



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 **R427 Stradbally Road, Vicarstown, 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, Sandymount Industrial Estate, Dublin 18, D18 YV50.

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

Date of Licence Application: 14th January 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 Coillte 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

coverage if we used a 15m or 18m pole, we are therefore proposing a 21m pole.

It is proposed to erect a 21-metre high slim 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 adjacent 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.

4. Spirit of the Legislation

Planning Authorities. *An Bord Pleanála* and the Judiciary invariably refer to the ‘*Spirit of the Legislation*’, under their respective reports/summations, in drawing conclusions and in issuing Judgements. It is therefore respectfully submitted that the spirit of the Section 254 Licence process is to ‘*remove barriers*’ to the roll out and deployment of Telecommunications Infrastructure nationally in order ‘*to provide immediate solutions to mobile voice and broadband deficits in Ireland*’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

Such a positive reception of this new Statutory Instrument reflects innovative, proactive and positive engagement between Local Authorities and Telecommunications Infrastructure providers, which is a significant and dynamic step forward for the Telecommunications Sector, which was clearly espoused under the Taskforce Report and accords with 'the spirit of the legislation'.

The following Section 254 Licence Applications have been granted by An Bord Pleanála in recent times:

ABP: PL 305114-19,

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 Begenalstown, 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.

Cignal 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*

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.

<ul style="list-style-type: none"> • 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
<ul style="list-style-type: none"> • 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.

Laos 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 Vicarstown area. This has been confirmed in discussions with the County Council Broadband Officer and local residents.

Vicarstown has been selected as a Broadband Connection Point (BCP) under the National Broadband Plan. This has recently been implemented in the GAA clubhouse. 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 mobile coverage in the area would complement and enhance this fixed broadband initiative. The existing coverage from each of the mobile operators is shown in the coverage maps on the Comran website.



Figure 3. Vodafone 4G coverage – Outdoor

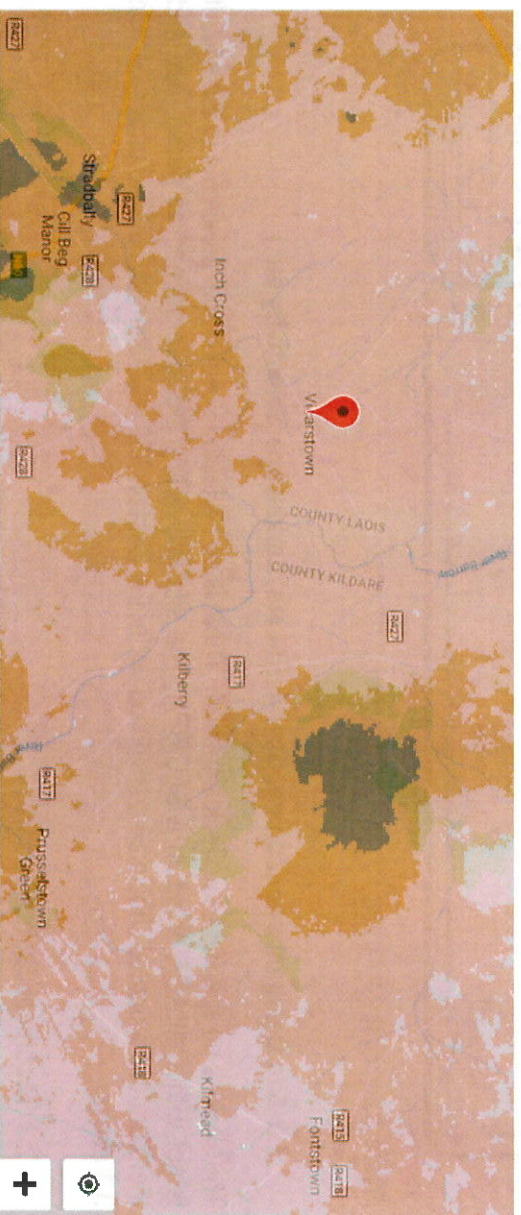


Figure 4. Eir 4G Coverage – Outdoor



Figure 5. Three 4G coverage – Outdoor

Comreg's coverage maps show the outdoor coverage in the Vicarstown 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.

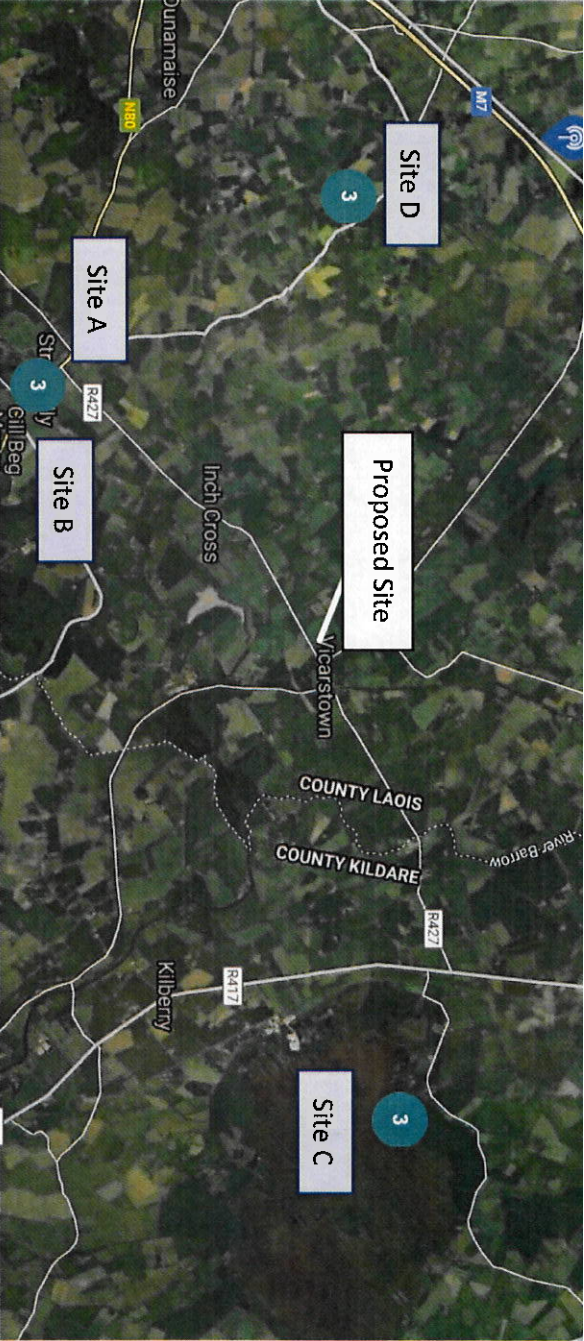


Figure 6: Comreg Map of Sites in General Area

7.4.3 Rationale for Sites Discounted in Area

Please refer to the above Comreg Maps shown in figures 6 above in association with the following Table (Figure 7), which set out the other relevant Infrastructure in the subject general area of Vicarstown environs. It must be noted that none of the sites identified are situated within the required search ring, which has a diameter of 250 metres.

As the nearest sites are all well outside of the required search ring, sharing of facilities on other installations, outside of the required search ring will not address the coverage objectives of the subject search ring. However, in the interest of demonstrating other sites in the broader area for assessment purposes by the planning authority and with specific regard to the Development Plan, which requires that co-location be assessed, the following table indicates the nearest established sites in a north south east and west direction and also presents associated 'Discounted Reasons':

SP= Site provider

Site:	Name of Site (Comreg):	Distance from Site:	Details/Discounted Reason(s):
A	LS_1744 Meteor	5.65km	<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.

Sustainable Development Objectives:			
C	KE_1553 Meteor KE022 Vodafone	6.67 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 search ring objectives.
D	LS_4685 Meteor THREE_LX0088	6.7 km	<ul style="list-style-type: none">Site is significantly outside of the required search ring therefore there is no benefit to be gained by adding equipment at this location towards the end of achieving the required objectives of the search ring.
E	THREE_LX0095 LS005 Vodafone	7.04 km	<ul style="list-style-type: none">Site is significantly outside of the required search ring therefore there is no benefit to be gained by adding equipment at this location towards the end of achieving the required objectives of the search ring.

Figure 7: Comreg 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).

ALT 1: Front of GAA club.

Discount Reason: Grass verge narrow and would obstruct sightlines

ALT 2: Public Footpath

Discount reason: footpath too narrow, overhead cables

ALT 3: Further out Stradbally Road

Discount Reason: Tree coverage too high and overhead cables, moving closer to existing residential.

