

Planning & Development Act, 2000 (as amended) - section 254
Planning & Development Regulations 2001 (as amended) - article 201

APPLICANT DETAILS (applicant to be principle licensee and not agent on behalf of applicant)

Name	CIGNAL INFRASTRUCTURE LTD.	Email	LAURENCE.STRAATON@CELLNEXTELECOM.IE
Phone	01 482 5890	Mobile	
Address SUITE 311, Q HOUSE, 76 FURZE RD. SANDYFORD INDUSTRIAL ESTATE, DUBLIN 18			
Company Registration Number (where appropriate)			

PERSON(S) SUBMITTING DRAWINGS & APPLICATION DETAILS (if different from above)

Name	JASON REDMOND & ASSOCIATES (AGENT)	Email	R.JOHNSON@JRASSC.IE
Phone	05786 81155	Mobile	
Address 5 LISMARD COURT PORTLAOISE CO. LAOISE R32 NH2H			

PROPERTY LOCATION

Address Public roadway adjacent to the Laois County Council Recycling Centre, Church St, Ballinakill, Co. Laois
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PROPOSED 18M ALPHA 2.0 STREETPOLE SOLUTION WITH AW3871 MULTI-OPERATOR ALPHA ANTENNA AND GROUND EQUIPMENT CABINET.

- ☐ Scaffolding / Hoarding / Fence
☐ Fingerpost Sign (not exceeding 1 metre in length)
☐ Advertising Structure
☐ Tables & Chairs outside a hotel, restaurant, public house or other establishment where food is sold for consumption on the premises
☒ Any other appliance, apparatus or structure (provide details)

Length (m) CABINET: 1.898M / POLE: 0.360M (DIA) Area (m²) CABINET: 1.51M² / POLE: 0.10M²

Width (m) CABINET: 0.798M / POLE: 0.360M (DIA) Height (m) CABINET 1.652M / POLE: 18M

No. Of Chairs N/A No. Of Tables N/A

Table Dimensions (where applicable) N/A

Description of any screen(s) to be used (height, materials, colours, supports, etc.)
N/A

Proposed Hours of Operation (where applicable) N/A

Proposals for storage, securing, covering of street furniture outside of stated hours of operation
N/A

Applicant's legal interest in premises (or adjacent commercial premises)
(i.e. freehold, leasehold etc.) PROPOSED DEVELOPMENT IS LOCATED WITHIN THE PUBLIC REALM

Name of Insurance Company

MARSH IRELAND BROKERS LTD

Public Indemnity Insurance Policy Number IE00023013L120A

Policy Expiry Date

31.12.21

ENCLOSURES

All applications must be accompanied by:

Four copies of a site location map to scale of not less than 1:1,000 in built up areas and 1:2,500 in all other areas clearly outlining the area to be licensed in red with the area of any associated business premises outlined in blue.

Yes ☒ No ☐

Four copies of plans (scale 1:500 or 1:200 as appropriate) and elevations (Scales 1:50, 1:20, 1:10 as appropriate) and sections as are necessary to describe the proposed development

Yes ☒ No ☐

Drawings, photographs or specifications of proposed furniture/equipment

Yes ☒ No ☐

Any application submitted must be accompanied by Public & Products Liability insurance (and Employers Liability Insurance) with indemnity limit(s) of not less than €6.5million (and €13million) respectively covering any liability, loss, claim or proceedings in respect of loss, claim or proceedings whatsoever arising out of or in connection with the death and/or bodily injury to any persons whomsoever and/or loss or damage to any property whatsoever which arises directly or indirectly out of the granting of the licence.

Such insurance(s) shall contain a notation of an indemnity to Laois County Council.

☒

Q1. What appliances, apparatus and structures are subject to licensing under Section 254 of the Planning & Development Acts 2000-2015, as amended?

A person shall not erect, construct, place or maintain, along a public road, save in accordance with a licence granted by the Planning Authority, any of the following:-

- (a) a vending machine
- (b) a town or landscape map for indicating directions or places
- (c) a hoarding, fence or scaffold
- (d) an advertisement structure
- (e) a cable, wire or pipeline
- (f) a telephone kiosk or pedestal
- (g) a case, rack, shelf or other appliance, apparatus or structure for displaying articles for the purposes of advertisement or of sale in, or in connection with, any adjacent business premises.
- (h) tables and chairs outside a hotel, restaurant, public house or other establishment where food is sold for consumption on the premises
- (i) a coin-operated machine other than a vending machine
- (j) an advertisement consisting of any text, symbol, emblem, model, device or logo
- (k) a pipe or appliance with a pipe attachment for dispensing air or water not being a pipe of appliance attached to a petrol or oil pump
- (l) a weighing machine
- (m) a bring facility
- (n) a cabinet used as part of a wired broadcast relay service by a person licensed under the Wireless Telegraphy (Wired Broadcast Relay License) Regulations 1974 (S.I. No. 67 of 1974)
- (o) a lamp post
- (p) a bridge, arch, tunnel, passage or other similar structure which is used or intended for use other than by the public and was constructed on or after 1st October 1964
- (q) a cellar or other underground structure constructed on or after the 1st October 1964
- (r) a cable for conducting electricity for domestic or agricultural purposes.

Q2. If I obtain a permit for my proposed appliance etc. will I need planning permission for the same appliance?

No. Section 254(7) of the Planning & Development Act 2000-2015 provides that development on/along a public road carried out in accordance with a licence under Section 254 shall be exempted development for the purpose of the Act.

Q3. What matters will be considered by the Planning Authority?

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

this section or the conditions specified by the planning authority for such a licence, appeal to the Board

- (b) Where an appeal under this section is allowed, the Board shall give such directions with respect to the withdrawing, granting or altering of a licence under this section as may be appropriate, and the planning authority shall comply therewith.

Q5. What information does the Planning Authority need?

1. Completed application form
2. Plans and information as follows:-
 - Four copies of Site Location Map to scale of not less than 1:1,000 in built up areas and 1:2,500 in all other areas are required, with the location of the proposed sign/appliance etc. marked in red thereon.
 - Four copies of plans (scale 1:500 or 1:200 as appropriate) and elevations (Scales 1:50, 1:20, 1:10 as appropriate) and sections as are necessary to describe the design, capacity of the sign / appliance / apparatus / structure. If sign / appliance / apparatus / structure as proposed to be located in part of existing premises the front elevation showing the impact of the proposals on the existing premises is required.
 - Details of advertisement display / text / logo to be used on sign
 - Full details of colours to be used
 - Full details of material to be used
 - Full details of support structures
 - Your proposals and commitment to ongoing maintenance
 - Photographs of the apparatus, structure, appliance, sign post may additionally be furnished but cannot act as a substitute for these particulars
 - Details of the public liability insurance indemnifying Laois County Council

Q6. If I proceed on carrying out my development and do not obtain a licence, what will happen?

- (a) Any person who – erects, constructs, places or maintains an appliance, apparatus or structure referred to in Question (1) on, under, over or along any public road without having a licence, or
- (b) Erects, constructs, places or maintains such an appliance, apparatus or structure on, over or along any public road otherwise than in accordance with a licence or
- (c) Contravenes any condition subject to which a licence has been granted to him or her – Shall be guilty of an offence.
- It is the policy of Laois County Council to prosecute such offenders. Fines/penalties up to €1,500 / 6 months imprisonment or both may be imposed by the Court.

1. A copy of the licence, and any conditions attaching to that licence, shall be prominently displayed at the main entrance outside the premises, so as to be clearly visible by members of the public and officials of Laois County Council.
2. The Licensee shall be required to maintain a Public Liability Insurance policy, which provides cover to a minimum value of €6.5 million indemnifying Laois County Council against third party claims.
3. Only Laois County Council shall carry out work on the public road/footpath. Holes may not be made in the public road/footpath without the permission of Laois County Council.
4. All costs incurred by Laois County Council, including any repairs to the public road and services necessary arising as a result of the operation of the licence, shall be at the expense of the licensee.
5. Access for maintenance purposes to public lighting equipment and the associated under-ground or over-head services shall be available at all times.
6. All water main covers, sewer manholes and service access points for utilities shall be accessible at all times and no table or chair or other item of street furniture shall be positioned over a fire hydrant.
7. Laois County Council may reduce the licensed area in any particular case, where the occupied space is required in the interests of public safety to facilitate an event during the course of the licence period.
8. A person shall not be entitled solely by reason of a licence under this section to erect, construct, place or maintain on, under, over or along a public road any appliance, apparatus or structure.

