

# Comhairle Chontae Atha Cliath Theas

**PR/0103/23**

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

**Reg. Reference:** SD22A/0445      **Application Date:** 24-Nov-2022

**Submission Type:** New Application      **Registration Date:** 24-Nov-2022

**Correspondence Name and Address:** William Arnold, Charterhouse 27, Market Street,  
Listowel, Co. Kerry, V31 DY72

**Proposed Development:** Erect a 24 meter high lattice telecommunications support structure together with antennae, dishes and associated telecommunications equipment, all enclosed in security fencing; The proposed development is located within the curtilage of a Protected Structure.

**Location:** Esker House, Esker Road, Esker, Co. Dublin

**Applicant Name:** Vantage Towers Ltd

**Application Type:** Permission

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

#### Site Area:

Stated as 0.0068 Hectares.

#### Site Description:

The subject site is located within an overall landholding along the Griffeen River in Lucan to the north of Saint Finian's Close; the landholding contains Esker House, and a number of other associated structures, including stables, a barn and a derelict gatehouse (now demolished).

Esker House, located to the centre of the landholding, is a large two storey detached house comprising five bays which is rendered externally and is a Protected Structure (Ref: 101). The grounds in the immediate vicinity of the house are laid out in lawns to the front, a walled garden to the north, and a grassed area to the south of the house and outbuildings.

The subject of this Planning Application is a regular shaped parcel of land located in the north western corner of the overall landholding and is currently comprised of an area of grassland.

### **Proposal:**

Permission is sought for a multi-operator telecommunications infrastructure comprised of:

- A 24m multi-user lattice tower with 12 No. operator antennas in total.
- A concrete foundation measuring approximately 7.25m in width and 7.25m in length.

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- 2.4m high palisade fencing surrounding the telecommunications infrastructure, with an approximate width of 8.25m, an approximate length of 8.25m and a 4m wide access gate in the southern elevation.
- 3 No. operator cabinets measuring approximately 0.78m in width, 0.88m in length and 2m in height.
- 2 No. operator cabinets, each measuring approximately 0.7m in width, 1.3m in length and 2m in height.
- 3 No. RFE cabinets measuring approximately 0.21m in width, 0.52m in length and 1.05m in height.
- 1 No. ESB mini-pillar cabinet located adjacent to the southern elevation of the palisade fencing and measuring approximately 0.21m in width, 0.5m in length and 0.6m in height.
- All ancillary site works above and below ground.

#### Zoning:

The proposed site is subject to zoning objective 'OS,' where the stated objective is 'To preserve and provide for open space and recreational amenities' in the South Dublin County Development Plan 2022-2028.

Overlap is also indicated with the following Development Plan Map layers:

- Riparian Corridor - Griffeen River
- Bird Hazards
- Conical Surface – Casement Aerodrome
- Outer Horizontal Surface – Dublin Airport
- Conical Surface – Weston Airport.

#### Consultations:

Broadband Officer:	Additional Information required.
Drainage and Water Services Department:	Additional Information required.
Irish Water:	Additional Information required.
Parks and Public Realm Department:	Additional Information required.
Roads Department:	No objection.
Transport Infrastructure Ireland:	No objection.
National Transport Authority:	No report received at time of writing.
Department of Defence:	No report received at time of writing.
Irish Aviation Authority:	No objection.

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### **SEA Sensitivity Screening**

Overlap is indicated with the following relevant SEA sensitivity layers:

- Strategic Flood Risk Assessment – Flood Zone A.
- Strategic Flood Risk Assessment – Flood Zone B.

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

Final date for submissions 6<sup>th</sup> January 2023.

None received.

### **Relevant Planning History**

#### **SD21A/0066**

Retention of pre-school use of single storey annex to rear of main house (Protected Structure).