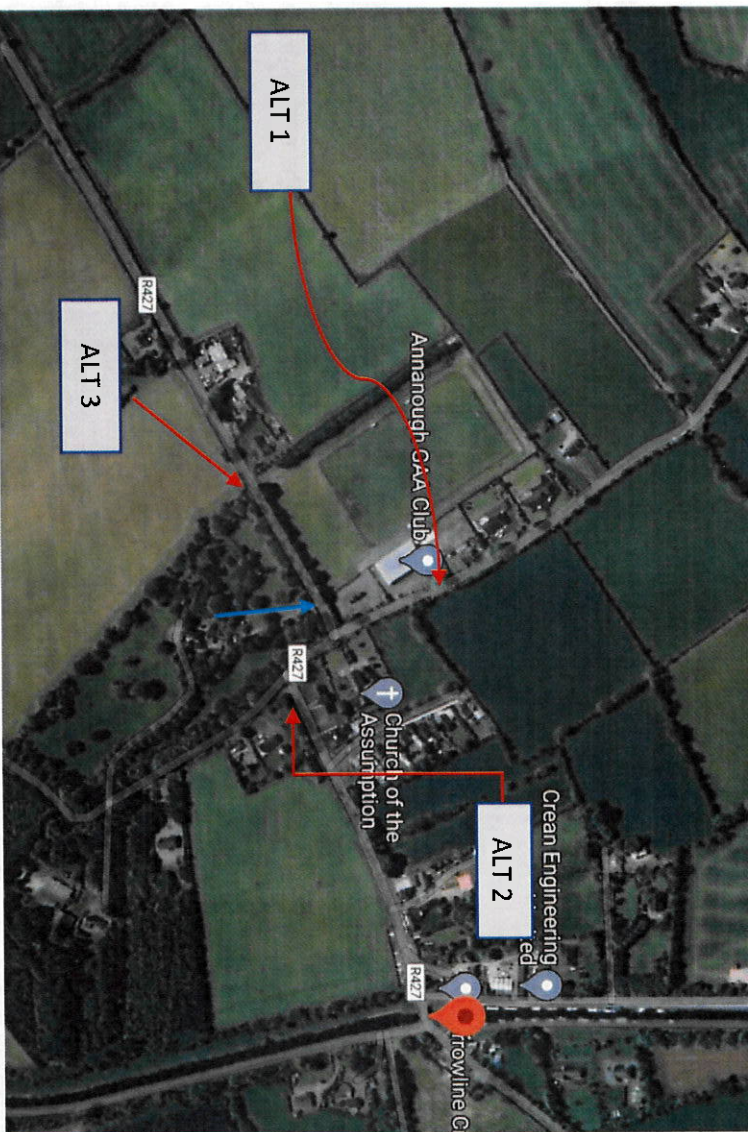


Figure 8: Alternatives Considered

7.4.5 Coverage Map

The coverage map below under figure 9 is self-explanatory. The *do-nothing* approach would result in a continued deficit in indoor/in car coverage in addition to out-door mobile and wireless broadband cover over a significant section of the subject rural and village environment. The *do something* approach will bring full indoor/outdoor coverage to a significant splay of residential and business premises surrounding environs, including the tourist/canal environs in Vicarstown and will meet the overall objectives of this site as outlined under Section 7.4.1 above.

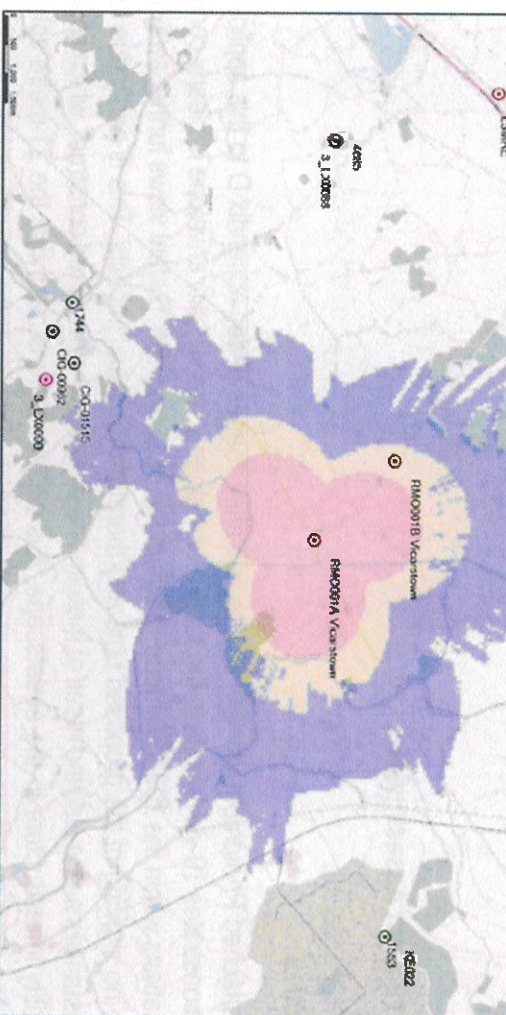
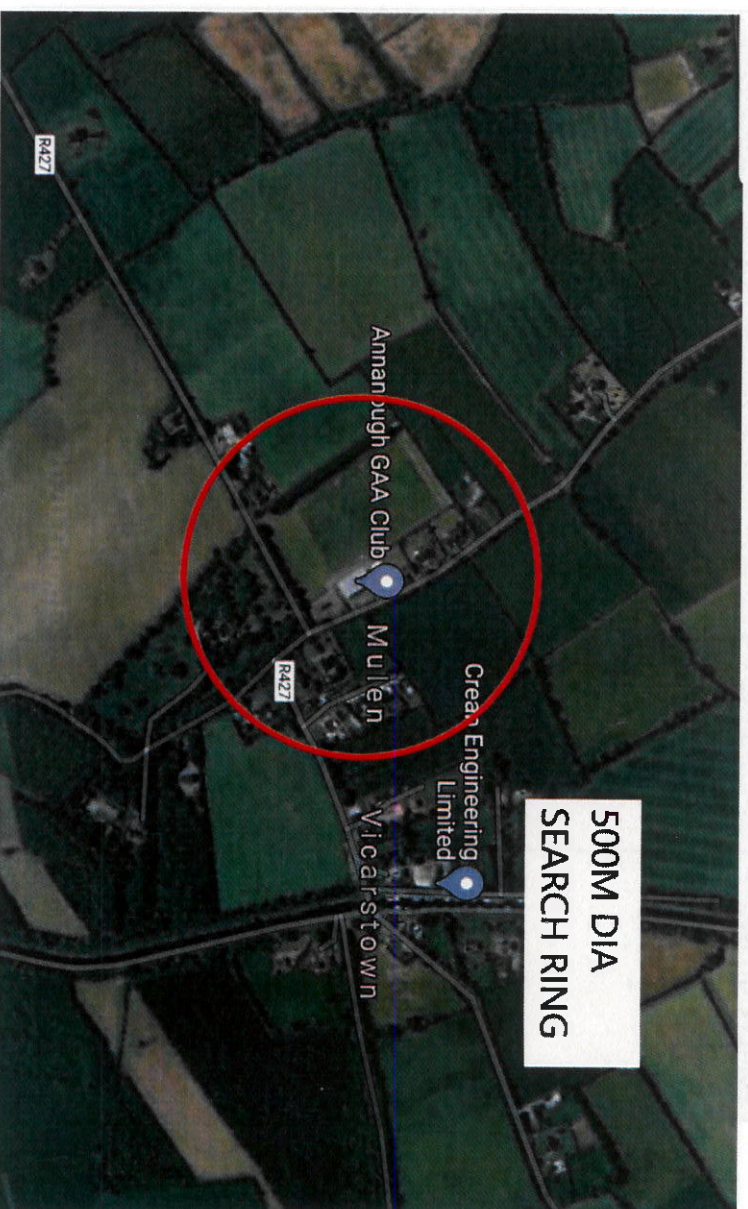


Figure 9: Proposed coverage footprint in the area with new Cellnex RCP site

It is respectfully submitted that the coverage map above clearly demonstrates the significance of the proposed installation with respect of the telecommunications network.

7.4.6 Search Ring



or the site.

7.5 Visual Impact Assessment

VIA Introduction

Please see attached Photomontage with before and after images under Appendix D to this application. This VIA demonstrates 10 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 21-metre solution, while visible, is considered to appear as a normal and functional part of the street furnishings within the public realm. The following table sets out VRPs and associated visual impact predictions. Please note commentary is brief as VIA is self-explanatory.

Visual Reference Point (VRP) No:	VIA Prediction:	Notes:
1	Slight	Pole is shrouded by existing tree coverage on this approach
2	Slight to moderate	Pole is screened on the lower portions by exiting screening and foliage. Top of pole will be visible on this approach, but camouflage green cover should mitigate
3	None	Solution not visible.
4	Slight	Cabinet only visible. Screening is providing good coverage form this approach
5	None	Solution not visible.
6	None	Solution not visible.
7	Slight	Very top of monopole visible only
8	Slight to none	Solution barely discernible though foliage
9	Slight to moderate	Pole is screened on the lower portions by exiting screening and foliage. Top of pole will be visible on this approach, but camouflage green cover should mitigate
10	None	Solution not visible.

