of their people.

*'The pervasiveness of digitisation across all sectors compounds the complexity of sector development, and it provides for constant and rapid evolution of emerging technologies including artificial intelligence, machine learning, robotics and virtual reality'*.

## Section 8.6 Communications Network and Digital Infrastructure

*Access to broadband in the Region is improving but remains incomplete. Many rural and peripheral areas of the Region are poorly served by broadband and there is a need to increase the rate of investment in broadband, in particular in rural areas.*

*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. As the digital economy grows, we must ensure that the business opportunities and benefits are felt throughout the Region from our capital city to every town, village and outlying rural area - author's emphasis.*

*The provision of next generation broadband services to rural areas is a key enabling support to ensure smaller urban areas and rural areas are not at a disadvantage in attracting and retaining enterprise and employment compared to larger urban centres. The National Broadband Plan will play an integral role in delivering this infrastructure and revitalising businesses and communities across rural Ireland. This is a fast moving and evolving infrastructure and the region will need to be able to respond and adapt to future communications networks and technology along with changing work practices and emerging economic models.*

### Regional Policy Objective - RPO 8.25

Local authorities shall:

- *Support and facilitate delivery of the National Broadband Plan.*
- *Facilitate enhanced international fibre communications links, including full interconnection between the fibre networks in Northern Ireland and the Republic of Ireland.*

- *Promote and facilitate the sustainable development of a high-quality ICT network throughout the Region in order to achieve balanced social and economic development, whilst protecting the amenities of urban and rural areas.*
- *Support the national objective to promote Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities at appropriate locations.*
- *Promote Dublin as a demonstrator of 5G information and communication technology.*

Regional Policy Objective - RPO 8.26

- *The EMRA supports the preparation of planning guidelines to facilitate the efficient roll out and delivery of national broadband.*

## **South Dublin Development Plan 2016 - 2022**

### **Policy 7.4.0**

*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.*

### **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.*

### **s.11.6.2 Information and communications technology**

*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 PL07/12 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 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.*

This report outlines in details why the proposed development cannot be provided in the search ring or on alternative sites within a 2km radius.

## **Zoning**

The subject site is not zoned as the development plan maps do not zone public road and paths. The adjoining lands are zoned Objective REGEN, which seeks to “facilitate enterprise and/or residential-led regeneration”.





**Fig.No.10** Extract from the South Dublin County Development Plan 2016-22 zoning map.

This zoning context remains the same under the draft South Dublin County Development Plan 2022-28.

### **Site Designations (Zoning, Scenic Routes, Landscape Sensitivity etc.)**

The site has no specific amenity designation. There is no protected scenic route proximate to the site. It is not within an ACA or within a SAC/SPA. The site falls within the area defined as public road and therefore this proposal should be considered under the Section 254 legislation as outlined under Section 3.1 above.

## 6.0 VISUAL IMPACT ASSESSMENT

Please refer to the CGI images prepared by Jason Redmond Associates, Consulting Engineers submitted with the application showing before and after images of the proposed development.

For the purpose of this study the criteria as set out in the current EPA Guidelines on Information to be contained in Environmental Impact Assessment Reports (2017, Draft) are used in the assessment of the likely impacts. The criteria for rating the significance of impacts are outlined below:

Criteria for significance of effects under EPA Guidelines

<b>EPA Rating</b>	
<i>Imperceptible</i>	<i>An impact capable of measurement but without significant consequences</i>
<i>Not Significant</i>	<i>An effect which causes noticeable changes in the character of the environment without significant consequences</i>
<i>Slight</i>	<i>An impact which causes noticeable changes in the character of the environment without affecting its sensitivities</i>
<i>Moderate</i>	<i>An impact that alters the character of the environment in a manner that is consistent with the existing and emerging baseline trends</i>
<i>Significant</i>	<i>An impact which, by its character, magnitude, duration or intensity alters a sensitive aspect of the environment</i>
<i>Very Significant</i>	<i>An effect which, by its character, magnitude, duration or intensity significantly alters most of a sensitive aspect of the environment</i>
<i>Profound</i>	<i>An impact which obliterates sensitive characteristics</i>

A total of **4 no. Visual Reference Points** have been identified within a 160m radius of the site.

VRPs 1 & 2 are taken at distances of 154m and 101m respectively from the site. The pole is visible from these locations. VRPs 3 & 4 are taken at distances of 92m and 157m respectively from the site. The pole and cabinet are visible from these locations. Given the established context provided by the receiving environment which comprises lamp posts and industrial type buildings, along with the slender nature of the structure, and the neutral sky grey colour, the visual impact is considered to be slight to moderate. It will read as part of the typical street furniture and will not be an incongruous insertion into the streetscape.

### **VIA Conclusion**

It is concluded that while the proposed 18 metre lollipop streetpole will be visible from close- up locations, which is to be expected, it will not be an incongruous insertion into the streetscape. It is submitted that the proposed pole will be of neutral sky grey, which will reflect the skyline and therefore the proposed pole will be well assimilated with regards to its colour/texture. It is not considered that such visual sighting of same would be detrimental to the visual amenities of the area, the community amenities or of the public realm at this location.

Established streetlight poles and backdrop development have the effect of absorbing the proposed structure from many of the viewpoints.

