

# Comhairle Chontae Atha Cliath Theas

**PR/0866/22**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22A/0140      **Application Date:** 16-May-2022  
**Submission Type:** New Application      **Registration Date:** 16-May-2022

**Correspondence Name and Address:** Jon Jones 3, Arbourfield House, Dundrum Business Park, Dublin 14

**Proposed Development:** Retention for 12 metre high telecommunications support structure carrying telecommunications equipment together with existing equipment containers and associated equipment within a fenced compound as previously granted under SD10A/0180. The development will continue to form part of Eircom Limited's existing and future telecommunications and broadband network.

**Location:** Coolmine Td, Rathcoole, Co. Dublin

**Applicant Name:** Eircom Limited

**Application Type:** Retention

(EW)

### **Description of Site and Surroundings:**

Site Area: 0.1 Hectares.

#### Site Description:

The site is located in a rural area in a grassed field some 170 metres to the south-west of Stoney Park Road. The site is accessed via a cul-de-sac laneway leading off Stoney Park Road. The northern boundary of the site is bound by native deciduous trees and hedgerow, which also forms the field boundary. The site is approximately 1 km to the south of Rathcoole village. The nearest residential dwelling is some 180 metres to the north-west of the site.

The ground level of the site is generally level at 160 metres above O.S. Datum. A 110 kv pylon is located c. 90 metres to the east of the site.

### **Proposal:**

- **Retention** for 12-metre-high telecommunications support structure carrying telecommunications equipment together with existing equipment containers and associated equipment within a fenced compound as previously granted under SD10A/0180. The development will continue to form part of Eircom Limited's existing and future telecommunications and broadband network.

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### **Zoning:**

The application site is zoned *Objective RU*, which seeks 'To protect and improve rural amenity and to provide for the development of agriculture'.

### **Consultations:**

Surface Water –	<i>Not Applicable.</i>
Water –	<i>Not Applicable.</i>
Roads Section –	No objections.
Heritage Officer-	<i>No comments at time of report.</i>
Parks Department –	No comments received.
EHO-	No objections, conditions apply.

### **SEA Sensitivity Screening**

Indicates overlap with the rural environmental layer.

### **Submissions/Observations /Representations**

None received

### **Relevant Planning History**

#### *Subject site*

SD10A/0180 – **Permission Granted** - Construction of a 12m high monopole carrying 3 no. panel antenna and 2 no. RT dish for the purpose of mobile telecommunications together with associated telecommunication cabinets and equipment situated at ground level, all enclosed in palisade fencing, and all associated site works.

### **Relevant Enforcement History**

None recorded for subject site.

### **Pre-Planning Consultation**

None found.

### **Relevant Policy in South Dublin County Council Development Plan 2016-2022**

7.4.0 Information and Communications Technology

INFRASTRUCTURE & ENVIRONMENTAL QUALITY (IE) Policy 4 Information and Communications Technology (ICT)

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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.

### 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.

### IE4 Objective 5:

To actively discourage the proliferation of above ground utility boxes throughout the County and to promote soft planting around existing ones and any new ones that cannot be installed below the surface to mitigate the impact on the area.

### IE4 Objective 6:

To require the identification of adjacent Public Rights of Way and established walking routes by applicants prior to any new telecommunication developments (including associated processes) and to prohibit telecommunications developments that impinge thereon or on recreational amenities, public access to the countryside or the natural environment.

### 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 PL 07/12 issued by the DECLG (as may be amended), and to other publications and material as may be relevant in the circumstances,

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- 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.

### **Relevant Ministerial Guidelines**

*Circular Letter PL 07/12 - Telecommunications Antennae and Support Structure Guidelines*, Department of Environment, Community and Local Government (October 2012).

Revised elements of the Telecommunications Guidelines 1996 including:

#### *2.2 Temporary Permissions*

‘Only in exceptional circumstances where particular site or environmental conditions apply, should a permission issue with conditions limiting their life’.

#### *2.3 The Development Plan and Separation Distances*

#### *2.4 Bonds for Removal of Redundant Structures*

‘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’.

#### *2.5 Register or Database*

‘It is recommended that a register of approved telecommunications structures supported by relevant databases be created and maintained by each planning authority in cooperation with operators.’