Figure 11: VIA Prediction Table.

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 100m of the proposed development.

7.7 Built Heritage

There are three buildings listed on the NIAH

1. Church of the Assumption (approx. 50m) Registration No: 12,801,405
2. Vicensdown School (approx. 60m) Registration No: 12,801,404
3. Grattan Lodge (approx. 100m) Registration No: 12,801,413

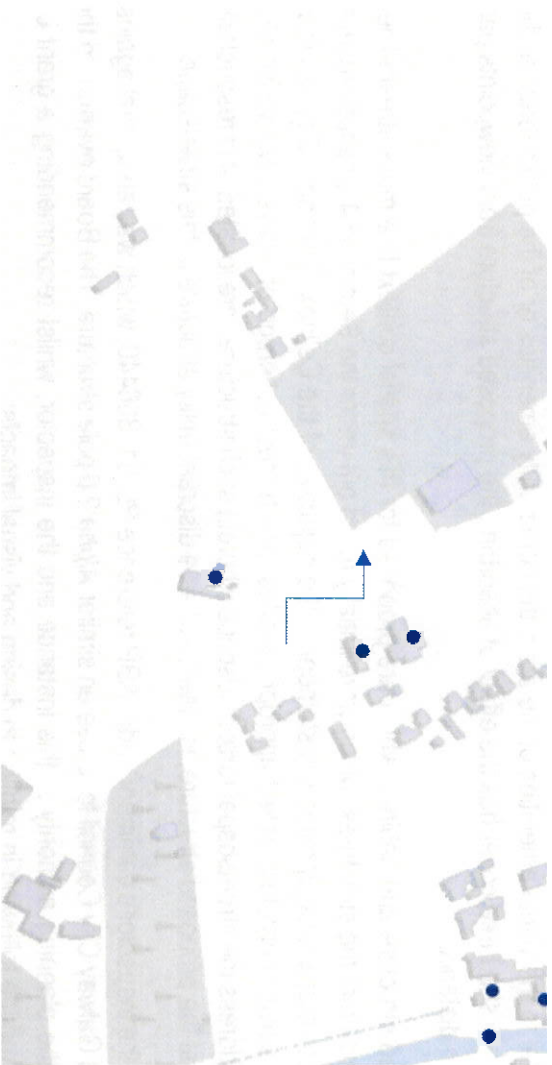


Figure 13: MyPlan.ie extract Site = Blue Arrow.

The proposed site location is sited away from the buildings in question and sited within the existing tree screening. 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 Vicarstown, Co Laois.

The principle of the proposed Alpha 70 mobile structure has been accepted by numerous planning

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

The Cellnex Team also considered 'Alternatives' and various locations were ruled out as detailed above. Furthermore, the Laois County Development Plan clearly recognises the importance of the development of a high-quality telecommunications network.

The proposed 21metre pole solution will provide for optimum coverage as required, for two operators and defined under the figure 8 above, in an area where there is a noted dearth in coverage. Additionally, given the current **Covid 19** crisis, the newly acquired practices of wholesale 'Working from Home' have placed increasing demands on the network as noted by Government in recent Circulars and associated actions. It is also widely accepted that 'Working from Home' practices will become the new norm for a significant time period into the future. Therefore, the immediate urgency of this type of telecommunications infrastructure to address coverage gaps in the network, in addition to increased demand, has never been so crucial to the ongoing economic and sustainable development of the Country (Please see Ibec Covid letter under Appendix E).

It is submitted that the proposed pole will be of neutral camouflage green, which will reflect the treeline 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 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*

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.

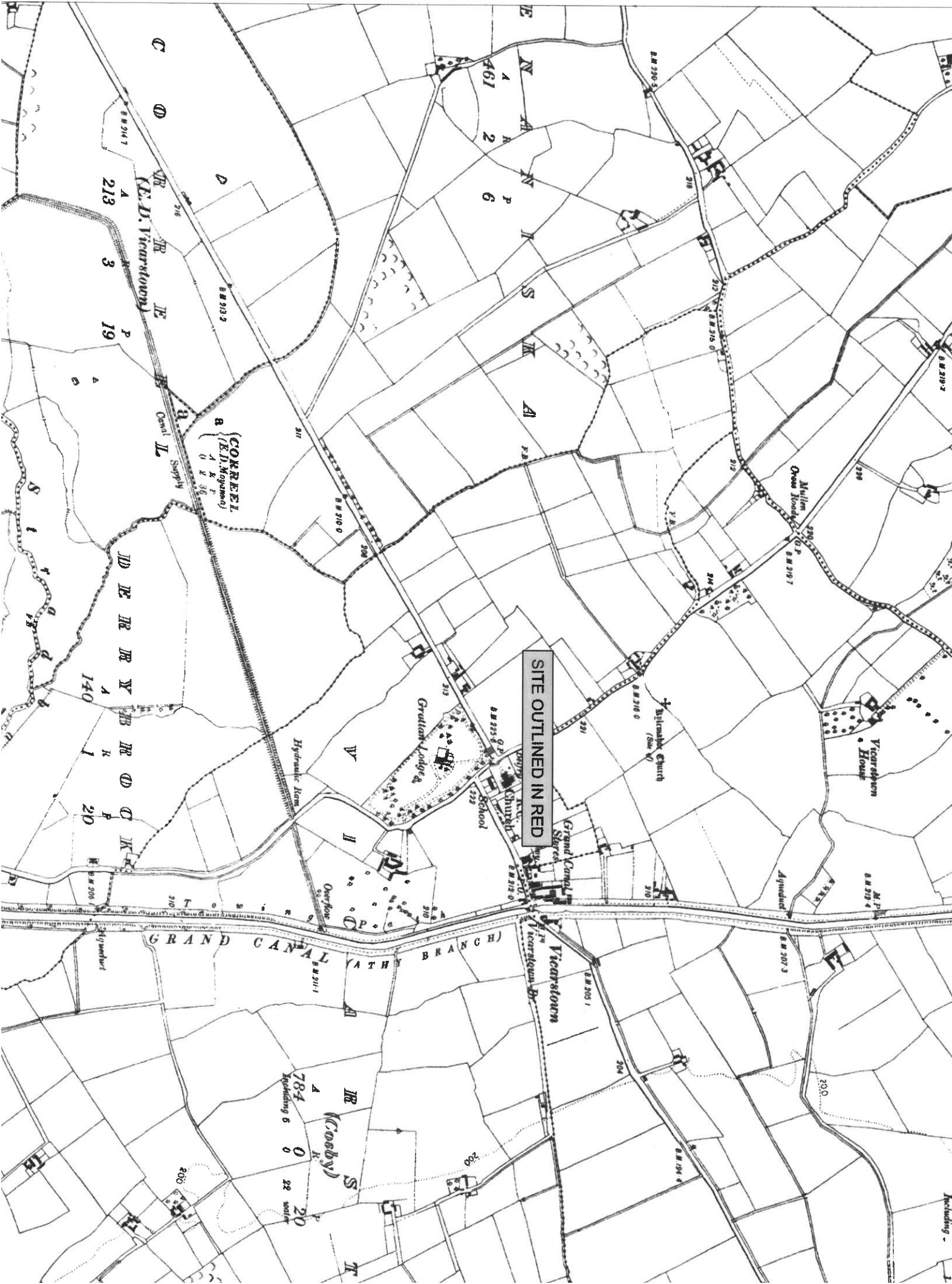
- Accords with the proper planning and sustainable development of the area.
 - Accords with the relevant provisions of the development plan.
 - Does not detract from the convenience and safety of road users including pedestrians,
- And,
- Assimilates within the existing pattern of appliances, apparatuses,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

SITE LOCATION:
• GPS COORDINATES:
N53°33.42' W7°5'20.33"
• ITM:
E = 661079.479, N = 700421.902



Clubhouse

SITE OUTLINED IN RED

Church
of Our Lady
(Catholic)