Where a licence is granted for a period of one year or more for any of the categories of development set out in Table 1 below, the appropriate fee shall be paid to the planning authority for each year or part of a year for which the licence is granted:

Table 1: Use/Development Category	Annual Fee
A vending machine or coin operated machine (not being a weighing machine)	€125
A town or landscape map for indicating directions or places	€25
A hoarding, fence or scaffold (not being a hoarding, fence or scaffold bounding a public road)	€1,250
An advertisement structure (other than an advertisement structure specified below)	€630
An advertisement structure (being of a fingerpost type not exceeding 1 metre in length) consisting of a direction sign	€50
A cable, wire or pipeline (not being a cable for conducting electricity for domestic or agricultural purposes or a drain or waterpipe)	€25 per 100 metres or part thereof
A telephone kiosk or pedestal	€630
A case, rack, shelf or other appliance, apparatus or structure for displaying articles, whether or not for the purpose of advertisement or sale in or in connection with any adjacent business premises	€125
Tables and chairs outside a hotel, restaurant, public house or other establishment where food is sold for consumption on the premises	€125 per table
An advertisement consisting of any text, symbol, emblem, model, device or logo	€630
A pipe or an appliance with a pipe attachment for dispensing air or water, not being a pipe or appliance attached to a petrol or oil pump	€25
A weighing machine	€63
A bring facility	€25

Note: Where the licence is granted for a period of less than one year, the appropriate fee shall be equal to one tenth of the fee for one year for each month or part of a month for which the licence is granted.

Where a licence is granted for any of the categories of development set out in Table 2 below, a one-off fee as set out shall be paid and no additional fees will be payable in respect of any renewal of a licence for such an appliance, apparatus or structure:

Table 2: Use/Development Category	Licence Fee
A cabinet used as part of a wired broadcast relay system by a person licensed under the Wireless Telegraphy (Wired Broadcast Relay Licence) Regulations, 1974.	€125
A lamp-post.	€25
A bridge, arch, tunnel, passage or other similar structure used or intended for use other than by the public and constructed on or after 1 October 1964.	€125
A cellar or other underground structure constructed on or after 1 October 1964.	€125
A cable for conducting electricity for domestic or agricultural purposes.	€125

Please note: Laois County Council may waive or reduce licence fees in certain circumstances (e.g. where applicant are considered eligible for a grant under the Street Furniture Grant Scheme 2021). Please see attached the Street Furniture Grant Scheme 2021.

All applications are subject to approval with the Planning Department to determine the applicability of

To Whom It May Concern

11th of March 2021

Dear Sir/ Madam,

**Confirmation of Insurance – Cellnex Ireland Ltd, Signal Infrastructure Limited and/or
Cellcom Ireland Ltd and/or Qn Tower Ireland Ltd.**

As requested by you, we are writing to confirm that we act as your Insurance Broker and that we have arranged insurance(s) on your behalf as detailed below. A copy of this letter may be provided by you to third parties who have a legitimate need to receive confirmation of your insurance cover.

Business Description

Provides telecommunications infrastructure solutions

EMPLOYERS' LIABILITY

INSURER: XL Insurance Company SE

POLICY NUMBER: IE00023013LI20A

PERIOD OF INSURANCE: 1st January 2021 to 31st December 2021 (both days inclusive)

LIMIT OF INDEMNITY: €13,500,000 (for each and every occurrence)

PUBLIC LIABILITY

INSURER: XL Insurance Company SE

POLICY NUMBER: IE00023013LI20A

PERIOD OF INSURANCE: 1st January 2021 to 31st December 2021 (both days inclusive)

LIMIT OF INDEMNITY: €6,500,000 (any one event and in the aggregate during the period of insurance)

PROPERTY DAMAGE

INSURER:

XL Insurance Company SE

POLICY NUMBER:

IE00022167PR20A

PERIOD OF INSURANCE:

1st January 2021 to 31st December 2021 (both days inclusive)

LIMIT OF INDEMNITY:

€1,000,000 (for towers at third party locations)

We have placed the insurance which is the subject of this letter after consultation with you and based upon your instructions only. Terms of coverage are based upon information furnished to us by you, which information we have not independently verified.

This letter is issued as a matter of information only and confers no right upon you or any third party to whom it is disclosed, other than those provided by the policy. This letter does not amend, extend or alter the coverage afforded by the policies described herein. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this letter may be issued or pertain, the insurance afforded by the policy (policies) described herein is subject to all terms, conditions, limitations, exclusions and cancellation provisions and may also be subject to warranties. Limits shown may have been reduced by paid claims.

We express no view and assume no liability with respect to the solvency or future ability to pay off any of the insurance companies which have issued the insurance(s).

Where a copy of this letter has been provided to a third party, we assume no obligation to advise that third party of any developments regarding your insurance(s) subsequent to the date hereof. Additionally this letter is given on the condition that we are not assuming any liability to any third party who receives a copy of this letter, based upon the placement of your insurance(s) and/or the statements made herein.

This letter shall be governed by and shall be construed in accordance with Irish law.

Yours sincerely,

Declan Colbert ACII

Client Advisor

Marsh Ireland Brokers Ltd

Direct Dial: 01 604 8444

E-mail: declan.o.colbert@marsh.com



Rural Connectivity Project

**LICENCE APPLICATION PURSUANT TO SECTION 254 (ee) OF THE PLANNING AND
DEVELOPMENT ACT 2000 (AS AMENDED)**

Licence Application Under Section 254 (ee) of the Planning & Development Act 2000 (as amended) for Telecommunications Infrastructure at **public roadway adjacent to the Laois County Council Recycling Centre, Church St, Ballinakill, Co. Laois** whereby the said provision provides that a Local Authority can issue a licence for over ground electronic communications infrastructure and any associated physical infrastructure, subject to proper planning and development considerations.

Applicant Name: Signal Infrastructure Ltd.,

Applicant Address: Suite 311, Q House, 76 Furze Road, Sandyford Industrial Estate, Dublin 18, D18 YV50.

Agent Address: Jason Redmond Associates, 5 Lismard, Portlaoise, Co. Laois, R32 NH2H.

Date of Licence Application: 3rd June 2021

(Please address all correspondence to Agent as per above address)



1. Introduction to Signal

The applicant, Signal 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. Signal was purchased by Cellnex in September 2019. Signal 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 Coille sites, in addition to over 250 new sites, 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 Signal Infrastructure Ltd. (and its parent company Cellnex), in the roll-out of telecommunications infrastructure, is a significant and fundamental pillar in the Government's telecommunications policy and its future plans.

2. The Proposal

The relatively low population density and low vehicle traffic in the area means that the business case for mobile operators to build their own dedicated sites in this area is marginal.

Cellnex propose to erect a low-impact monopole with integrated equipment cabinet which can accommodate up to two mobile operators and additional Internet of Things (IoT) services. This solution

it is proposed to erect all 10-metre high sign line pole as part of street works along with associated cabinet within the area defined as the public road at the above location. Please refer to the attached plans and drawings of proposal under Appendix A.

3. 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'.

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'.

[Underline for writer's emphasis]

3.1 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 Pleanála* 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 eliminating decision bottlenecks which have hindered since the enactment of

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'¹. 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. 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.

6. Licence History & Precedent

6.1 Previous Licence Application on Subject Site

There have been no previous Section 254 Licence Applications by the applicant in the subject local area.

6.2 Previous Licence Applications in the Jurisdiction

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,

ABP: PL 306440-20,

And,

ABP: PL 306033 – 05E.

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

Please refer to Appendix B, which includes details of a sample of Licence Application grants, by a sample of Local Authorities to date. Accordingly, as 'Consistency' is a stated principle of Public Sector Governance and was also deemed to be essential under the Taskforce Report, it is respectfully requested that this precedent be considered.

6.3 Street Works in Northern Ireland, the UK and 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. Please see attached images of Street Work solutions on Malone Rd., Belfast and recently constructed solution at Bagenalstown, Co. Carlow and Mountrath, Co. Laois under Appendix C. 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) demonstrates various examples of such structures similar to the structure proposed herewith.

7. Proper Planning and Sustainable Development Considerations

This section sets out the Planning Considerations relevant to the subject licence application.

Signal Infrastructure Ltd. has given due regard to the following policy documents in selecting the subject site.

7.1 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.*
- *Circular Letter PL 11/2020 issued by the Department of Housing, Local Government and Heritage (copy attached)*
- *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 2017 (and updated under Project Ireland 2040)*

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.

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.

Underline: For writer's emphasis

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.

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.

- 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.

Figure 1: EMRA (East & Midland Regional Authority) RSES: Communications Networks and Digital Infrastructure.

Laois County Development Plan 2017-2023

Section 2.1.2 Strategic Aims

Aim 12 Support the development of key infrastructure such as **telecommunications**, electricity, gas to enable economic development;

Section 6.6.5 Telecommunications

The development of *high-quality telecommunications infrastructure* is critical to advance the economic and social development of the county. The development of telecommunications infrastructure is essential to attracting investment and facilitating economic development. The Council is committed to enhancing the telecommunications network and infrastructure throughout the county. However, this must be managed to ensure a balance between the provision of telecommunications infrastructure in the interests of social and economic progress and sustaining residential amenity and environmental quality.

6.6.5.2 Telecommunications Masts and Antennae

An efficient telecommunications system is important in the development of the economy of which the provision of masts and associated antennae are an essential element. The Council will have regard to the document titled Telecommunications Antennae and Support Structures Guidelines for Planning Authorities (DoELG, 1996) when considering applications for masts and antennae.

The location of masts can be a contentious issue and one which will be carefully considered by the Planning Authority.

where there are a number of masts located in any single area.