#### *2.6 Health and Safety Aspects*

‘Planning authorities should be primarily concerned with the appropriate location and design of telecommunications structures and do not have competence for health and safety matters in respect of telecommunications infrastructure. These are regulated by other codes and such matters should not be additionally regulated by the planning process.’

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*Telecommunications Antennae and Support Structures Guidelines for Planning Authorities* – Department of Environment & Local Government (1996).

*Section 1* states that in order to avoid unnecessary proliferation of masts, owners would be expected to facilitate co-location of antennae with other operators and planning authorities should encourage co-location of antennae on existing support structures and masts.

*Section 2.3.1 Antennae* Sets out guidelines for antennae and states that such structures can be mounted on buildings in urban areas but generally require supporting masts or towers in rural and suburban areas due to the low rise nature of buildings in these areas.

Section 2.4 recognises that in some instances it may be technically possible for operators to share facilities or owners of antennae support structures

*Section 4.3 Visual Impact* States that in the vicinity of larger towns and in city suburbs operators should endeavour to locate in industrial estates or in industrial zoned land. It is noted that substations operated by the ESB may be suitable for the location of antennae support structures.

*Section 4.5 Sharing Facilities & Clustering* All applicants will be encouraged to share and will have to satisfy the authority that they have made a reasonable effort to share. Support structures used by emergency or other essential services are not suitable for sharing with public mobile telephone services.

*Section 4.6 Health & Safety Aspects*

*Section 4.7 Obsolete Structures*

*Section 4.8 Duration of Permission*

### Assessment

The main issues for consideration are compliance with zoning and Council policy, compliance with Telecommunications Guidelines, co-location opportunities, context/visual impact, proximity to residential development and public health, drainage traffic, landscaping.

### *Zoning and Council Policy*

The site is located in an area which is zoned *RU*, which seeks 'To protect and improve rural amenity and to provide for the development of agriculture'. 'Public Services' are permitted in principle under the zoning objective of the area. The proposed development would represent the ongoing use of previously permitted 12m high monopole carrying 3 no. panel antenna and 2 no. RT dish for the purpose of mobile telecommunications granted under planning Ref.

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SD10A/0180. The principle of the development for Retention is considered to be consistent with the zoning at this location.

The County Development Plan contains detailed policies in relation to communications and broadly supports the strategic development of the network. In particular, *'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 impact of the proposed development on the visual and residential amenities are assessed later in this report.

### Visual Impact

The proposed development would represent the retention of a previously permitted 12m high monopole carrying three no. panel antenna and two no. RT dish for mobile telecommunications granted under planning Ref. SD10A/0180. The development has been previously granted permission and has, therefore, an established use at this location for the 12-metre monopole structure with its associated equipment within an existing 2.4m high palisade compound.

The proposed development principle is considered consistent with the 'RU' zoning at this location. The communications structure has a height of 12 metres that includes a 9-metre-high monopole with an additional cluster of 3m high steel poles on top. Three no. panel antenna, two no. RT dish and three no. ASC units are mounted to these poles. It is deemed that 12 meters monopole structure is considered modest compared to the Eirgrid pylons running in a North East to South West direction some 90m west of the site. The retained structure is smaller in height than these existing pylons, which have become part of the visual environment of the area for some time.

The site is surrounded by natural vegetation, including hedges and mature trees, which help screen the structure for retention from the residential dwellings along Stoney Park Road and the local road behind the site. Due to the screening provided by the surrounding hedges and trees, the compound is only partially visible from the nearby Stoney Park Road. Likewise, the structure itself is barely visible from any of the local roads, and any views of the structure are generally intermittent and incidental due to the land's topography and the natural vegetation screening.

The proposed development has been designed to blend into the landscape as much as is physically possible, and the height of the proposed structure is the minimum required. In addition, given the site's location, it is considered that it would not be visually harmful. The 86msq fenced compound containing the telecommunications structure and associated equipment is surrounded by mature trees and bushes, mainly obscuring the base of the mast and equipment cabinet from view.

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Co-location of antennae on existing support structures and masts is encouraged by the Planning Authority; this will be **conditioned** in the event of a grant of permission. The ground equipment would be located behind an existing palisade fence with the presence of shrubs and foliage and, therefore, would not be overly visible. Regarding the location of the subject site and its rural open and undeveloped context, the development of telecommunications for retention is visually acceptable.