Community
Centre

EXISTING GRASSED
AREA DENOTED THUS

PROPOSED CABINET
DENOTED THUS

SITE OUTLINED IN RED

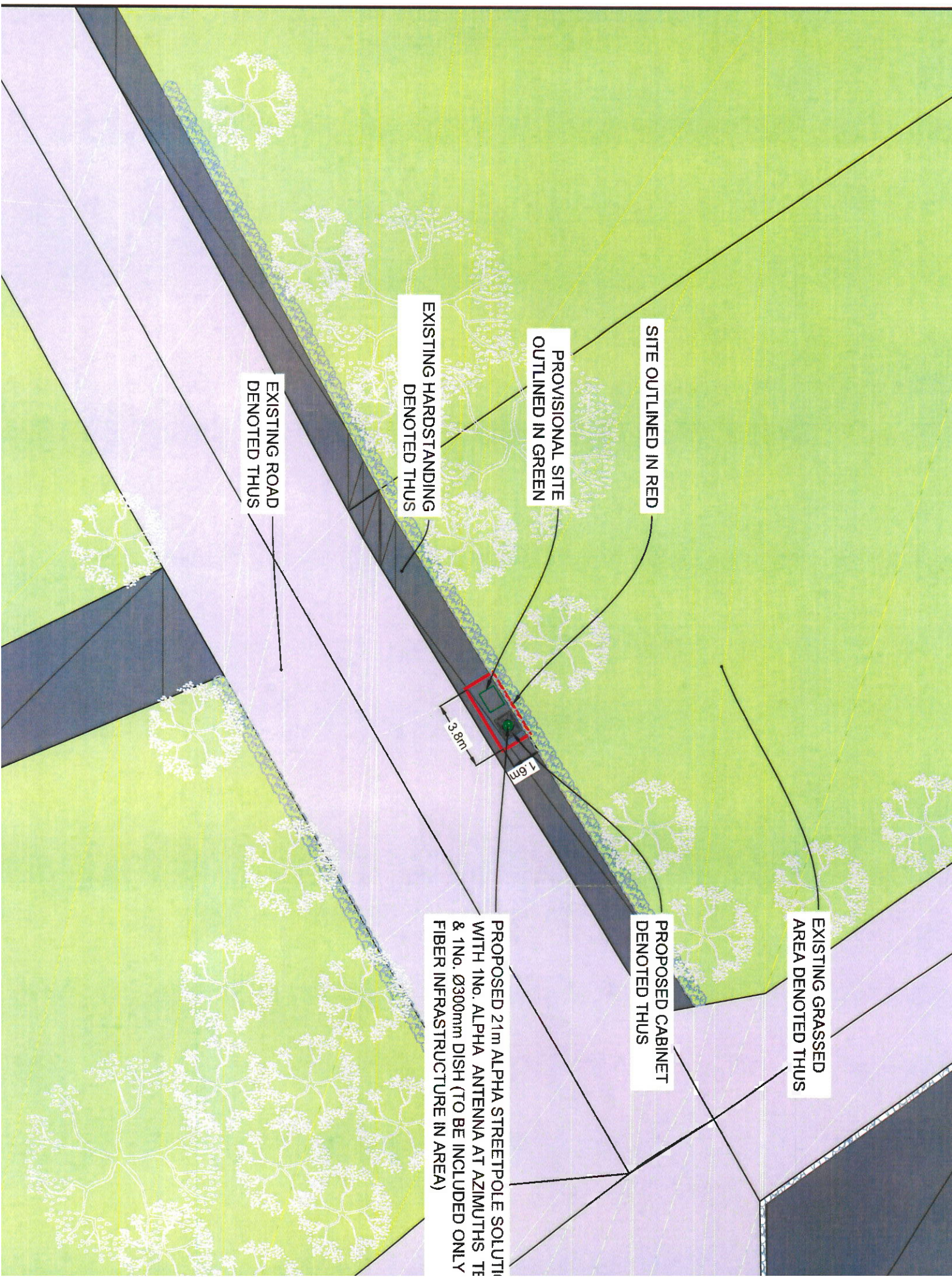
PROVISIONAL SITE
OUTLINED IN GREEN

EXISTING HARDSTANDING
DENOTED THUS

EXISTING ROAD
DENOTED THUS

PROPOSED 21m ALPHA STREETPOLE SOLUTION
WITH 1No. ALPHA ANTENNA AT AZIMUTHS 110°
& 1No. Ø300mm DISH (TO BE INCLUDED ONLY
FIBER INFRASTRUCTURE IN AREA)

3.8m
1.6m



19m A.G.L.

(MODEL: TBC)

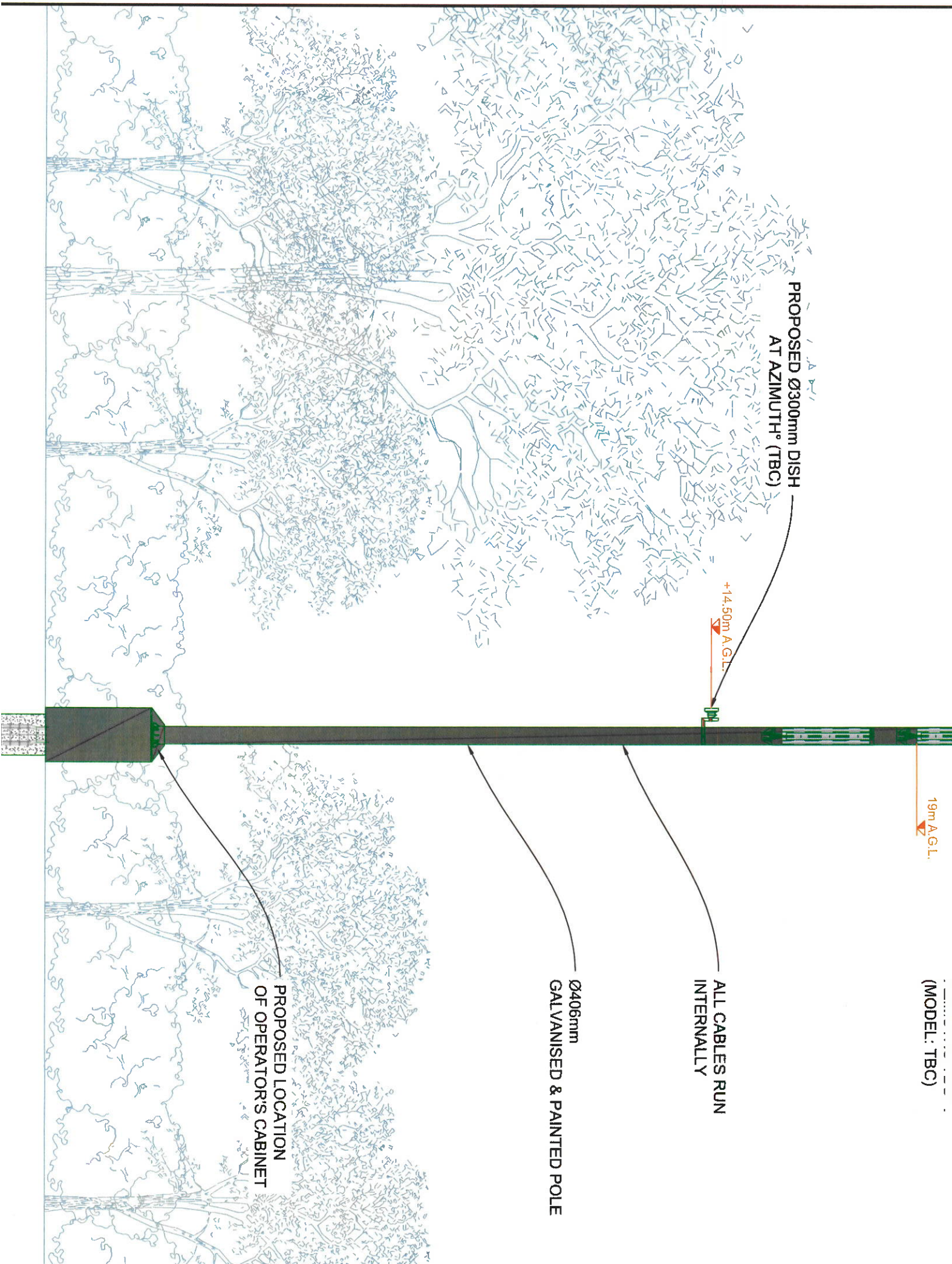
PROPOSED Ø300mm DISH
AT AZIMUTH° (TBC)

+14.50m A.G.L.

ALL CABLES RUN
INTERNALLY

Ø406mm
GALVANISED & PAINTED POLE

PROPOSED LOCATION
OF OPERATOR'S CABINET





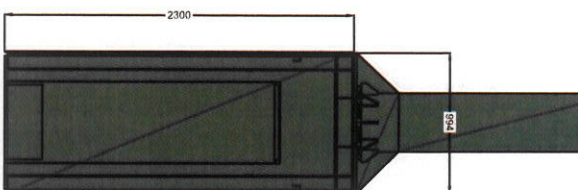
20

PROPOSED Ø0.3m DISH

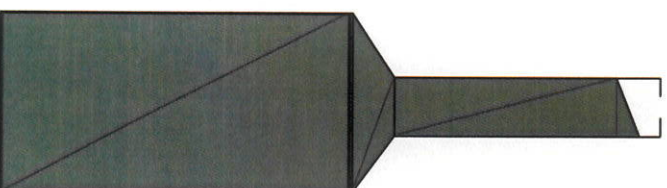
PROPOSED Ø0.406m & 21m HIGH
FREE STANDING POLE STRUCTURE

21000mm

G1



FRONT VIEW



LH SIDE VIEW



TYPICAL POLE

CABINET DETAILS



2km RADIUS

Cast

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

Dei Stood

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

Signal Infrastructure Ltd.,
C/o Jason Redmond & Associates Consulting Engineers
5 Lismard 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:
Location of Development:


Signal Infrastructure Ltd.
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), Bagenalstown, 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 or telecommunication 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.