- Due to the physical size of mast structures and the materials used to construct them, they can [especially latticework versions] severely impact on both rural and urban landscapes. When dealing with applications, great care will be taken to minimise damage through discreet siting and good design and access arrangements.
- The design of the mast structures ***should be simple and well finished; monopoles are preferred*** to latticework types. They ***should employ the latest technology in order to minimise their size and visual impact***. Mast structures are most visible and exposed within open lowland terrain and in upland areas. Where practical, masts should be placed in forestry plantations provided that the antennae are clear of obstruction. The developer will be required to retain a cordon of trees around the site, which will not be felled during the lifetime of the mast. In un-forested areas, ***softening of the visual impact can be achieved through judicious design***, and through the planting of trees and shrubs, ***as a screen and backdrop***. Disguised masts e.g. as trees, will be encouraged in appropriate locations.

It is the policy of the Council to:

TELE5 Facilitate the delivery of high-capacity telecommunications infrastructure at appropriate locations throughout the county having regard to the guidelines for “Telecommunications Antennae and Support Structures” and any updated documents issued by the DoE CLG or relevant authority;

TELE7 Co-operate with telecommunications service providers in the development of infrastructure, having regard to the proper planning and sustainable development of the area, normal planning and environmental criteria and the development management standards contained in Section 8;

TELE8 Developers may be required to provide telecommunications structures with environmentally acceptable designs, including ***camouflaging/disguising*** techniques to integrate the structure into the surrounding landscape;

TELE 11 Promote and facilitate the sharing of facilities. **Co-location** and clustering of new masts and support structures on existing sites will normally be required.

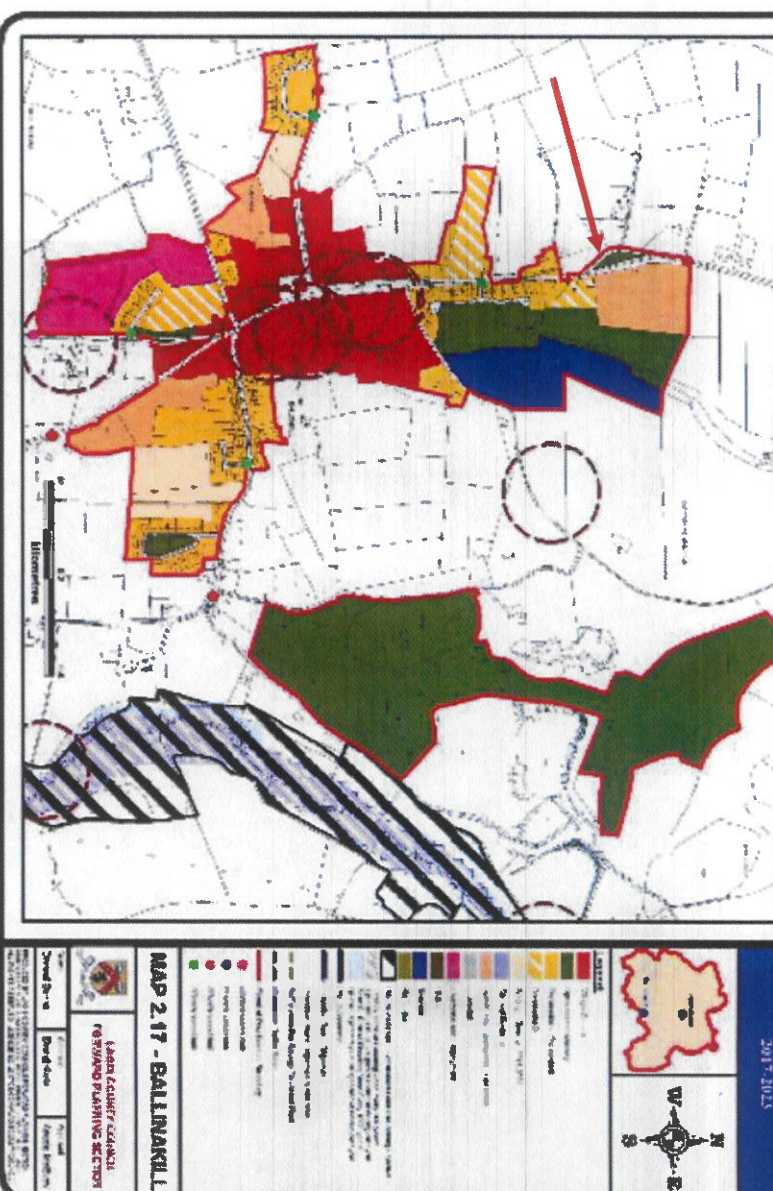


Figure 2: Land Use Zoning Map Laois County Dev Plan 2017-2023

7.3 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.

7.4 Technical Justification

7.4.1 Objective of Search Ring Area

Cellnex have identified a need for mobile service improvement in the Ballinakill area. This has been confirmed in discussions with the County Council Broadband Officer and local residents.

Ballinakill has been selected as a Broadband Connection Point (BCP) under the National Broadband Plan. This has recently been implemented in the Heywood Community School. This has provided a welcome facility in the area. The fact that there is poor mobile coverage in this area has been highlighted by the fact that people using the BCP often have poor mobile service. An improvement in

Good

Coverage



Figure 3. Vodafone 4G coverage – Outdoor





Figure 5. Three 4G coverage -- Outdoor

Comreg's coverage maps show the outdoor coverage in the Ballinakill area ranging from "fair" to "fringe". The indoor coverage is not mapped but based on outdoor signal strength this ranges from fringe to no coverage.

The relatively low population density and low vehicle traffic in the area means that the business case for mobile operators to build their own dedicated sites in this area is marginal.

7.4.2 Comreg Map/Policy

The following map sets out the Comreg Sites in this area (Figure 6). Please refer to <https://siteviewer.comreg.ie/#explore> It will be noted that no other Telecommunications site is situated within the required search ring, which is currently not providing adequate service levels. Furthermore, it will also be noted that this area of Laois is significantly under serviced by Telecommunications Infrastructure.

A	THREE_LX0072 3_LX0072 Vodafone LS019	8.11 Km	<ul style="list-style-type: none"> 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	Meteor 1412	6.82 Km	<ul style="list-style-type: none"> 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.
C	Vodafone LSGFW	3.54 Km	<ul style="list-style-type: none"> 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.
D	THREE_LX0108 3_LX0108 Meteor 1586	4.65 Km	<ul style="list-style-type: none"> 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.
E	THREE_LX0097 3_LX0097 Vodafone LSAXR Meteor 3018	3.42 Km	<ul style="list-style-type: none"> 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.

Figure 7: Corenet Sites and Discount Reasons

7.4.4. Study of Alternative Sites in the area

In the search for an appropriate telecommunications site, which would satisfy proper planning and sustainable development criteria, in addition to meeting radio engineering parameters, and which would achieve the search ring objectives, a number of alternatives were considered and are listed below as Alternatives = ALT. (Please refer to figure 8).

ALTERNATIVE 3: Roadside Verge.
Discount Reason. Verge not wide enough



Figure 8: Alternatives Considered



Figure 9: Cellnex Search Ring for a telecommunications site – 1km

The search ring or area within which a telecommunications installation is required in order to meet the search ring objectives for the proposed site is an area of c. 1km in diameter. It has been identified by Cellnex radio engineers that an installation within the search ring will bring required coverage to the coverage black spot. The rationale is that the location within the search ring will allow a backhaul connection to the BCP and ensure that users in the vicinity of the BCP have good mobile coverage also. of the site.

Please see attached Photomontage with before and after images under Appendix D to this application. This VIA demonstrates 3 viewpoints in the local environment. The visibility envelope is clearly confined to certain locations within the 100-150-metre radius of the proposed site. Distant views further away from the site have no sighting of the proposed pole and therefore no visual impacts. This is partly due to the separation distances and is also the result of the slim line nature of the proposed construct, which appears as normal utility infrastructure in the streetscape. It is clearly demonstrated that the 18-metre solution, while visible, is considered to appear as a normal and functional part of the street furnishings within the public realm.

VIA Conclusion

It is concluded that while the proposed 18-metre pole will be visible from close up locations, which is to be expected with any form of 'development', 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 tree cover has the effect of absorbing the proposed structure from viewpoints past 100 metres in distance.

The proposed 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/ rural landscape wherein such structures are located. It is respectfully submitted that the proposed structure, is presented as a discreet 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 an similar Alpha 2.0 pole structure. The Board overturned the decision of the planning authority in this instance and the 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 context, will be assimilated into the established tree cover 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.

7.6 Residential Amenity

There are no residential units within 50m of the proposed development.

proposed site location is sited away from the building in question. The slimline nature of the construct and roadside location is considered sufficiently removed to reduce any potential impacts on the Built Heritage.

7.8 Natura 2000 Provisions

Having regard to the nature and limited scale of the proposed development and nature of the receiving environment together with the proximity to 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.

7.9 ICNIRP Compliance

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.

8. Conclusion

It is respectfully submitted that the proposed street work solution accords with pattern and character of the public realm in this area of Ballinakill, Co Laois.

The principle of the proposed Alpha 2.0 pole structure has been accepted by numerous planning authorities and *An Bord Pleanála*, since the enactment of the legislation.

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.

It is respectfully submitted that policy cited under the Laois 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.