The proposed pole structure and cabinet, which are proposed for this spatial context is a more stream-lined and sleek version of the structures, which were initially rolled out under the Section 254 Licence process. The proposed structure/equipment is testament to the objective of the Cellnex Company, Cignal, which has been to strive to carefully select appropriate sites, which meet coverage objectives, but which also sensitively address the streetscape wherein

such structures are located. It is respectfully submitted that the proposed structure, is presented as a utility structure in this streetscape.

Please note the inspector's comment under ABP reference PL. 61.306440, which was an appeal against a decision of Galway City Council to refuse a similar Alpha 2.0 pole structure. The Board overturned the decision of the planning authority in this instance and the ABP inspector, whilst recommending a grant be issued, referred the following in relation to design and visual impacts:

*'I would consider that the structure itself is nondescript in character and design 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'.*

It is respectfully submitted that the proposal, in a similar suburban context, will be assimilated into the established streetscape and skyline at this location and within the backdrop of the receiving environment and is entirely in accordance with the proper planning and sustainable development of the area.

## **7.0 APPROPRIATE ASSESSMENT SCREENING**

### **7.1 Natura 2000 Provisions**

Having regard to the nature and limited scale of the proposed development and nature of the receiving environment together with the distance from the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## **8.0 ICNIRP COMPLIANCE**

### **8.1 Health and Safety legislation and Guidelines**

The subject site will be built in accordance with current Health and Safety legislation and Guidelines, which is ultra vires to the planning process. Comreg is the appropriate authority with responsibility for same. The proposed equipment and installation are designed to be in full compliance with the limits set by the Guidelines of the International Commission on Non-Ionising Radiation Protection.

## **9.0 CONCLUSION**

It is respectfully submitted that the proposed street work solution accords with pattern and character of the public realm in this area of Robinhood Industrial Estate, Dublin 22.

The principle of the proposed 18m streetpole structure has been accepted by numerous planning authorities and An Bord Pleanala, since the enactment of the legislation.

It is respectfully submitted that policy cited under the South Dublin County Development Plan, particularly with regard to colocation, was clearly applied to the site selection process. All other locations i.e. existing telecommunication sites have been evaluated and discounted for various reasons set out above. The majority of the established sites assessed were too far from the search ring, to satisfy its technical requirements. The Cellnex Team also considered 'Alternatives' and various locations were ruled out for genuine reasons.

Furthermore, the South Dublin County Development Plan 2016-2022 clearly recognises the importance of the development of a high-quality telecommunications network.

The proposed 18 metre lollipop streetpole solution will provide for optimum coverage as required in an area where there is a noted dearth in coverage. Additionally, given the current Covid 19 crisis, the newly acquired practices of wholesale 'Working from Home' have placed increasing demands on the network as noted by Government in recent Circulars and associated actions. It is also widely accepted that 'Working from Home' practices will become the new norm for a significant time period into the future. Therefore, the immediate urgency of this type of telecommunications infrastructure to address coverage gaps in the network, in addition to increased demand, has never been so crucial to the ongoing economic and sustainable development of the Country.

It is submitted that the proposed pole will be of neutral sky grey, which will reflect the skyline and therefore the proposed pole will be well assimilated with regards to its colour/texture and therefore complies with the best principles of siting and design.

On a site-specific basis, the proposed location, will not interfere with the use of the footpath and will provide an appropriate setting for the proposed pole and cabinet where it will appear as normal utility infrastructure.

The VIA submitted herewith demonstrates that there will be no negative impact on the visual amenities of this area with slight to moderate visual impacts being perceived as one observes the structure in middle to near distance. It is submitted that whilst the structure will naturally be visible, it cannot be argued that visibility of such a structure alone amounts to detrimental impacts rather normal perception of development. This type of structure is crucial functional infrastructure, which significantly contributes to successful place making, in a modern day, functional public realm.

The proposed development is also consistent with the main thrust of recently adopted Regional Policy (EMRA RSES).

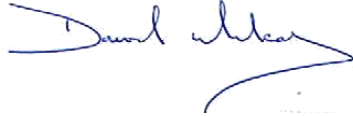
The planning authority is respectfully requested to consider the necessity for this infrastructure, which the market would not require if there was not a demand for same. The planning authority is also requested to consider the meticulous site selection process undertaken, which has to satisfy the criteria of the planning authority in addition to the technical/radio requirements of the identified search ring. Finally, the planning authority is also requested to consider the suitability of this type of spatial context for this infrastructure generally. i.e. arterial transport route/ proximate to nearby junction.

With regard to the S.254 legislation, as cited under Section 4 above, it is submitted that the proposed development.

- Accords with the proper planning and sustainable development of the area.
- Accords with the relevant provisions of the development plan.
- Does not detract from the convenience and safety of road users including pedestrians,
- Assimilates within the existing pattern of appliances, apparatuses, or other structures along the public road.

In conclusion, it is respectfully submitted that the proposal fully complies with the proper planning and sustainable development of the area and it is requested that South Dublin County Council grant this Licence Application with regard to the case set out above.

A stage II Appropriate Assessment is not considered necessary. We invite the Council as the competent body to agree with this conclusion.



David Mulcahy

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