	<p>b) Where applicable the public footpath shall be restored by the applicant and all damage made good to the satisfaction of the Municipal District Engineer.</p> <p>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.</p>
9.	<p>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.</p> <p>Reason: In the interest of traffic safety.</p>
10.	<p>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.</p> <p>Reason: To ensure the integrity of the public road and public footpath is not diminished by a reduced quality road drainage system.</p>
11.	<p>Best practices measures shall be employed on the site to ensure the adjoining stone wall is safeguarded during the installation phase.</p> <p>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/trucks. There shall be no parking along the public road.
- 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.
- 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.
- 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.

Reason: In the interest of traffic safety, amenity and orderly development.

13

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.

Reason: In the interest of public safety.

14.

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.

Reason: In the interest of traffic safety.

of regulations under any other enactments or regulations,
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.

4. Public Street Trees

Prior to commencement of works, the applicant shall obtain written confirmation of agreement from the Council's Parks and Landscape Services Section to agree measures that shall ensure that the construction and operation of the proposed development does not conflict with the safety of the existing trees. The applicant shall bear the cost of any tree works, including protective measures. In the event of damage to the existing street trees, the applicant shall be responsible for the replacement of the tree(s) with tree(s) of similar size and species, in accordance with the requirements of the Parks and Landscape Services Section.

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

5. External Finish

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

REASON: In the interest of visual amenity of the area.

6. No additional dishes, antennae or other equipment

No additional dishes, antennae or other equipment other than that demonstrated on the plans, particulars and specifications lodged with this Section 254 licence application, shall be attached to the telecommunications street pole and antenna without first obtaining the prior written approval of the Planning Authority.

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.

7. Footpath and Cycleway

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 Department.

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

operation of the telecommunications street pole, antenna and associated equipment.

to the commencement of any works in the public domain and the Roads Act 1993, Section 13, 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.

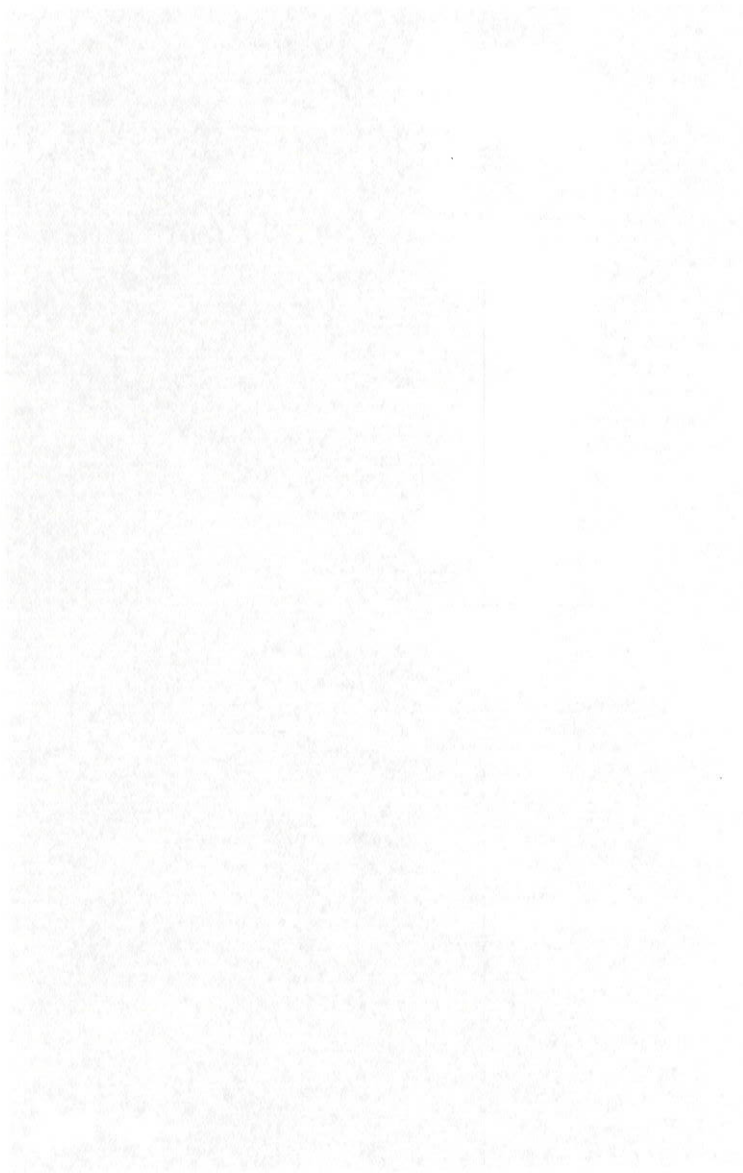
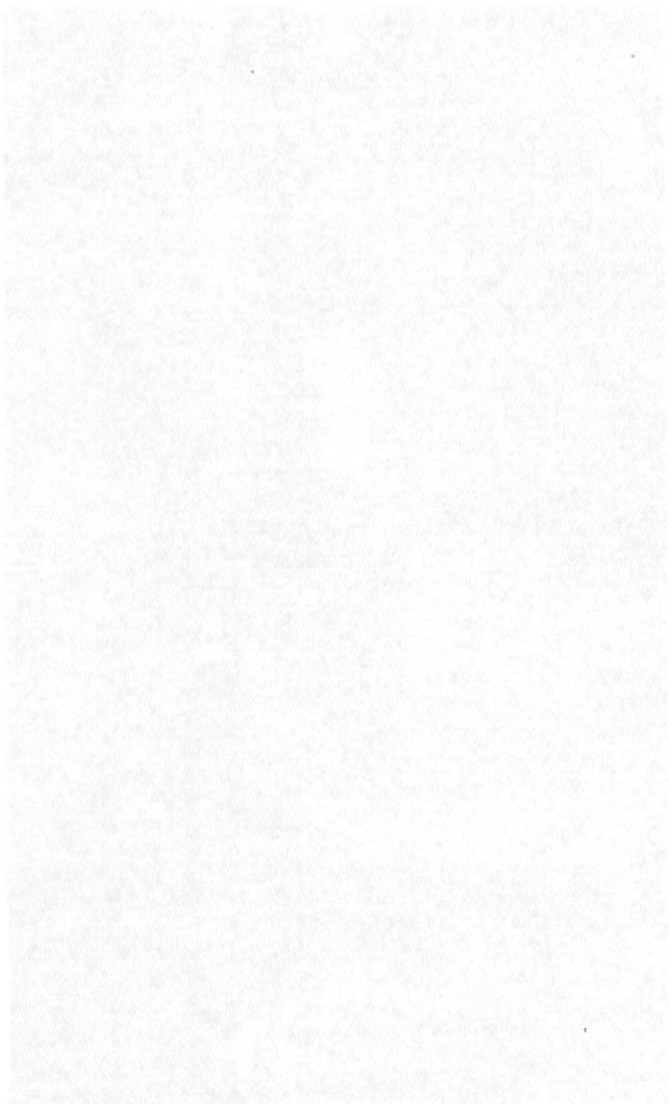
Yours faithfully,