**SDCC Decision:** Grant Permission, subject to conditions.

#### **SD11A/0125/EP:**

Change of use and conversion of existing two storey private house (Esker House) and single storey annex to a Retreat House with ancillary accommodation located in the annex; works to this Protected Structure comprise essential repairs including woodworm, wet rot and damp treatment, refurbished roof timbers, valley gutters, rainwater goods and staircase, new heating and electrical services and the introduction of a new partition and door-set to provide a minor hall and a pastoral office within the old study and complete redecoration of the internal rooms; works to the annex comprise essential repairs including refurbished roofing and rainwater goods, new heating and electrical services and complete redecoration of the internal rooms; (2) change of use and conversion of existing Stable Blocks 1 & 2 to Classrooms / Meeting Rooms and Workshop / Service Room; Stable Block 1 to contain 2 Classrooms and Workshop and Stable Block 2 to contain 4 Classrooms; conversion to include removing existing slates, reinforcing roof timbers and re-roofing using existing slates and details on Stable Blocks 1 & 2 and replacement of existing Velux rooflights on Classrooms 4 & 5 with Velux Conservation Rooflights on Stable Block 2; works include complete redecoration of the internal rooms; (3) demolition of existing c. 1970s double height barn; (4) construction of a new community building consisting of a Main Auditorium (part single storey, part two storey), and single storey secondary hall, canteen, toilets and ancillary accommodation with a floor area of 1073sq.m. (5) demolition of existing c. 1970s derelict Gate Lodge and replacement with single storey two bedroom Gate Lodge for use as caretakers living accommodation with a floor area of 75sq.m. (6) taking down, re-aligning and rebuilding existing c. 1970s stone boundary wall at both sides of entrance to site to provide adequate sight lines along Esker Road and provision of new footpath to both sides of entrance, as required by Roads Department, South Dublin County Council; (7) extension to existing car parking facilities to provide 55 car parking spaces and associated site works including attenuation of drainage; car

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parking generally to be finished with permeable paving and overflow car park to be finished with 'Grasscrete' paving to preserve the grassland setting; (8) erection of free standing sign inside proposed new boundary wall at Esker Road, 2m long by 0.6m high at height 1.3m from ground level. This application includes an Appropriate Assessment (AA), a Bat Survey and Assessment, a Conservation Impact Study (C.I.S.) and Flood Risk Assessment Report.

**SDCC Decision:** Grant Extension of Duration, subject to Conditions.

#### **SD11A/0125:**

Change of use and conversion of existing two storey private house (Esker House) and single storey annex to a Retreat House with ancillary accommodation located in the annex; works to this Protected Structure comprise essential repairs including woodworm, wet rot and damp treatment, refurbished roof timbers, valley gutters, rainwater goods and staircase, new heating and electrical services and the introduction of a new partition and door-set to provide a minor hall and a pastoral office within the old study and complete redecoration of the internal rooms; works to the annex comprise essential repairs including refurbished roofing and rainwater goods, new heating and electrical services and complete redecoration of the internal rooms; (2) change of use and conversion of existing Stable Blocks 1 & 2 to Classrooms / Meeting Rooms and Workshop /Service Room; Stable Block 1 to contain 2 Classrooms and Workshop and Stable Block 2 to contain 4 Classrooms; conversion to include removing existing slates, reinforcing roof timbers and re-roofing using existing slates and details on Stable Blocks 1 & 2 and replacement of existing Velux rooflights on Classrooms 4 & 5 with Velux Conservation Rooflights on Stable Block 2; works include complete redecoration of the internal rooms; (3) demolition of existing c. 1970s double height barn; (4) construction of a new community building consisting of a Main Auditorium (part single storey, part two storey), and single storey secondary hall, canteen, toilets and ancillary accommodation with a floor area of 1073sq.m. (5) demolition of existing c. 1970s derelict Gate Lodge and replacement with single storey two bedroom Gate Lodge for use as caretakers living accommodation with a floor area of 75sq.m. (6) taking down, re-aligning and rebuilding existing c. 1970s stone boundary wall at both sides of entrance to site to provide adequate sight lines along Esker Road and provision of new footpath to both sides of entrance, as required by Roads Department, South Dublin County Council; (7) extension to existing car parking facilities to provide 55 car parking spaces and associated site works including attenuation of drainage; car parking generally to be finished with permeable paving and overflow car park to be finished with 'Grasscrete' paving to preserve the grassland setting; (8) erection of free standing sign inside proposed new boundary wall at Esker Road, 2m long by 0.6m high at height 1.3m from ground level. This application includes an Appropriate Assessment (AA), a Bat Survey and Assessment, a Conservation Impact Study (C.I.S.) and Flood Risk Assessment Report.