### ***Roads***

A report was received from the Roads Department, which states no objections with no recommendations.

### ***Residential Amenity and Public Health***

The closest residential properties are located 180 metres to the north-west of the site. Due to the separation distances involved it is considered that the structure would not appear overbearing and therefore would not be materially harmful.

### **Environmental Health Officer**

EHO have no objections subject to the following conditions in the event that permission is granted:

- 1 This permission is for a period of 5 years from the date of this grant of planning permission. The telecommunications structure and related ancillary structures shall then be removed unless, prior to the end of the period, planning permission shall have been granted for their retention for a further period by the Planning Authority or by An Bord Pleanala on appeal. Reason: To enable the impact of the development to be reassessed, having regard to advances in technology and design of radio equipment and antennae, changes in the design of support structures, more stringent or other standards, if considered more appropriate, during the period of five years and to circumstances then prevailing.
2. Monitoring to determine the adherence to the guidelines of the International Non Ionising Radiation Committee of the International Radiological Protection Association, under the auspices of the WHO and the European Pre standard RNV 50166-2 Human Exposure to Magnetic Fields-High Frequency (10KHz to 300GHz) promulgated by CENELEC, the European Committee for Electro technical standardisation shall be made immediately before the site is brought into commission and thereafter at yearly intervals by a competent authority, using up-to-date monitoring equipment. The results of all monitoring shall be available for inspection by the Planning Authority and/or other appropriate body. Reason: In the interests of public health

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Notwithstanding the above recommendations from the EHO Department, having regards to *Condition 1 and 2*, Circular Letter PL 07/12 is noted in relation to temporary permission and health and safety.

### ***Duration of permission***

The 1996 ministerial guidelines relating to telecommunications antennas encouraged planning authorities to grant permission on a temporary basis for telecommunications masts. The government's rationale until 2012 was that technological developments might allow for fewer, or smaller, masts in the future. In 2012, the government issued '*Circular Letter PL 07/12 - Telecommunications Antennae and Support Structure Guidelines*', which altered the recommended policy and directed planning authorities to make permanent planning decisions regarding telecommunications masts, unless there are exceptional circumstances to justify a temporary grant of permission. Therefore, based on current guidelines it is not considered necessary to restrict any grant of permission to a specific time period.

### ***Water Services***

A report was received from SDCC Water Services Department and Irish Water, which states not applicable, the subject does not affect water supply however standard drainage conditions shall apply for surface water in the event of a grant of permission.

### ***Development Contributions***

The proposed development relates to the retention of a 12m high telecommunications, associated antennae, and ground equipment. The development is classed as public services and therefore development contributions should not apply.

### **SEA Monitoring**

Telecommunications – N/A

Land Type – Brownfield

Site Area – 0.1 Hectares.

### **Conclusion**

Having regard to the provisions of the South Dublin County Development Plan 2016-2022, the RU Zoning objective and the established context of the monopole structure on the application site, it is considered that, subject to compliance with the conditions set out below, the retention proposal would not seriously injure the visual amenities of the area and would not be contrary to the proper planning and sustainable development of the area.

### **Recommendation**



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I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for Retention for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

### **FIRST SCHEDULE**

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

### **SECOND SCHEDULE**

#### **Conditions and Reasons**

1. Development to be in accordance with submitted plans and details.  
The development shall be retained and completed fully in accordance with plans, particulars and specifications lodged with the application, within XX months of the grant of permission, save as may be required by other conditions attached hereto.  
REASON: To ensure that the development is in accordance with the permission and that effective control is maintained.
2. Reinstatement of Site.  
When the structure is no longer required it should be demolished, removed and the site reinstated at the operators' expense.  
REASON: In the interests of visual amenities and orderly development.
3. Co-location  
The developer shall allow, subject to reasonable terms, other licensed mobile telecommunications operators to co-locate their antennae onto the telecommunications structure hereby approved.  
REASON: In order to avoid the proliferation of telecommunications structures in the interest of visual amenity.
4. Surface water.  
All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

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NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

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**REG. REF. SD22A/0140**

**LOCATION: Coolmine Td, Rathcoole, Co. Dublin**

*Colm Harte*

Colm Harte,  
Senior Executive Planner

**ORDER:** A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for Retention for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

**Date:**

11/7/22



**Eoin Burke, Senior Planner**