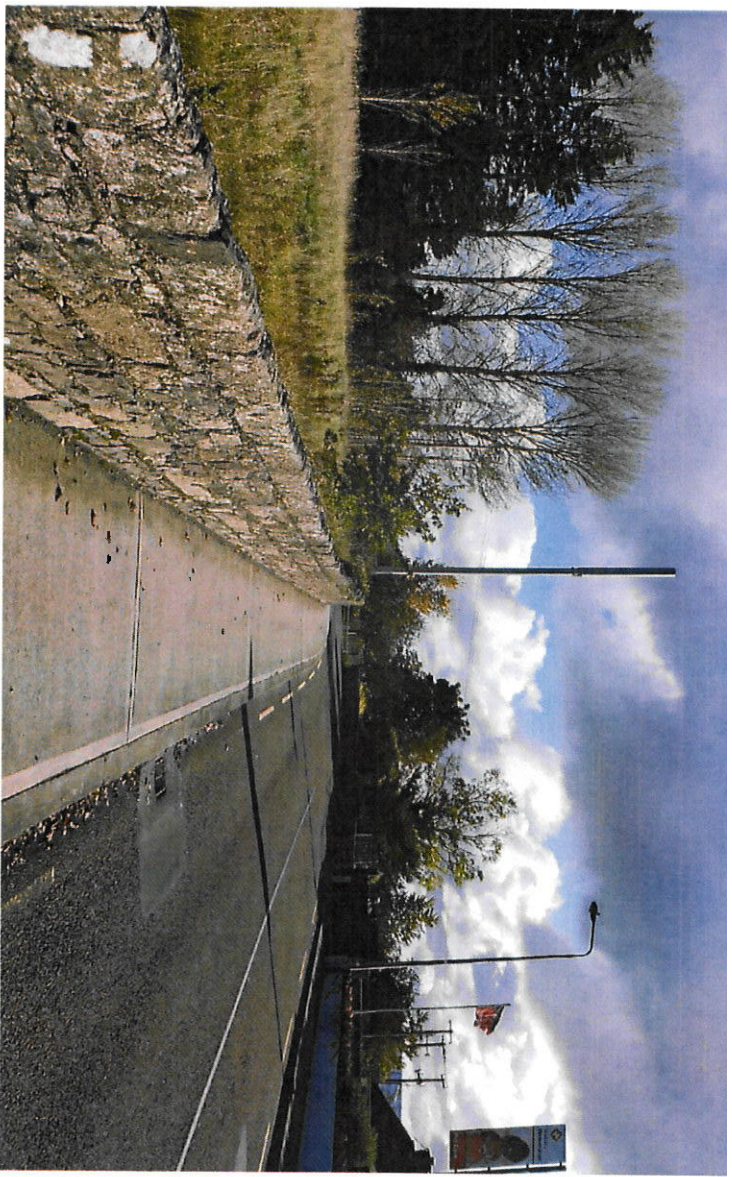


for Senior Planner

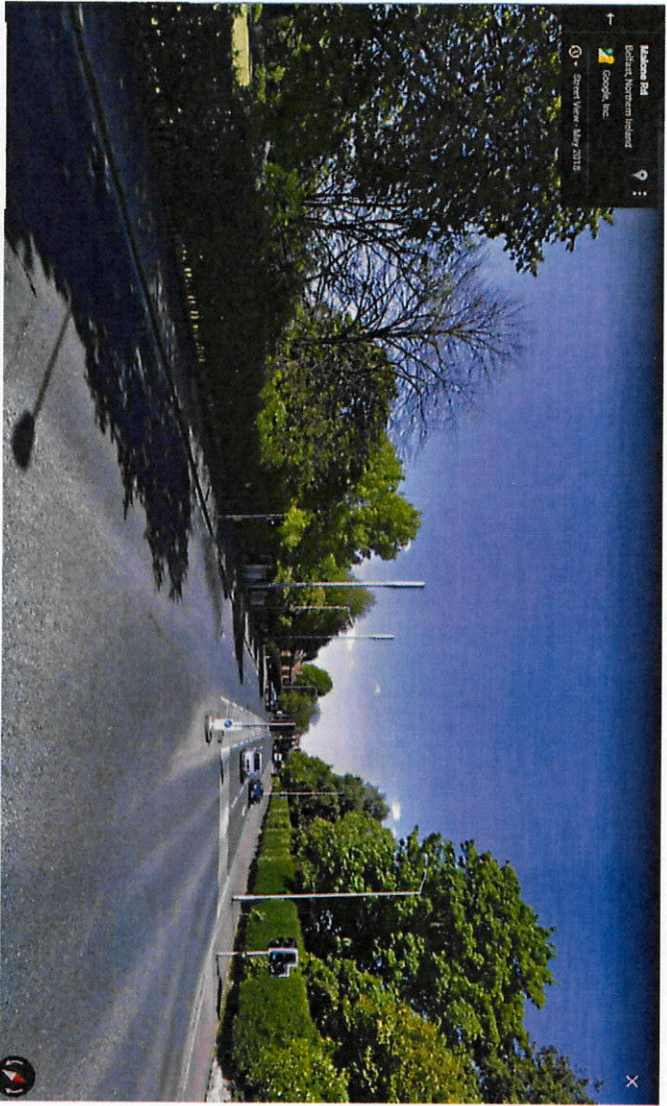
APPENDIX C

IMAGES OF ESTABLISHED STREET WORKS SOLUTIONS





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





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



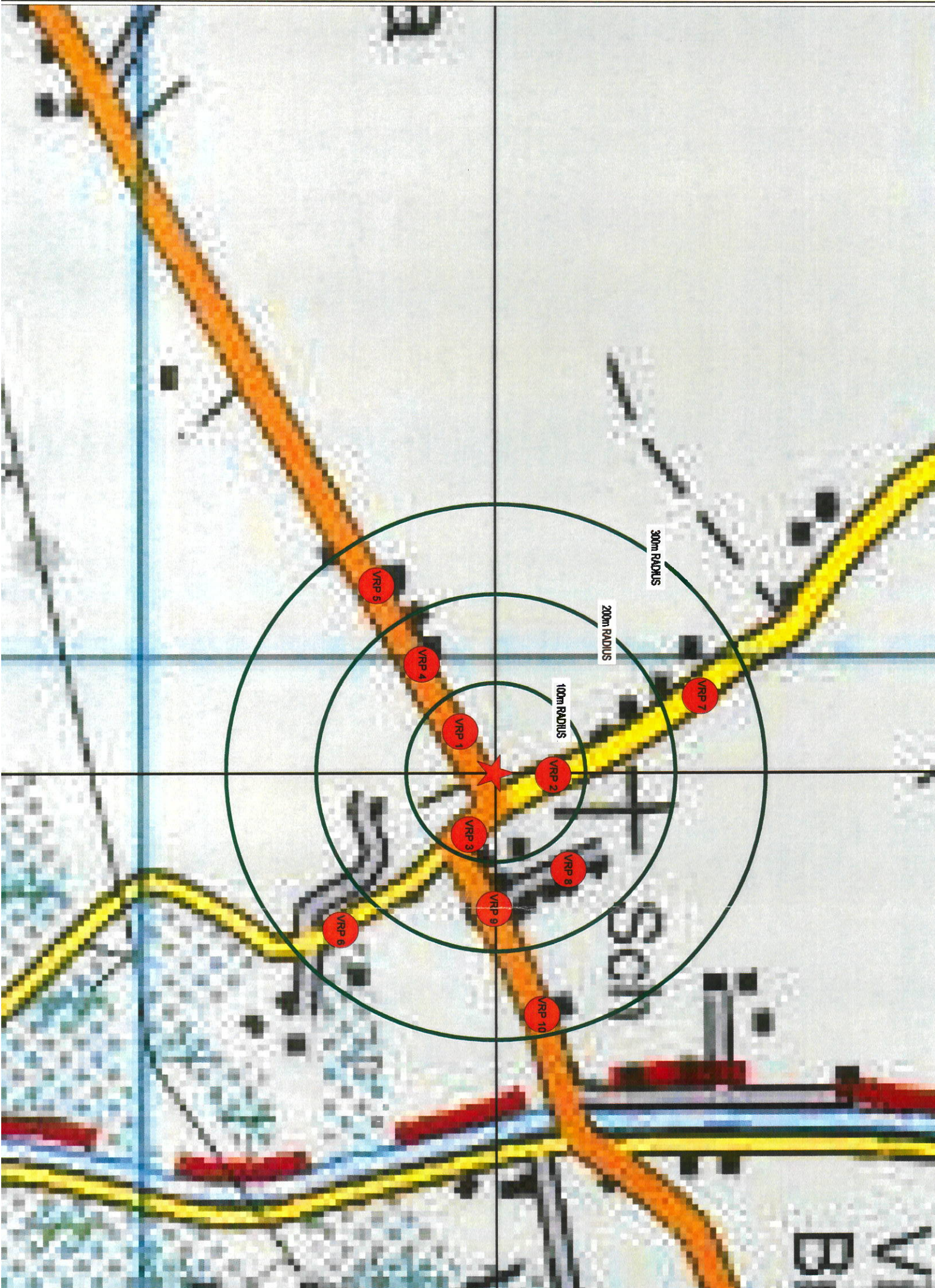
Street works at Dundalk Hospital, Co. Louth.