**SDCC Decision:** Grant Permission, subject to conditions.

**ED09/0026:** Exterior paint to walls, windows, and front door (Protected Structure). **SDCC Decision:** Declared Exempt

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### **Relevant Enforcement History**

S7079: case now closed.  
S7052: case now closed.  
S6940: case now closed.

### **Pre-Planning Consultation**

None recorded.

### **Relevant Policy in South Dublin County Council Development Plan 2022-2028**

*Section 2.6.1 Land Capacity Study*

*Land Capacity Sites*

*Policy CS1: Strategic Development Areas*

*Section 2.6.5 Core Strategy – 2022-2028 Development Plan*

*Section 2.7 Settlement Strategy*

*Policy CS6: Settlement Strategy - Strategic Planning Principles*

*Chapter 4 Green Infrastructure*

*Section 4.1 Methodology*

*GI1 Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.*

*Section 4.2.1 Biodiversity*

*GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.*

*Section 4.2.2 Sustainable Water Management*

*GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.*

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### *GI5 Objective 4:*

*To implement the Green Space Factor (GSF) for all qualifying development comprising 2 or more residential units and any development with a floor area in excess of 500 sq m. Developers will be required to demonstrate how they can achieve a minimum Green Space Factor (GSF) scoring requirement based on best international standards and the unique features of the County's GI network. Compliance will be demonstrated through the submission of a Green Space Factor (GSF) Worksheet (see Chapter 12: Implementation and Monitoring, Section 12.4.2).*

### *GI5 Objective 7:*

*To require the provision of green roofs and green walls, providing benefits for biodiversity and as an integrated part of Sustainable Drainage Systems (SuDS) and Green Infrastructure, in apartment, commercial, leisure and educational buildings, wherever possible and develop an evidence base for specific green roof requirements as part of the Council's ongoing SuDS strategy development.*

### *Section 11.4 Information and Communications Technology*

#### *Policy IE5: Information and Communications 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.*

### *IE5 Objective 5:*

*To ensure that above ground utility boxes are sensitively located and finished to reduce their visual impact, designing out anti-social behaviour and promoting soft planting around existing and new ones where feasible.*

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### *IE5 Objective 6:*

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

### *IE5 Objective 7:*

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

*Section 12.3.1 Appropriate Assessment*

*Section 12.3.2 Ecological Protection*

*Section 12.3.3 Environmental Impact Assessment*

*Section 12.3.5 Landscape Character Assessment*

*Table 12.17: Landscape Character Types*

*Section 12.4.2 Green Infrastructure and Development Management*

*Section 12.4.3 Riparian Corridors*

*Section 12.5 Quality Design and Healthy Placemaking*

*Section 12.11.2 Information and Communications Technology*

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

- *Compliance with the document Telecommunications Antennae and Support Structures: Guidelines for Planning Authorities (1996) and Circular Letter PL 07 /12 issued by the Department of the Environment and Local Government (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;*
- *The degree to which the proposal will impact on the amenities of occupiers of nearby properties, or the amenities of the area (for example, visual impacts of masts and associated equipment cabinets, security fencing treatment) 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;*
- *The significance of the proposed development as part of the telecommunications network.*

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*Section 12.11.5 – Aviation, Airports and Aerodromes.*