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 grey 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, which has the benefit of a roadside verge will provide an appropriate setting for the proposed pole and cabinet and 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 than 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), which refers under **RPO 8.25** that:

Local authorities shall:

- *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.*

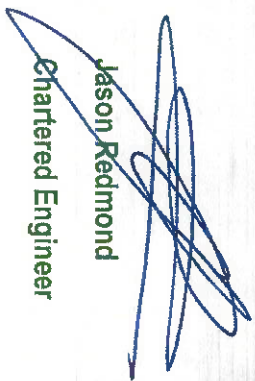
The planning authority is respectfully requested to consider the necessity for this infrastructure. The planning authority is also requested to consider the meticulous site selection process undertaken, which has to satisfy the criteria of the planning authority in addition to the technical/radio requirements 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.

7/11/14,

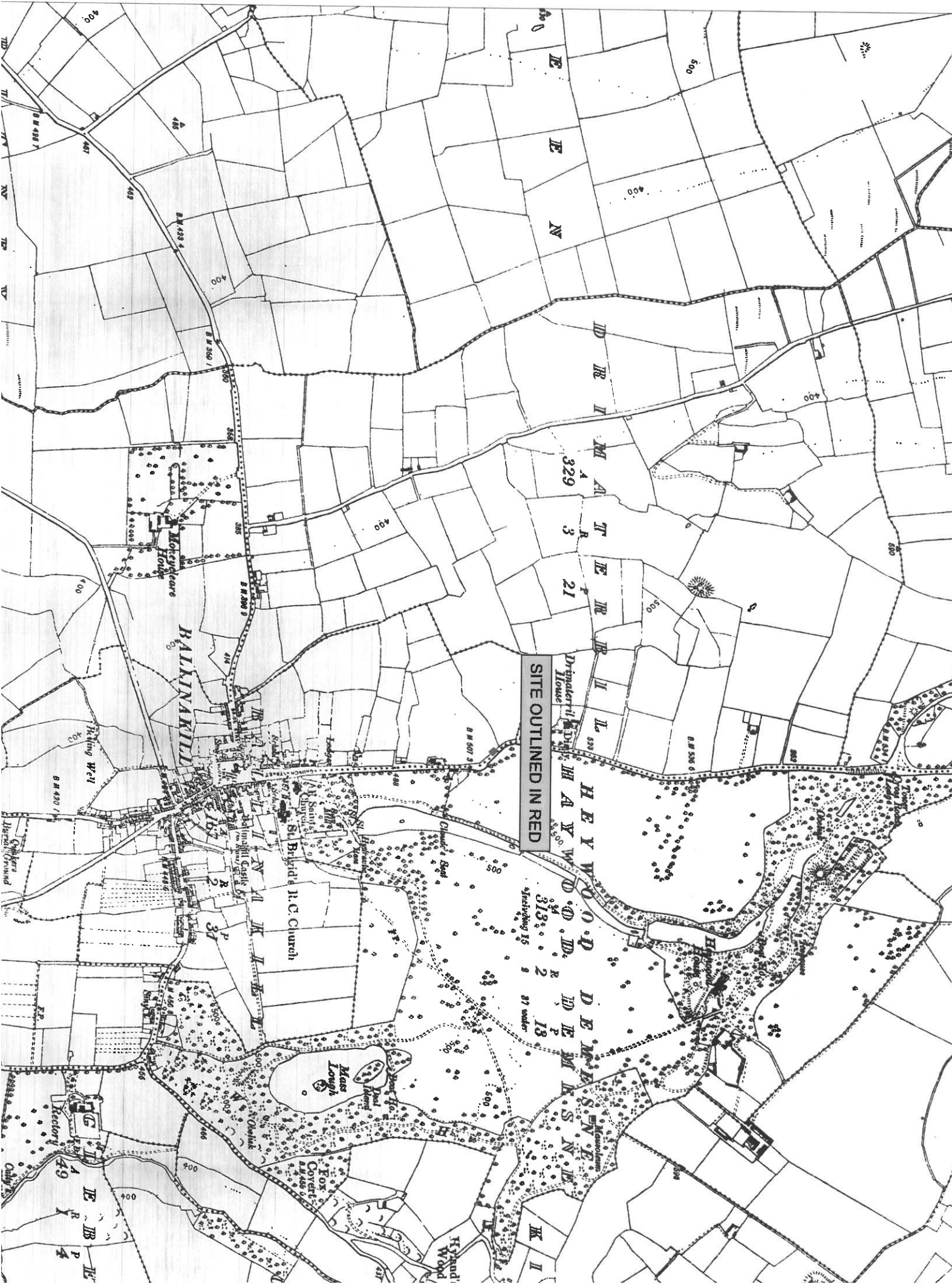
- Assimilates within the existing pattern of appliances, apparatuses, or other structures along the public road.

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 Laois Council grant this Licence Application with regard to the case set out above.



Jason Redmond
Chartered Engineer

APPENDIX A
PLANS AND DRAWINGS



SITE OUTLINED IN RED

BALKIN KILL

St. Bridget R.C. Church

Kilnash Lough

HEYWOOD D.E.M.S. N.E.

313. 2 13
Feetling 15 8 87 under

Kilnash Wood

Worcestershire House

Walling Well

Rectory

49

IE IB P 4

BM 438 4

BM 438 1

BM 438 2

BM 438 3

BM 438 4

BM 438 5

BM 438 6

BM 438 7

BM 438 8

BM 438 9

BM 438 10

BM 438 11

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SITE OUTLINED IN RED



SITE LOCATION:
• GPS COORDINATES:
N52°52'47.35" W7°18'33.85"
LAT:52.87982, LON:-7.309404
• ITM:
E = 646484.7, N = 681216.1

Ballinakill Mixed
National Sch.
Hwy

Church Street

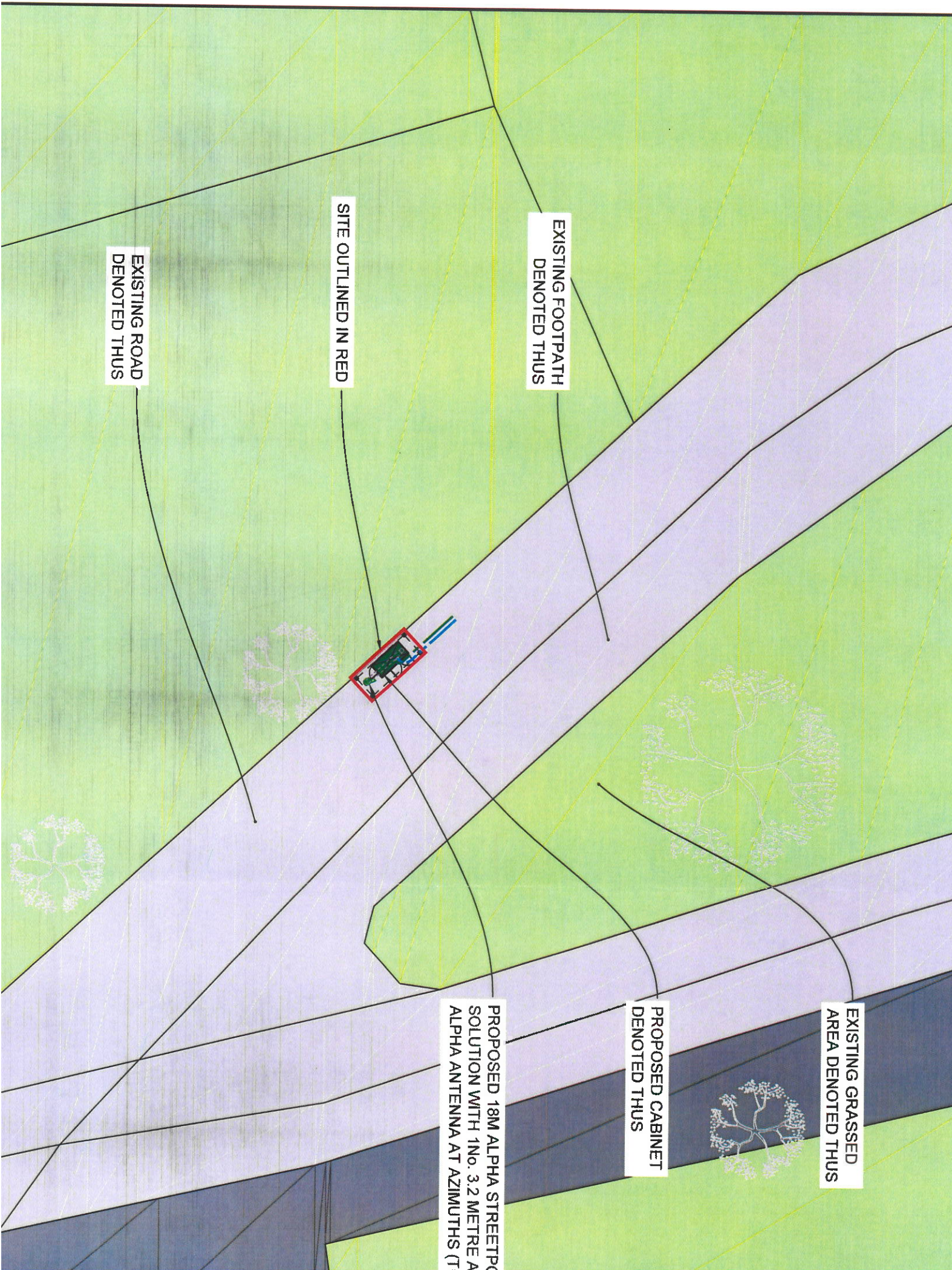
R432

Chur



SITE OUTLINED IN RED

Clubhouse



EXISTING FOOTPATH
DENOTED THUS

SITE OUTLINED IN RED

EXISTING ROAD
DENOTED THUS

EXISTING GRASSED
AREA DENOTED THUS

PROPOSED CABINET
DENOTED THUS

PROPOSED 18M ALPHA STREETPC
SOLUTION WITH 1No. 3.2 METRE A
ALPHA ANTENNA AT AZIMUTHS (TI

WITH 1No. 3.2 METRE AW3871 ALPHA ANTENNA
AT AZIMUTHS (TBC)