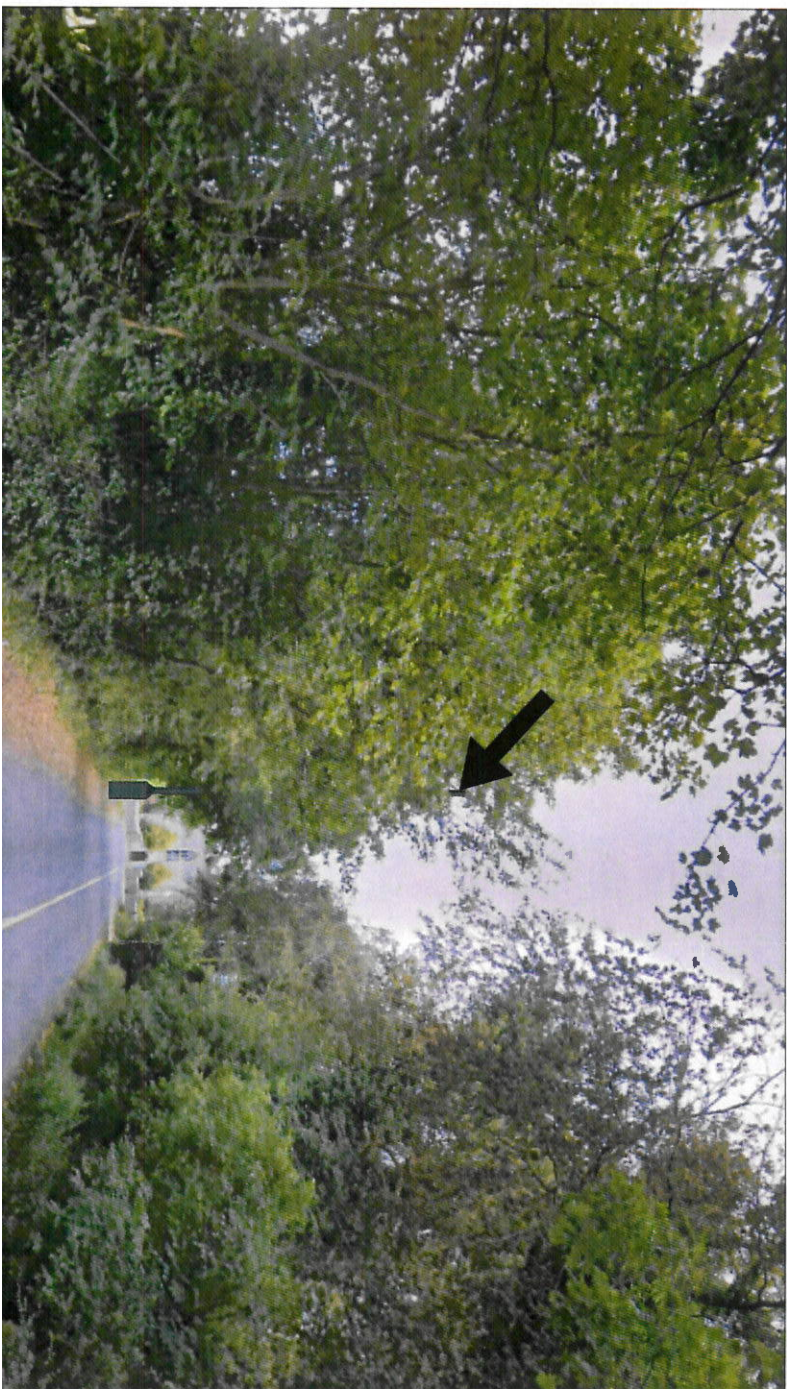
APPENDIX D

Visual Impact Assessment Document

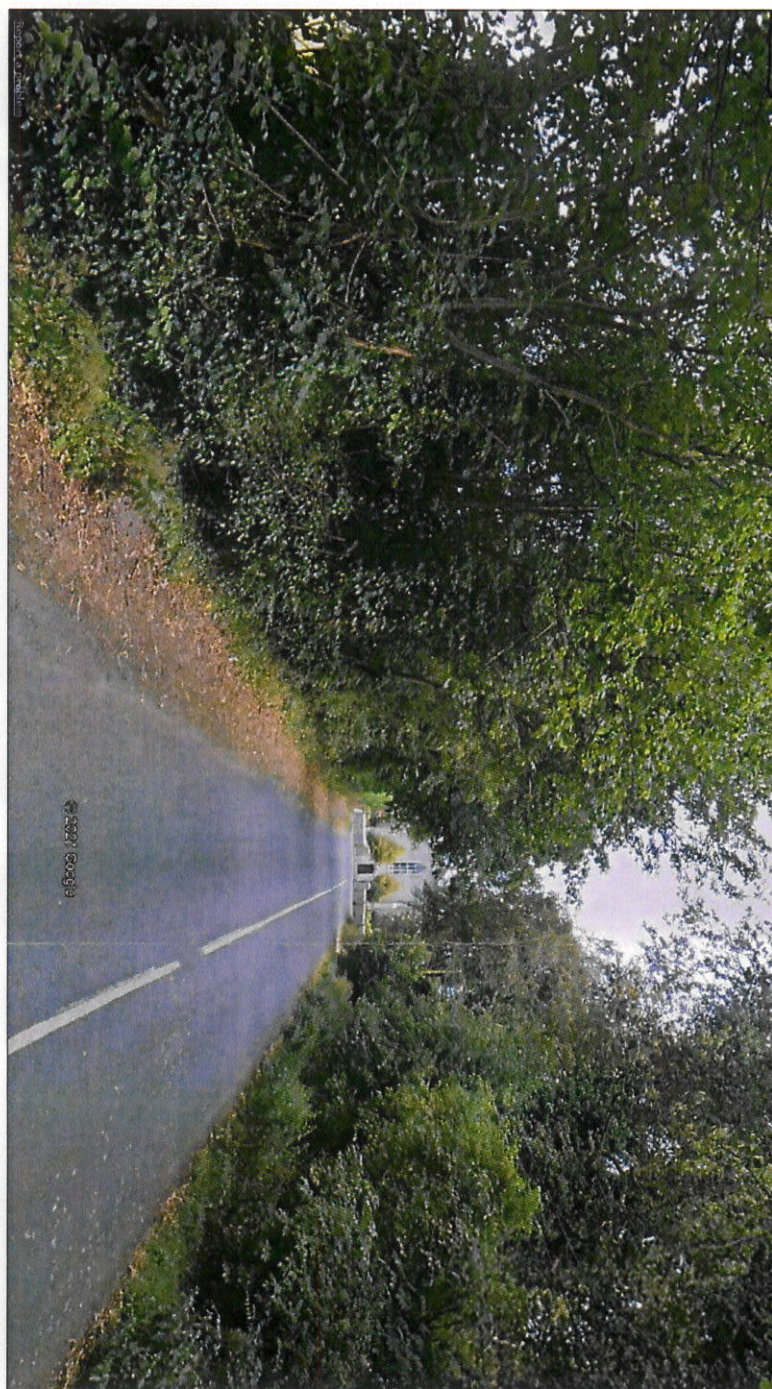
VISUAL REFERENCE POINTS

DWG NO.	LOCATION	COORDINATES (ITM)	DISTANCE	BEARING	VISIBILITY
1	LONG ROAD 1	661017.9014, 700380.0668	75M	234°	Pole only partially visible due to dens
2	COMMUNITY CENTER ROAD 1	661076.5790, 700467.7791	45M	0°	Top of pole visible.
3	OLD SCHOOL	661125.8676, 700399.9875	54M	118°	Pole not visible.
4	LONG ROAD 2	660945.3678, 700342.0547	157M	238°	Cabinet visible.
5	LONG ROAD 3	660851.7430, 700292.6467	263M	240°	Pole not visible.
6	GRATTAN LODGE	661246.0438, 700250.9784	238M	136°	Pole not visible.
7	COMMUNITY CENTER ROAD 2	660984.5920, 700641.7752	234M	337°	Pole partially visible above trees.
8	THE DRIVE 1	661169.3811, 700508.1130	123M	47°	Pole partially visible above trees.
9	THE DRIVE 2	661224.0466, 700427.8210	146M	88°	Pole partially visible above trees.
10	THE DRIVE 3	661355.2087, 700483.5887	285M	78°	Pole not visible.