*In assessing applications under Section 254 of the Planning and Development Acts, the Planning Authority, must have regard to the relevant provisions of the Development Plan and any local area plan in place. Careful consideration should be given especially to Chapter 5 of this Plan 'Quality Design and Healthy Placemaking', in particular the sections dealing with 'The Delivery of Sustainable Neighbourhoods', 'The plan approach' and the eight principles which must be applied to new developments in the County.*

*Applications made under the Planning and Development Act, 2000 (as amended) in relation to the provision of overground telecommunications infrastructure, including planning applications and Section 254 licence applications, must take into consideration and demonstrate compliance with the 'Guidance on the Potential Location of Overground Telecommunications Infrastructure on Public Roads' (2015).*

*Policy NCBH1: Overarching*

*NCBH1 Objective 1*

*Policy NCBH2: Biodiversity*

*Policy NCBH3: Natura 2000 Sites*

### **Relevant National Policy and Guidelines**

*Project Ireland 2040 National Planning Framework, Government of Ireland, (2018).*

*Regional Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, (2019).*

*Planning Circular letter PL 07/2021 - Planning and Development Act 2000 (Section 254 - Overground Telecommunication Cables) Regulations 2021 - S.I. 422 of 2021*

*Circular Letter PL11/2020 – Telecommunications Services – Planning Exemptions and Section 254 Licences.*

*Circular Letter PL03/2018 – Revision of Development Contribution Guidelines in respect of Telecommunications Infrastructure.*

*Circular Letter PL07/12 – Telecommunications Antennae and Support Structures Guidelines.*



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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.’

*Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities’ Department of the Environment and 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.

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*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 assessment are:

- Zoning
- Council Policy
- Visual Impact
- Co-Location Opportunities
- Compliance with International Guidelines
- Aviation safety
- Drainage and Water Services
- Roads and Traffic
- Broadband Officer
- Duration
- Green Infrastructure
- Screening for Appropriate Assessment
- Environmental Impact Assessment

### ***Zoning***

The proposed site is subject to zoning objective 'OS,' where the stated objective is 'To preserve and provide for open space and recreational amenities' in the South Dublin County Development Plan 2022-2028.

Public Services are defined in Appendix 6 - Definitions of Use Classes of the Development Plan 2022-2028 as:

*'A building or part thereof or land used for the provision of public services. Public services include all service installations necessarily required by electricity, gas, telephone, radio, telecommunications, television, drainage and other statutory undertakers; it includes public lavatories, public telephone boxes, bus shelters, bring centres, green waste composting facilities.'*

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It is considered that the proposed telecommunications structure and ancillary cabinets, equipment and fencing constitute a 'public service' use.

The use class 'Public Services' is *Open for Consideration* under the 'OS' zoning objective subject to its design being in accordance with the relevant provisions in the Development Plan and national policy and guidelines. Given that the subject site is comprised of a small area of grassland within a private landholding and therefore does not have a significant amenity value in terms of publicly accessible open space, it is therefore considered that the proposed development would not have an adverse impact on the zoning objective set out above. The principle of the proposed development is therefore considered acceptable, subject to a detailed assessment as outlined further throughout this Report.

### **Council Policy**

An assessment of the proposed development in relation to the relevant policies and objectives of the South Dublin County Development Plan 2022-2028 is outlined below.

#### *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.'*

The Cover Letter prepared by Charterhouse Infrastructure Consultants dated 21<sup>st</sup> November 2022 outlines a brief assessment of the Visual Impact, accompanied by 5 No. select viewpoints. It is contended that *'the photomontages shows that there is substantial dense tree coverage which will help to significantly screen the proposed development. Therefore, helping to reduce and visual impact that the proposed structure may have on the surrounding landscape/streetscape.'* No photomontages or verified visual images are provided from the adjacent Protected Structure at Esker House to the support the Visual Impact Assessment. It is therefore considered that the information provided by the Applicant is deficient and does not facilitate a complete assessment of the proposed development, specifically the potential impact on the character and setting of the Protected Structure. In this regard, the Applicant should be requested to provide **ADDITIONAL INFORMATION** in the form of a detailed Visual Impact Assessment to include existing and proposed photomontages and verified views in and around the adjacent Protected Structure.