PROPOSED 1No. Ø300mm DISH AT
TBC* (TO BE INCLUDED ONLY IF NO
FIBRE INFRASTRUCTURE IN AREA)

360mm

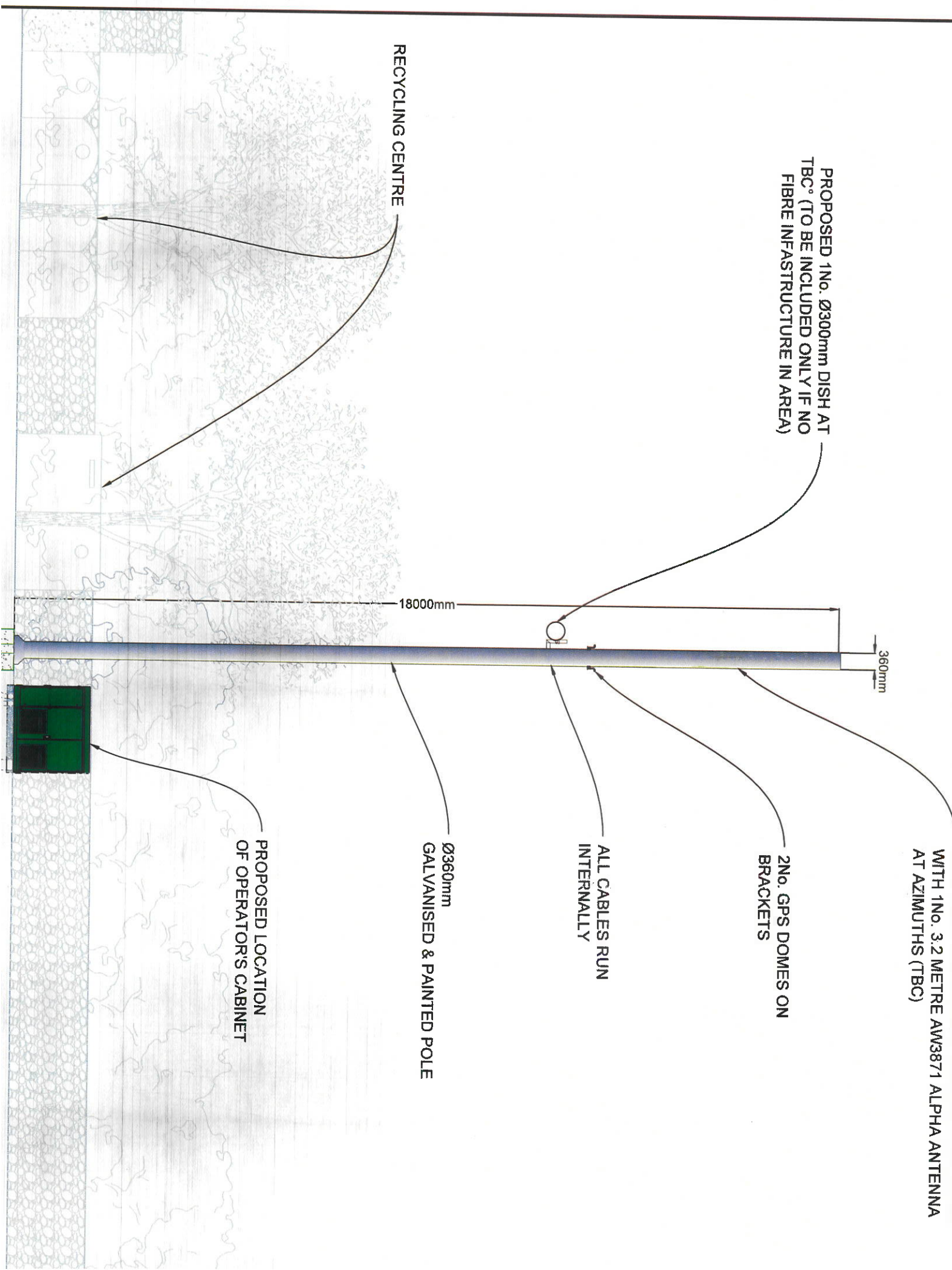
2No. GPS DOMES ON
BRACKETS

ALL CABLES RUN
INTERNALLY

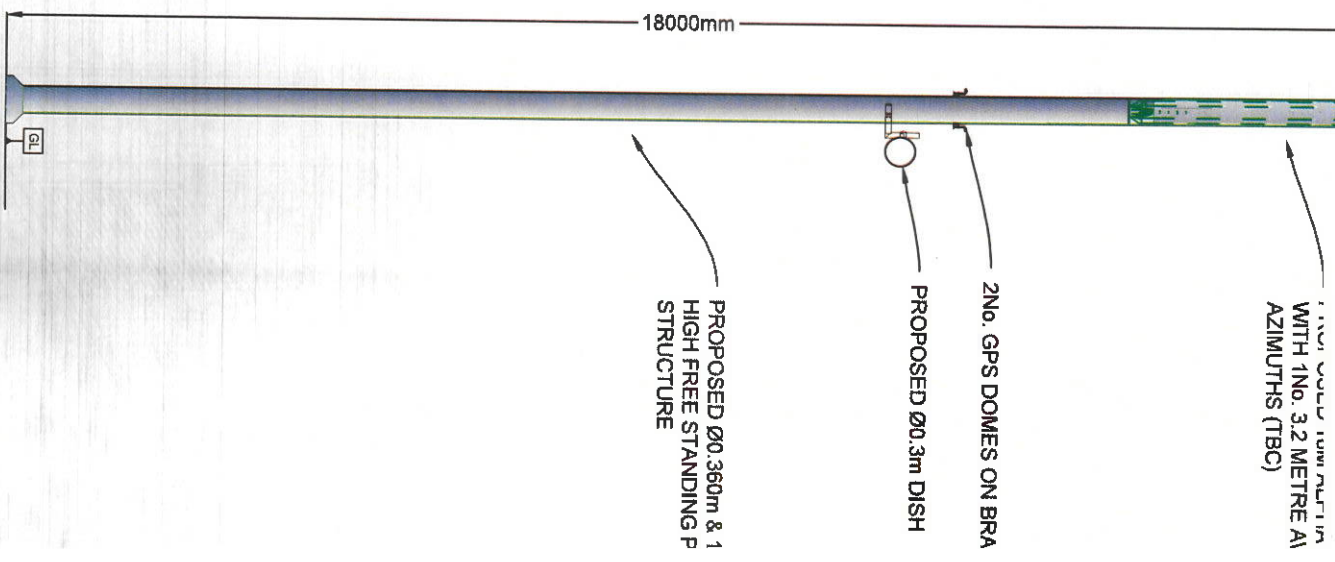
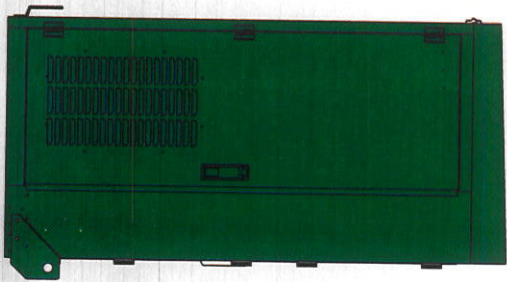
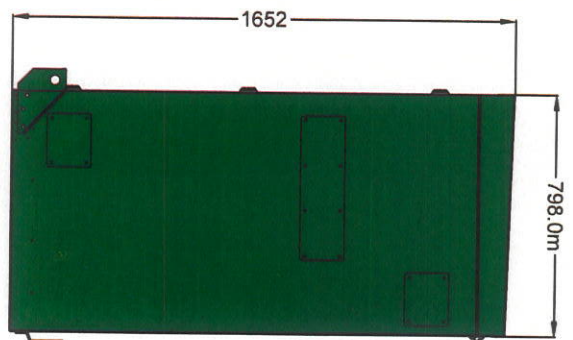
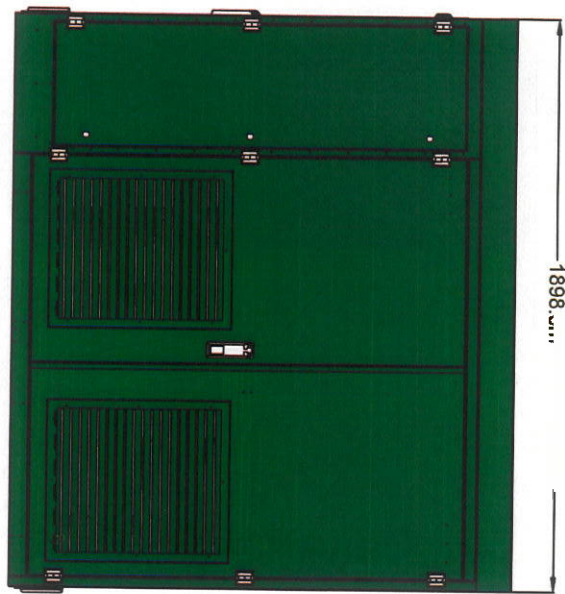
Ø360mm
GALVANISED & PAINTED POLE

RECYCLING CENTRE

PROPOSED LOCATION
OF OPERATOR'S CABINET







TYPICAL POLE

SCALE 1:100

APPENDIX B

Samples of Section 254 License Decisions granted to date.