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*'Section 12.11.2 Information and Communications Technology*

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

- *Compliance with the document Telecommunications Antennae and Support Structures: Guidelines for Planning Authorities (1996) and Circular Letter PL 07 /12 issued by the Department of the Environment and Local Government (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;*
- *The degree to which the proposal will impact on the amenities of occupiers of nearby properties, or the amenities of the area (for example, visual impacts of masts and associated equipment cabinets, security fencing treatment) 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;*
- *The significance of the proposed development as part of the telecommunications network'.*

The Cover Letter prepared by Charterhouse Infrastructure Consultants dated 21<sup>st</sup> November 2022 outlines how the proposed development is compliant with Section 12.11.2 of the Development Plan and the *Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities' Department of the Environment and Local Government 1996* and Circular PL07/12. The potential for co-location of operators is accepted and welcomed by the Planning Authority. However, the Applicant has not provided the required information outlined in Section 12.11.2 of the Development Plan, namely a sufficiently detailed visual impact assessment of the potential impact of the proposal on the amenities, character and setting of nearby properties, specifically the adjacent Protected Structure at Esker House. In this regard, the Applicant should be requested to provide this information by way of **ADDITIONAL INFORMATION**.

### ***Visual Impact***

The subject site is located in the north western corner of the grounds of Esker House (a Protected Structure). The site itself is surrounded by established mature trees, which provide an element of visual screening of the proposed structure. There is also an element of visual relief provided by the proximity of the site to adjacent public open space, beyond which lies the N4 to the north.

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The nearest residential dwellings are approximately 115m to the southwest in St Finian's Crescent, 125m to the east in Esker Glebe and approximately 150m to the west in Canonbrook Park. Having regard to the distance to the nearest residential dwellings, it is considered that the proposed development would not have an adverse impact on the visual and residential amenity of nearby dwellings.

As outlined throughout this Report, it is incumbent on the Applicant to demonstrate that the proposed development will not have an adverse impact on the character and setting of the adjacent Protected Structure at Esker House. In this regard, the Visual Impact Assessment and accompanying photomontages provided by the Applicant does not provide an adequate assessment of the Protected Structure. The Applicant should be requested to provide **ADDITIONAL INFORMATION** in the form of a more detailed Visual Impact Assessment to include existing and proposed images in and around the Protected Structure.

### *Co-Location Opportunities*

It is noted that the proposed telecommunications infrastructure would appear to include the potential for the co-location of a number of operators, with space available on the proposed tower structure for additional services and operators. This is welcomed by the Planning Authority and considered to be in accordance with Section 1 of the *Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities' Department of the Environment and Local Government 1996* and Section 12.11.2 of the South Dublin County Development Plan 2022-2028.

### *Compliance with International Guidelines*

A certificate of ICNIRP compliance has not been included in the application stating that the proposed development is in full compliance with the international guidelines (of the ICNIRP) as required by the Office of the Director of Telecommunications Regulation. Should the Planning Authority be minded to Grant Permission for the proposed development, a **CONDITION** should be attached requiring the provision of a Compliance Certificate.

### *Aviation Safety*

The subject site is located within the Outer Horizontal Surface for Dublin Airport:

*'Two (or three) further imaginary race-track-shaped "obstacle limitation surfaces" surround each airport,*

*(c) For Casement and Dublin Airport (but not for Weston) – a large circular flat 'Outer Horizontal Surface' to provide protection for the manoeuvring and circling of aircraft: commencing at the outer (upper) rim of the Conical Surface and extending at 145m above the airport's datum elevation to 15km from the aerodrome reference point'.*

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The Development Plan states that generally, development will be acceptable in this zone, subject to the development having an OD height below the height restriction of the Outer Horizontal Surface (generally 145m or more above the elevation datum of the Aerodrome). The Outer Horizontal Surface of Dublin Airport is 212m OD and as such, the proposed development of a 24m monopole structure would be within the thresholds outlined in Section 12.11.7 of the Development Plan.

The submission of the Irish Aviation Authority stating no objection to the proposed development is noted.

### ***Drainage and Water Services***

The Drainage and Water Services Department and Irish Water have assessed the proposed development and have indicated the following **ADDITIONAL INFORMATION** is required to facilitate a complete assessment of the proposed development:

- The proposed development site is located within Flood Zone A according to OPW's (Office of Public Works) CFRAM maps, therefore the site is at risk from a 1 in 10 year (10%) AEP flooding event. The applicant is required to submit a site-specific flood risk assessment report with the inclusion of a justification test in compliance with OPW Flood Risk Management Guidelines for Planning Authorities.

The report shall outline details of the measures and design features to prevent/mitigate the risk of flooding to the proposed development and to adjoining lands. Finished floor levels shall be above the closest known 1 in 100 year river flood level data point with appropriate freeboard.

- South Dublin County Council records show that there is an existing 600mm public surface water sewer under the proposed development. The applicant is required to submit a drawing in plan and cross-sectional views showing the distance between the proposed development and the existing 600mm surface water sewer. The drawings shall also show the invert levels of the existing 600 surface water sewer and any adjacent proposed building foundations. A minimum clear setback distance of 5m is required between all building foundations and a surface water sewer this size.
- South Dublin County Council records show that there is an existing 225mm public foul water sewer to west of the site. Submit a drawing in plan and cross-sectional views showing the distance between the fencing and the existing 225mm foul water sewer. The drawings shall also show the invert levels of the existing 225 foul water sewer and any adjacent proposed building foundations. A minimum clear setback distance of 3m is required between all building foundations and a foul water sewer this size according to Irish Water Standard Details for Wastewater Infrastructure.

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### ***Roads and Traffic***

The Roads Department and Transport Infrastructure Ireland have assessed the proposed development and have indicated no objection.

### ***Broadband Officer***

The South Dublin County Council Broadband Officer has provided a Report in relation to the proposed development, which indicates that the following **ADDITIONAL INFORMATION** is required:

*'It remains unclear what impact the proposal would have on existing underground services, street trees i.e., details of the proposal in relation to the street trees in the area and the potential impact this proposed structure may have on the tree roots and the surrounding road network.*

*The applicant must ensure sufficient distance from any underground services so as not to impact those underground services.*

*A visual impact assessment is missing. The proposed structure is in the vicinity of a protected structure an adequate visual impact assessment needs to be carried out from different views perspective from the protected structure.*

*Missing a drawing showing the setback distance from proposed structure to existing infrastructure and no environmental impact taken into consideration'.*

Having regard to the Report of the Broadband Officer, it is considered that the Applicant should be requested to provide the following **ADDITIONAL INFORMATION**:

- A more detailed Visual Impact Assessment with different views from the perspective of the adjacent Protected Structure (Esker House).
- An Arboricultural Impact Assessment Report to include a detailed Tree Survey and Tree Protection Plan.
- A Drawing showing the location of all underground services, if any are present, in the vicinity of the subject site. The Applicant is requested to also set out any impact the proposal would have on such services and potentially tree roots.

### ***Duration***

*Circular Letter PL 07/12 - Telecommunications Antennae and Support Structure Guidelines, Department of Environment, Community and Local Government (October 2012), revises elements of the 1996 Telecommunications Guidelines, stating that:*

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*'only in exceptional circumstances where particular site or environmental conditions apply, should a permission issue with conditions limiting their life'.*

Having regard to the above, and the existing site context of a telephone exchange, it is considered that should the Planning Authority be minded to Grant Permission for the proposed development, a **CONDITION** should not be attached limiting the life of any planning permission.