Tolka Valley, Dublin City Council.

Bagenelstown, Carlow County Council.

Hunterstown, South Dublin County Council.

DUBLIN CITY COUNCIL

LICENCE NO. CAB 436

COMHAIRLE CHATRACH ÁTHA CLIATH

Environment & Transportation Department, Civic Offices, Wood Quay, Dublin 8.

PLANNING AND DEVELOPMENT ACT, 2000.

(SECTION 254)

PLANNING & DEVELOPMENT REGULATIONS 2001.

LICENCE TO PLACE A TELECOMMUNICATION

CABINET AND POLE ON THE PUBLIC FOOTPATH/ROADWAY

Dublin City Council hereby grants to

Signal Infrastructure Ltd

a licence to place and maintain 1 Telecommunications Cabinet
measuring externally 1.54m³ (1.17mL x 0.798mmW x 1.652mH),
and a pole area 0.0824m² (height 15m)

subject to a minimum footpath clearance of 1.8m and

the General Licence Conditions

pertaining to the issue of this licence (see reverse)

on the public footpath at

Tolka Valley Park opposite Kippure Park Housing Estate, Dublin 11

Underwriter: **AXA**

Public Liability Insurance: **ES00016966L120A**

Expiry Date: **31/12/20**


ADMINISTRATIVE OFFICER

The granting of this licence does not exempt the licensee from the provisions of any other legislation

2. The cabinet and pole dimensions shall be as specified in the licence.
3. The granting of a licence is subject to a payment of the appropriate fee & adherence to the requirements and does not automatically guarantee the renewal in subsequent years.
4. The licensee shall not sub-let the licensed area.
5. A change in use of the licensed area will require the submission of a new licence application.
6. The granting of a this licence may not be taken as authorisation to proceed with building or other operations in respect of which the permission of Dublin City Council may be necessary under any other legislation.
7. The licensee shall maintain the area used for the cabinet and pole, and the cabinet and pole in an acceptable condition so as not to constitute a nuisance, e.g. free from graffiti. He/she shall indemnify Dublin City Council against all actions, suits, claims, demands by any person arising from injury or damage to person or property in consequence of the placement of the said cabinet and pole on the public road/footpath.
8. The Licensee shall be required to submit for inspection to Dublin City Council, and to continue to maintain Public Liability Insurance policy, which provides cover to a minimum value of €7.0 million indemnifying Dublin City Council against third party claims
- 9 (a) The cabinet and pole shall be removed if requested by Dublin City Council. In the event that the area in use is required by Dublin City Council in the performance of its statutory functions such notice as reasonable, as is possible will be given to the licensee. Where applicable, Provisions of Section 55(1) of The Communications Regulation Act, 2002 shall apply where DCC require to relocate or remove the cabinet.
 - (b) If accidental damage is caused to the cabinet and pole or associated network, Dublin City Council will not be responsible for any claims made against it by the utility or their customers.
 - (c) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary arising directly as a result of the operation of the licence, shall be at the expense of the licensee. The licensee shall enter into an agreement with Dublin City Council to pay for any repairs to the footpath or public roadway arising directly from the licence.
- 10 Access for maintenance purposes to public lighting equipment and the associated under-ground or overhead services shall be available at all times.
- 11 Public lighting equipment shall not be used for any purpose associated with the cabinet or pole.
- 12 All water main covers, sewer manholes and service access points for utilities shall be accessible at all times.
- 13 No cabinet or pole shall be positioned over a fire hydrant.
- 14 The cabinet and pole shall be suitably anchored and of robust and stable construction to prevent movement in adverse wind conditions or when repair works etc are being carried out on the adjacent footpath.

28th May 2019

Cignal Infrastructure Ltd.,
C/o Jason Redmond & Associates Consulting Engineers
5 Lisnard Court,
Portlaoise,
Co. Laois
R32 NH2H

RE: Sec 254.19.01 - Application under Section 254 of the Planning and
Development Acts, 2000, as amended:


Applicant's Name: Cignal Infrastructure Ltd.
Location of Development: Royal Oak Road, R724, Bagenalstown,
Co. Carlow

Dear Applicant,

With reference to the above Application received on the 7th February 2019 and further information submitted on the 7th May 2019, having completed assessment of the submitted plans and particulars, and having regard to relevant statutory provisions and the provisions of the County Development Plan in relation to proposed works at Royal Oak Road, R724, Bagenalstown, Co. Carlow, Carlow County Council wish to grant licence subject to conditions as outlined in attached Licence.

If you have any further queries in relation to this matter, please contact the planning office on 059/9136285 or email planningdevman@carlowcoco.ie.

Yours Sincerely


Alison Scanlon
Administrative Officer

**Licence Pursuant to Section 254 of
Planning and Development Act 2000, as amended.**

REF: S254.19.01:

Royal Oak Road (R724), Baginbally, Co.Carlow

Carlow County Council being the Planning Authority for the County of Carlow hereby grants this licence to Cignal Infrastructure Ltd., Suite 309, Q House, 76 Furze Road, Sandford Industrial Estate, Dublin 18, for a telecommunications street pole and associated operator cabinets pursuant to Section 254 of the Planning and Development Act 2000 (as amended), subject to the conditions set out below:-

Schedule of Conditions:	
1.	<p>The telecommunications street pole, including associated operator cabinets, shall be installed on the site in accordance with the plans and particulars received by the Planning Authority on 07/02/19, as amended by further information received on 07/05/2019, except where altered and amended by conditions in this license.</p> <p>Reason: To enable the Planning Authority to check the development when completed, by reference to the approved particulars.</p>
2.	<p>The maximum height of the telecommunications street pole shall not exceed 15 metres and the maximum width of the upper end shall not exceed 406mm, as specified on Drawing No. CW_1088-105 received by the Planning Authority on 07/05/19.</p>

	height of telecommunications street pole and associated operator cabinets, shall not be carried out without first obtaining the prior written approval of the Planning Authority.
	Reason: To avoid any misunderstanding as to the approved plans and particulars of the licence.
4	No additional dishes, antennae, or other equipment other than as shown on Drawing No. CW_1088-105 received by the Planning Authority on 07/05/19, shall be attached to the telecommunications pole or otherwise erected on the site, without first obtaining the prior written approval of the Planning Authority.
	Reason: In the interest of the visual amenity and proper planning and sustainable development of the area.
5.	The applicant shall notify the Planning Authority of any change of ownership, transfer to a new operator or any subsequent agreements to share the telecommunications street pole and associated operator cabinets.
	Reason: To ensure that the development shall be in accordance with licence granted and that effective control is maintained.
6.	The external finish of the operator cabinets shall have a grey colour in keeping with the colour of the telecommunications street pole.
	Reason: In the interest of the visual amenity of the area.
7.	In the event of obsolescence, the telecommunications street pole and associated operator cabinets shall be removed from the site and the site shall re-instated at the applicant's expense.
	Reason: In the interest of visual amenity and the proper planning and sustainable development of the area.

b) **WHICH APPLICANT USE PUBLIC FOOTPATH SHALL BE RESTORED BY the applicant and all damage made good to the satisfaction of the Municipal District Engineer.**

Reason: In the interest of ensuring that the footpath contiguous to the site is not adversely affected by any works relating to the installation of the telecommunications pole and associated operator cabinets.

9. Any road opening works on the public road or public footpath required to facilitate the development shall be subject to a Road Opening Licence in compliance with 'Guidelines for Managing Openings in Public Roads (2007)'. The Road Opening Licence shall be submitted for the written agreement of the Planning Authority prior to the installation of the telecommunications street pole solution and associated operator cabinets.

Reason: In the interest of traffic safety.

10. The installation of the telecommunications street pole and associated operator cabinets shall not impair the operation of existing land and roadside drainage and the applicant shall not interfere with roadside drainage without the prior written agreement of the Municipal District Engineer.

Reason: To ensure the integrity of the public road and public footpath is not diminished by a reduced quality road drainage system.

11. Best practices measures shall be employed on the site to ensure the adjoining stone wall is safeguarded during the installation phase.

Reason: To protect the structural integrity, condition and appearance of the adjoining stone wall in the interest of the visual amenity of the area.