### ***Parks and Public Realm***

The Parks and Public Realm Department have assessed the proposed development, with their Report noting that the following **ADDITIONAL INFORMATION** is required:

#### ***1. Potential Impact of Development on Adjacent Trees***

*The applicant is requested to assess the impact of the proposed development on the adjacent mature trees. In this regard, the applicant is requested to submit the following Information in accordance with, BS 5837: 2012 Trees in relation to design, demolition, and construction – recommendations:*

##### *(i) a detailed Tree Survey Report,*

- a. The survey should include trees within a 10m radius of the proposed development infrastructure and any other trees likely to be impacted by the infrastructure or during the construction works. The exact location and layout of the proposed infrastructure is required, as is the detail of what is proposed for retention or removal.*
- b. The report should be carried out by an independent, qualified Arborist. The applicant should note that a tree bond may be required based on the results of the survey.*

##### *(ii) Arboricultural Impact Assessment,*

- a. The applicant is requested to submit an Arboricultural Impact Assessment Report for the existing mature trees located adjacent to this proposed 24-meter-high lattice telecommunications support structure. The purpose of the assessment is to provide an analysis of the impact of the proposed development on existing trees and potentially their roots.*

##### *(iii) Tree Protection Plan*

- a. Details of a tree protection scheme in accordance with BS5837:2012: which provides for the retention and protection of the adjacent street trees.*



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*b. Details of any construction works required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme.*

*(iv) Arboricultural Method Statement*

*a. The Arboricultural Method Statement should detail clear and practically-achievable measures to be used during the construction period, for the protection and management of all trees to be retained.*

*(v) Details of the location of any underground services and methods of installation which make provision for protection and the long-term retention of the trees.*

*(vi) Details of any changes in ground level, including existing and proposed spot levels required within the root protection area as defined by BS5837:2012*

### **1. Location of Underground Services**

*The applicant is requested to submit a plan showing the location of underground services if any are present. The applicant is requested to also set out any impact the proposal would have on such services and potentially tree roots.*

### **2. Guidelines for the Installation of Services**

*Where it is proposed to route underground services near trees all works shall be carried out under the supervision of the consultant arboriculturist. Guidelines set out in the NJUG (National Joint Utilities Group) Volume 4 Guidelines for the planning, installation and maintenance of utility services in proximity to trees – 2007 will be followed together with Section 7.7 Underground and above-ground apparatus.*

*Mechanical trenching for the installation of underground apparatus and drainage sewers any roots present and can change the local soil hydrology in a way that adversely affects the health of the tree. For this reason, particular care should be taken in the routing and methods of installation of all underground apparatus. Wherever possible, apparatus should be routes outside of RPA's. Where this is not possible, it is preferable to keep apparatus together I common ducts. Inspection chambers should be site outside the RPA.*

*Where underground services/apparatus is to pass within the RPA, detailed plans showing the proposed routing should be drawn up in conjunction with the consultant arboriculturist. In such cases, trenchless insertion methods should be used, with entry and retrieval pits being sited outside the RPA. Provided that roots can be retained and protected, excavation using hand held tools might be acceptable for shallow service runs.*

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Having regard to the Report of the Parks and Public Realm Department, it is considered that the above outlined **ADDITIONAL INFORMATION** is required to facilitate a complete assessment of the proposed development.

### ***Green Infrastructure***

The subject site is within the Griffeen – Grand Canal Secondary Link and adjacent to the Grand Canal Primary GI Corridor as identified in the Green Infrastructure Strategy Map (Figure 4.4 of the County Development Plan 2022 – 2028).

Having regard to the nature and extent of the proposed development a Green Infrastructure Plan is not warranted. However, if granted it is considered appropriate to require **by CONDITION** that any hardstanding provided to the compound be permeable.