	<p>CABINETS, INCLUDING DELIVERY AND SERVICE VEHICLES AND TRUCKS. There shall be no parking along the public road.</p> <p>b) All measures shall be taken to prevent muck, dirt, debris or other materials being deposited on the adjoining public road by machinery or vehicles travelling to and from the site during the installation phase.</p> <p>c) The applicant shall maintain the site in a neat and litter free condition during the installation period. No materials shall be stored or deposited on the public road and/or public footpath during the installation phase without the prior written agreement of the Municipal District Engineer.</p> <p>d) The applicant shall ensure that all works on site are carried out in a manner such that noise and dust emissions do not result in significant impairment of, or significant interference with amenities or the environment beyond the site boundary.</p> <p>Reason: In the interest of traffic safety, amenity and orderly development.</p>
13	<p>Prior to commencement of any installation works, the applicant shall submit details for the written agreement of the Municipal District Engineer, for an alternative temporary pedestrian route along the public road and/or public footpath. The full cost, including public liability of the provision of the alternative temporary pedestrian route, shall be borne by the applicant.</p> <p>Reason: In the interest of public safety.</p>
14.	<p>Appropriate warning signage (including lighting where required) shall be erected during the installation period, for the benefit of all road users, members of public, those passing the site and those entering and exiting from the site, and to highlight the presence of construction related traffic on the public road adjoining the site.</p> <p>Reason: In the interest of traffic safety.</p>

including the planning laws, building laws etc.

Reason: In the interest of public safety.

Signed


Authorised Officer

Date 28th May, 2019

Date: 16-Jul-2019

**PLANNING AND DEVELOPMENT ACT, 2000 (as amended) & PLANNING
REGULATIONS MADE THEREUNDER**

Register Reference:	S25419/01
Registration Date:	14-Mar-2019
Location:	Oldcourt Road, Ballycullen, Dublin 24
Proposal:	Installation of communications infrastructure under licence.
Applicant:	Cignal Infrastructure Ltd.

Pursuant to Section 254 of the Planning & Development Act 2000 (as amended) a decision to **GRANT LICENCE UNDER SECTION 254** subject to the following conditions is hereby made:

1. Plans and Particulars

The telecommunications street pole and associated operator cabinet shall be installed and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with this Section 254 licence application, save as may be required by the other conditions attached hereto.

REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

2. Deviation of Plans and Particulars

Any departure from the approved plans and particulars referred to in Condition 1 including any alterations to the location, layout, design, material and height of the telecommunications street pole and antenna and operator cabinet shall not be carried out without first obtaining the prior written approval of the Planning Authority by way of a new Section 254 licence application.

REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained and in the interest of the proper planning and sustainable development of the area.

REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

Prior to commencement of works, the applicant shall obtain written confirmation of

REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

The external finish of the operator cabinet shall have a grey colour in keeping with the colour of the telecommunications street pole.

6. No additional dishes, antennae or other equipment

REASON: In the interest of the visual amenity of the area; to ensure that the development shall be in accordance with the permission and that effective control be maintained and in the interest of the proper planning and sustainable development of the area.

The applicant shall not interfere with the public footpath and/or cyclepath without first obtaining the written confirmation of agreement from the Council's Roads

Where applicable, the public footpath and/or cyclepath shall be restored at the applicant's own expense to the satisfaction of the Roads Department.

REASON: In the interest of ensuring that the footpath and/or cyclepath contiguous to the site is not adversely affected by any works relating to the installation and/or

to the commencement of any works in the public domain and all works are at the applicant's expense, in order to comply with the Roads Act 1993, Section 13, paragraph 10.

REASON: In the interest of public safety and the proper planning and sustainable development of the area, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10.

9. Installation

The installation of the telecommunication street pole and associated operator cabinets shall not impair the operation of the existing land and roadside drainage and the applicants shall not interfere with roadside drainage without the prior written agreement of the Roads Department.

REASON: In the interest of the proper planning and sustainable development of the area.

10. Safety

Prior to the commencement of works, the applicant shall submit details for the written agreement of the Roads Department for:

- (i) An alternative temporary pedestrian and/or cycle route along the public road and/or public footpath and/or cyclepath.
 - (ii) Appropriate warning signage including lighting where required shall be erected during the installation period for the benefit of all road users, members of the public and site employees and to highlight the presence of construction related traffic on the public road adjoining the site.
- The full cost, including public liability of the provision of the alternative temporary pedestrian and/or cycle route shall be borne by the applicant.
- REASON:** In the interest of public and traffic safety.

11. Obsolescence

In the event of obsolescence, the telecommunications street pole, antenna and associated operator cabinet shall be removed from the site and the site reinstated at the applicant's own expense.

REASON: In the interest of the proper planning and sustainable development of the area.

12. Legislation

This licence is for the telecommunications street pole, antenna and operator's cabinet and nothing in this licence shall be construed as negating the applicant's statutory obligations or requirements under any other enactments or regulations, including

consent, and any terms and conditions associated with the consent, from the Economic, Enterprise and Tourism Development Department of South Dublin County Council to locate the proposed telecommunications infrastructure in the location identified on the plans.

REASON: To ensure the appropriate consents are provided.

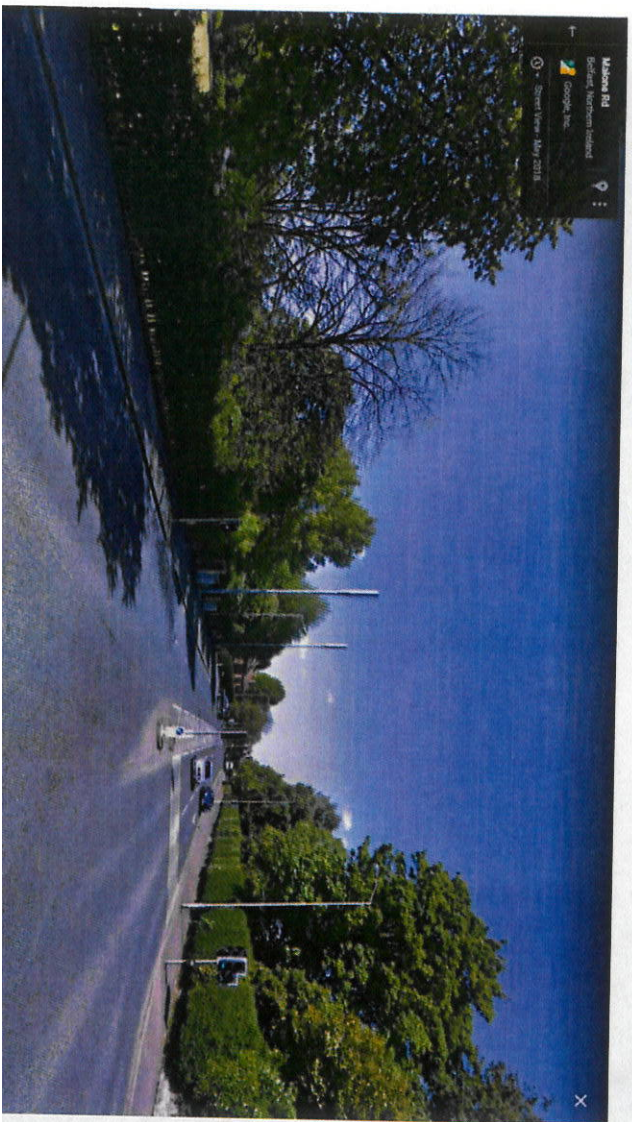
Yours faithfully,



for Senior Planner



Streetworks solution at Bogenseltown, Co Carlow (Structure is Alpha 2.0 Construct)





Streetworks Solution at Mountmellick, Co. Laois. (Structure is Lollipop Construct)



APPENDIX D

Visual Impact Assessment Document

VISUAL REFERENCE POINTS

[illegible]