### ***Screening for Environmental Impact Assessment***

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

### ***Screening for Appropriate Assessment***

The subject site is not located within nor within close proximity to a European site. The proposed development comprises the provision of telecommunications infrastructure. Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

### **SEA Monitoring Information**

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Telecommunications Structure and Ancillary structures	0 sq m
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Brownfield/Urban Consolidation	0.0068Ha

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### **Conclusion**

Having regard to the provisions of South Dublin County Development Plan 2022-2028 and the Reports of the Broadband Officer, Parks and Public Realm Department, Irish Water and the Drainage and Water Services Department, it is considered that the Planning Authority requires **ADDITIONAL INFORMATION** to facilitate a complete assessment of the proposed development.

### **Recommendation**

I recommend that **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

1. The Applicant is requested to provide a more detailed Visual Impact Assessment, to include existing and proposed photomontages and verified views in and around the adjacent Protected Structure;
2. The applicant is requested to submit a site-specific flood risk assessment report with the inclusion of a justification test in compliance with OPW Flood Risk Management Guidelines for Planning Authorities. The report shall outline details of the measures and design features to prevent/mitigate the risk of flooding to the proposed development and to adjoining lands including that the proposed compound be permeable.
3. The applicant is requested to submit a plan showing the location of underground services and amend proposals where setbacks from sewers are indicated. The applicant is requested to also set out any impact the proposal would have on such services and potentially tree roots. The drawing should include but not be limited to:
  - (i) Plan and cross-sectional views showing the distance between the proposed development and the existing 600mm surface water sewer. The drawings shall also show the invert levels of the existing 600 surface water sewer and any adjacent proposed building foundations. A minimum clear setback distance of 5m is required between all building foundations and a surface water sewer this size.
  - (ii) Plan and cross-sectional views showing the distance between the fencing and the existing 225mm foul water sewer. The drawings shall also show the invert levels of the existing 225 foul water sewer and any adjacent proposed building foundations. A minimum clear setback distance of 3m is required between all building foundations and a foul water sewer this size according to Irish Water Standard Details for Wastewater Infrastructure.
4. The applicant is requested to assess the impact of the proposed development on the adjacent mature trees. In this regard, the applicant is requested to submit the following Information in accordance with, BS 5837: 2012 Trees in relation to design, demolition and construction – recommendations:

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(i) A detailed Tree Survey Report,

a. The survey should include trees within a 10m radius of the proposed development infrastructure and any other trees likely to be impacted by the infrastructure or during the construction works. The exact location and layout of the proposed infrastructure is required, as is the detail of what is proposed for retention or removal.

b. The report should be carried out by an independent, qualified Arborist. The applicant should note that a tree bond may be required based on the results of the survey.

(ii) Arboricultural Impact Assessment,

a. The applicant is requested to submit an Arboricultural Impact Assessment Report for the existing mature trees located adjacent to this proposed 24-meter-high lattice telecommunications support structure. The purpose of the assessment is to provide an analysis of the impact of the proposed development on existing trees and potentially their roots.

(iii) Tree Protection Plan

a. Details of a tree protection scheme in accordance with BS5837:2012: which provides for the retention and protection of the adjacent street trees.

b. Details of any construction works required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme.

(iv) Arboricultural Method Statement

a. The Arboricultural Method Statement should detail clear and practically-achievable measures to be used during the construction period, for the protection and management of all trees to be retained.

(v) Details of the location of any underground services and methods of installation which make provision for protection and the long-term retention of the trees.

(vi) Details of any changes in ground level, including existing and proposed spot levels required within the root protection area as defined by BS5837:2012.

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REG. REF. SD22A/0445

LOCATION: Esker House, Esker Road, Esker, Co. Dublin

*Colm Harte*

Colm Harte,  
Senior Executive Planner

**ORDER:** I direct that **ADDITIONAL INFORMATION** be requested from the applicant as set out in the above report and that notice thereof be served on the applicant.

Date: 30/01/22

*Gormla O'Corrain*

Gormla O'Corrain, Senior Planner