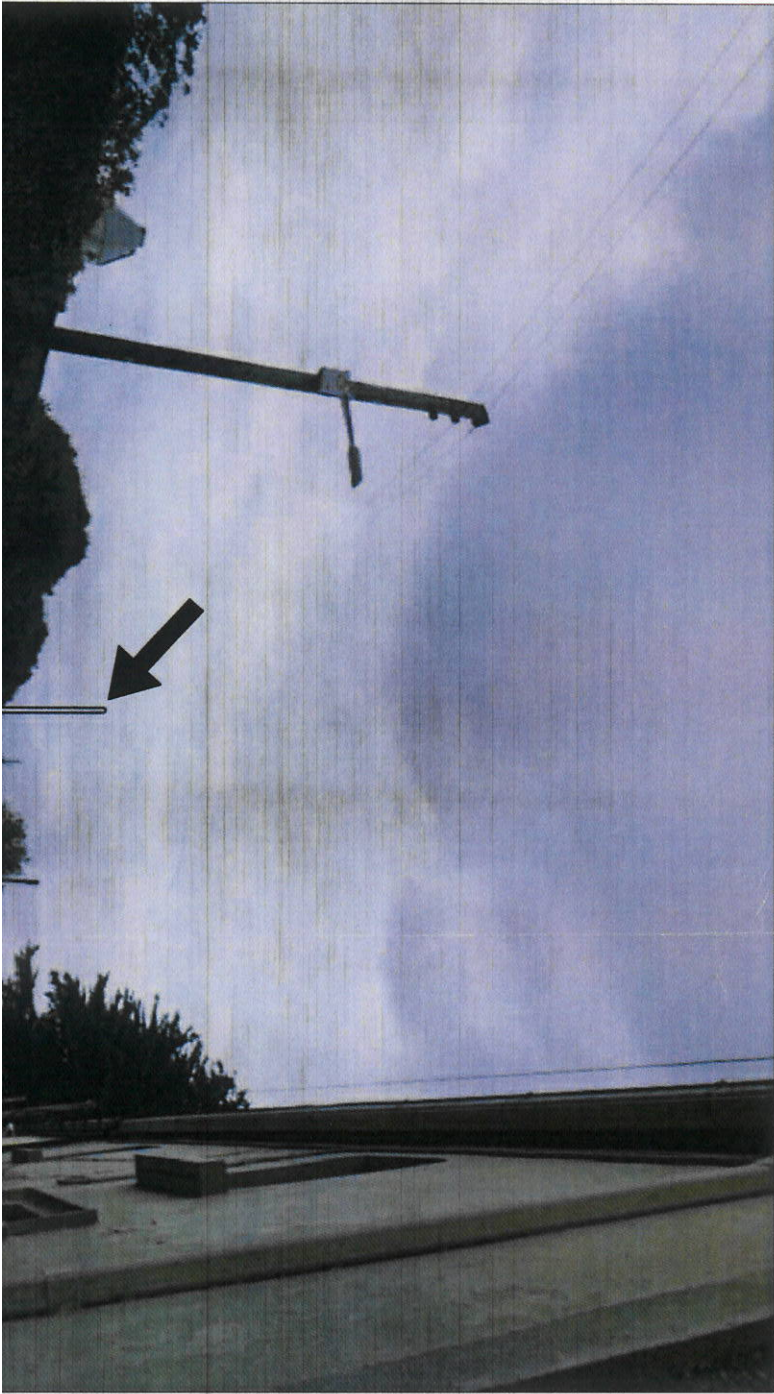


SITE

LS_BALLINAKILL_VRP_3

LS_BALLINAKILL_VRP_2

LS_BALLINAKILL_VRP_1



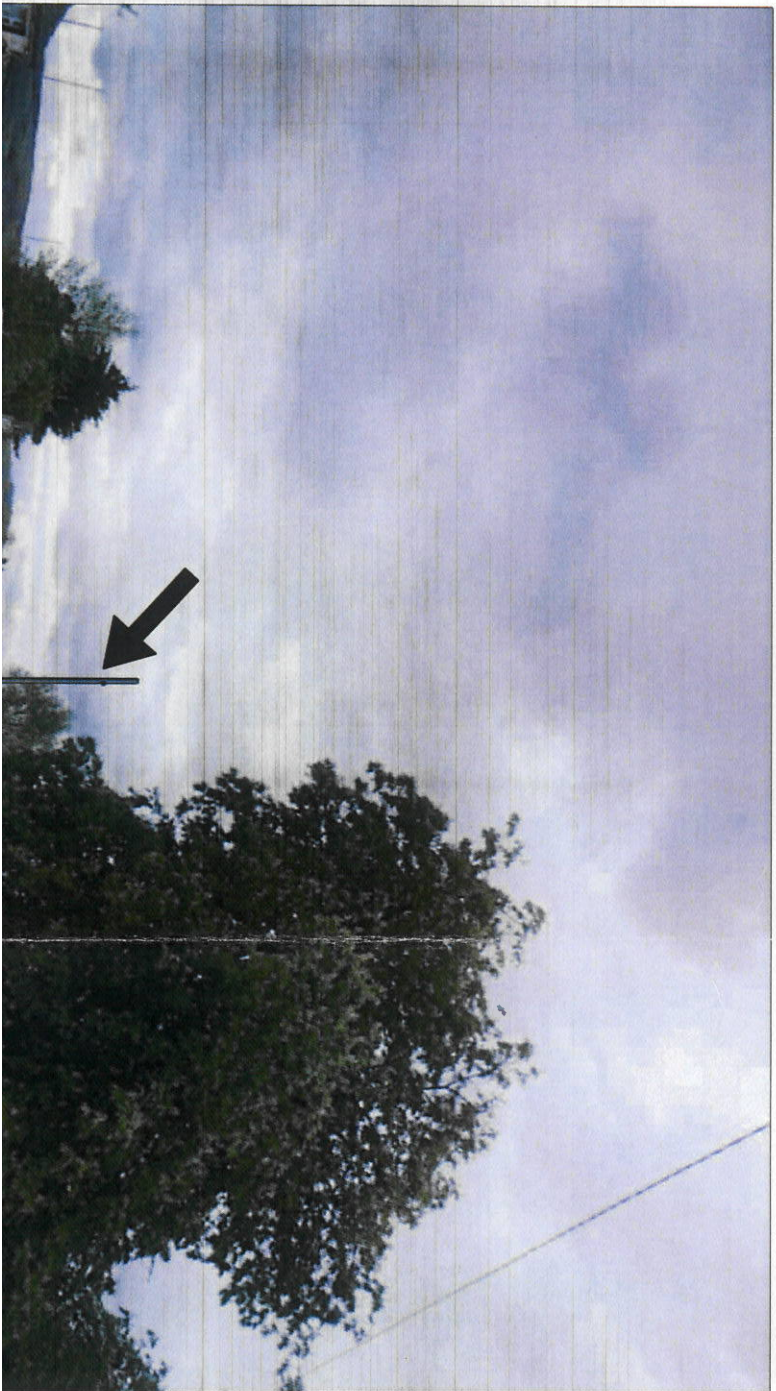
VRP1 - W



VRP1 - W



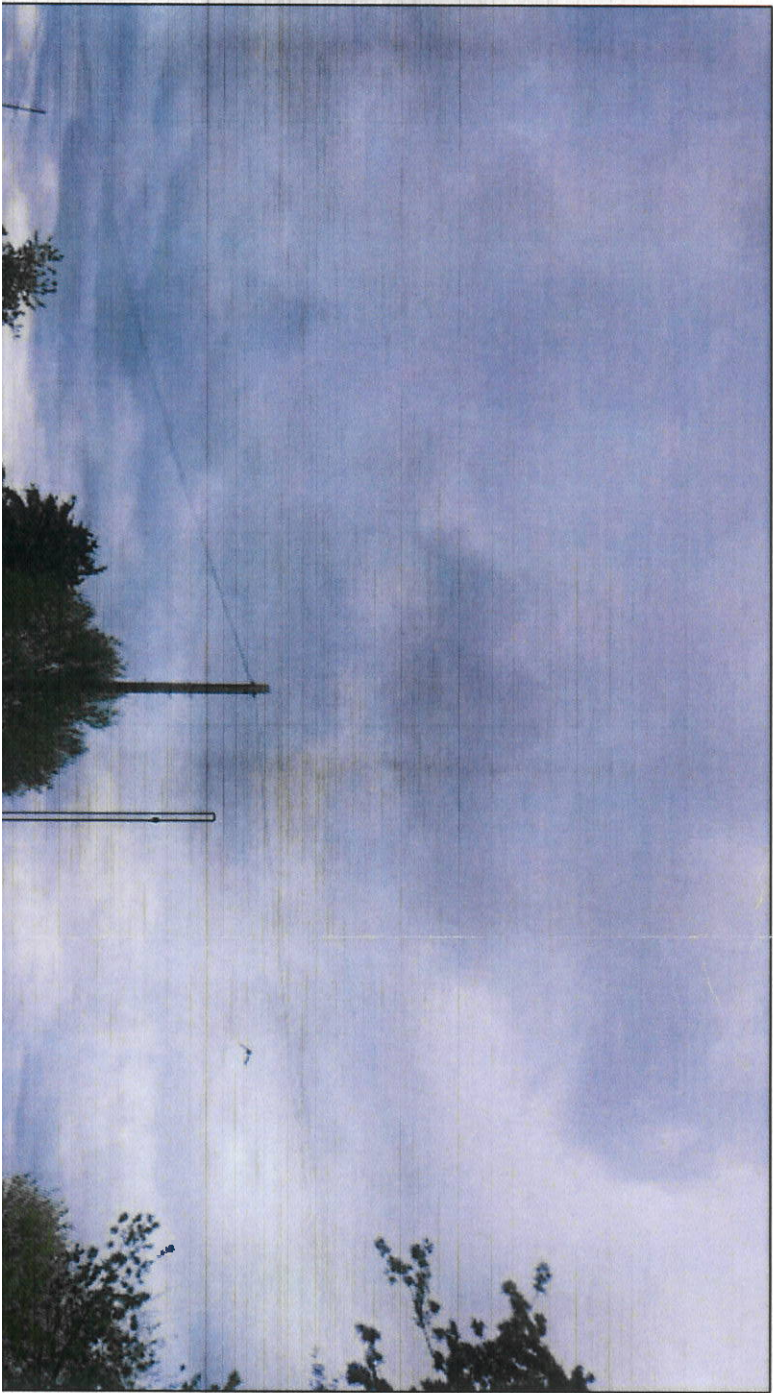
VRP2 - W



VRP2 - W



VRP3 - W



VRP3 - W