VRP1 - WI



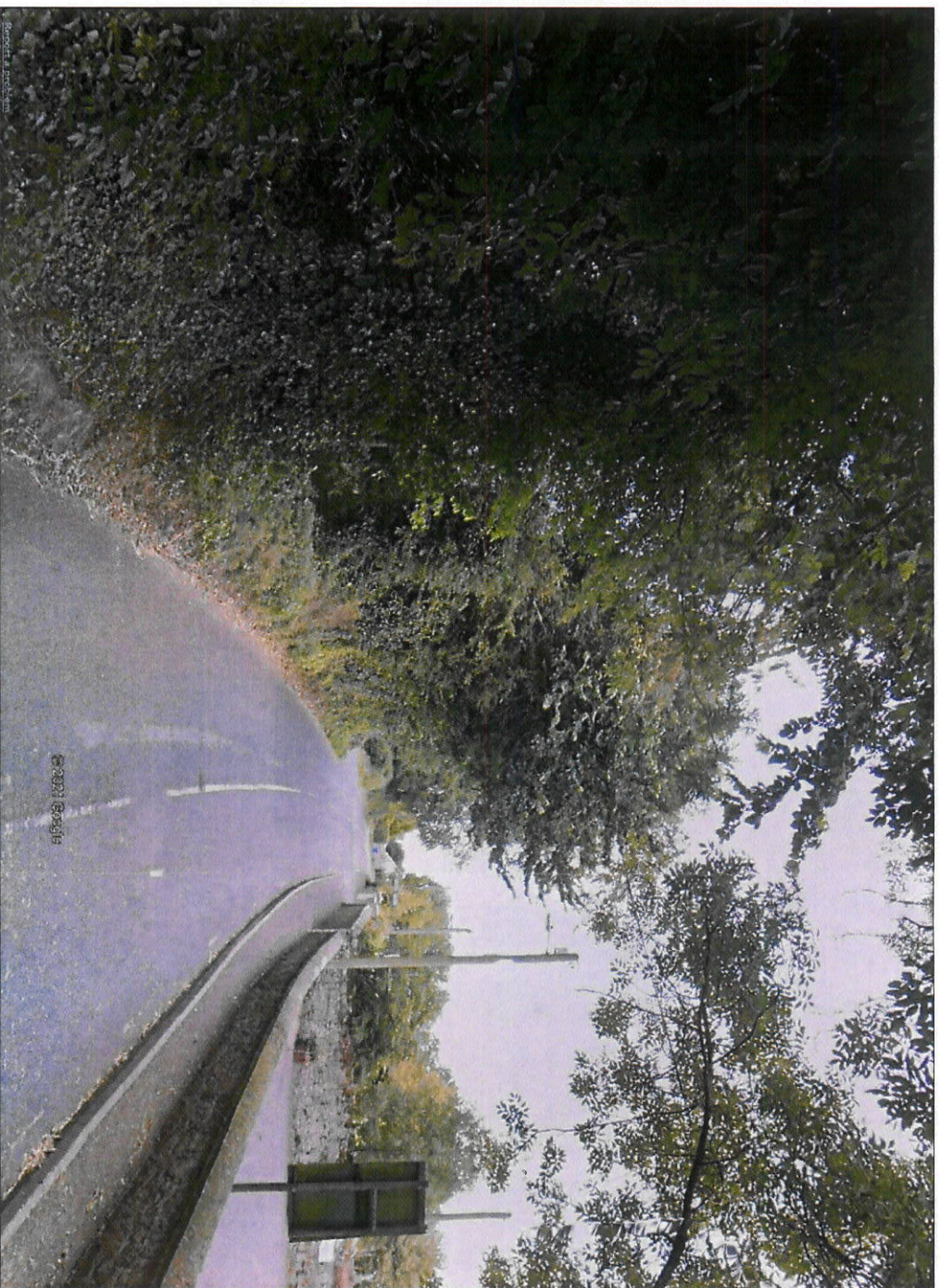
VRP1 - WI

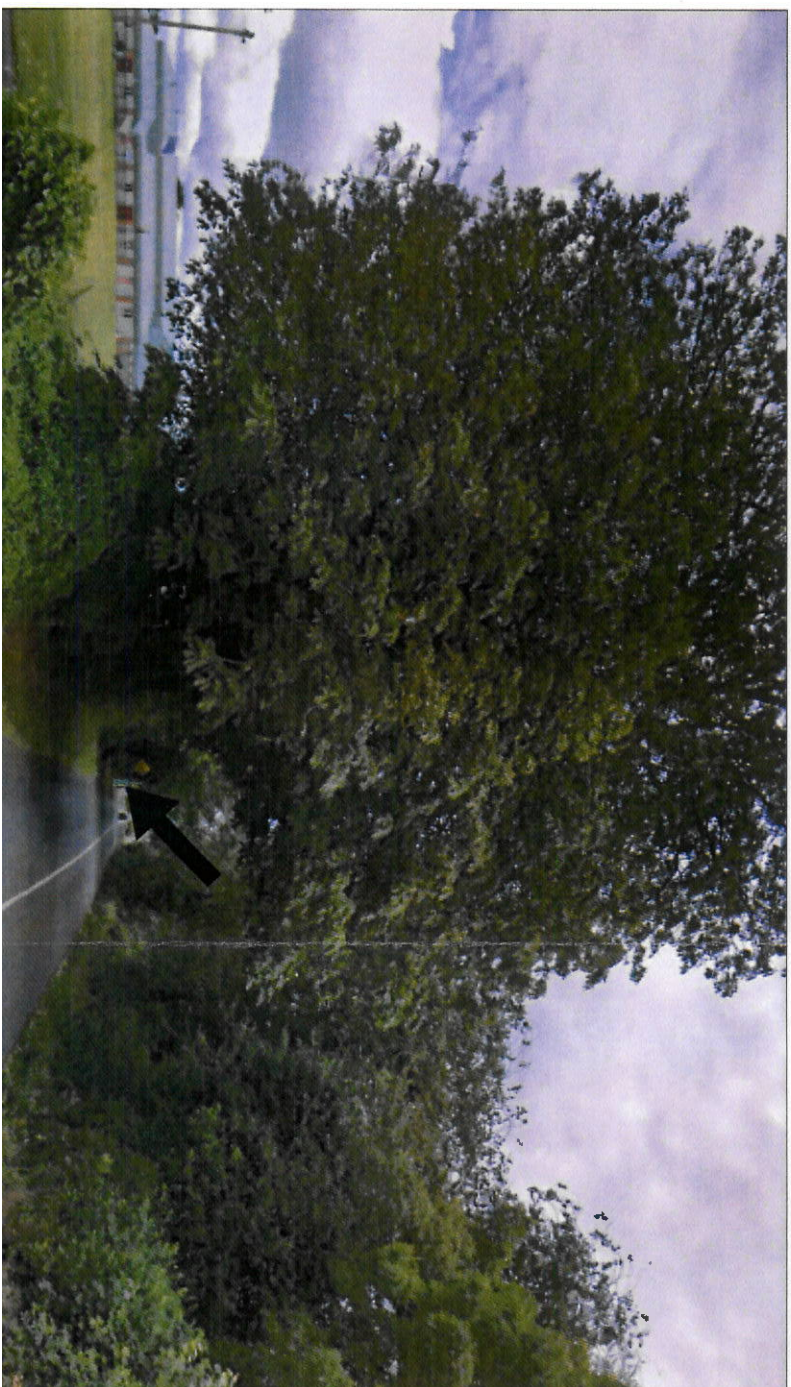


VRP2 - WI



VRP2 - WI









Report a problem

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VRP9 - WI



VRP9 - WI



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APPENDIX E

Covid Note

Ibec Letter

Mr Colin Cunningham

Managing Director

Cellnex telecom Ireland

31 March 2020

Re: Planning permission for telecoms infrastructure

Dear Colin

Ibec's Telecommunications Industry Ireland, the representative group for the telecommunications sector, will be writing to all local authorities to emphasise the critically important role of the telecommunications sector in facilitating working from home, home education and social isolation during the current Covid 19 crisis. As you are aware telecommunications was designated an essential service by government on 28 March 2020.

Ibec's submission to Government, *Covid 19 - IBEC Response and Priorities*, 19th March 2020, stated:

'Covid 19 represents a major supply shock to the Irish economy, in this sense it is very different from previous recessions, which resulted from falling demand. This is the first supply shock of this scale since the 1970s oil crisis. It requires unique solutions.'

In direct response to this current challenge, part of the 'unique solutions' referred to above involves the ability of employees and entire businesses to change their working practices by 'Working from Home'. These changes in working practices are considered to be critical to maintaining economic activity and employment and most importantly of ensuring that companies survive and are placed to recover after the crisis.

IBEC's CEO Danny McCoy recently stated that 'This is a time of extreme pressure for business, but we have to work with those who are radically reformulating to support the National effort'.

In this context Ibec will encourage all planning authorities to work with the telecommunications sector. Never has the role of planning been so crucial to employment, economic viability and social cohesion. It is essential that adequate telecommunications infrastructure is provided in areas of coverage deficit to meet the current surge in demand, which is created by additional remote voice

Furthermore, it is probable that the incidence of 'working from home' will increase permanently as practices established now as a result of the Covid-19 crisis become normalised. Therefore, Telecommunications Industry Ireland considers that the roll out of vital infrastructure by companies such as Cellnex on behalf of the major telecommunications operators in the State will have a lasting impact on the way we work and will contribute to reduced commuting and carbon emissions.

While telecommunications is not a front-line service in the fight against Covid - 19, it is most certainly an essential service in the current crisis and in the long term, with a major contribution to make towards sustainable ongoing economic development, particularly outside the major urban centres.

In conclusion, Telecommunications Industry Ireland will call on all planning authorities to prioritise and process all telecommunications planning applications within the planning system, without delay, as this is crucial infrastructure in terms of preserving employment and helping companies to remain viable by way of 'Working from Home' practices, which have placed significant demands on the current network, which is in urgent need of upgrading in certain locations due to this surge, as a crucial response to the Covid 19 crisis.

Yours Sincerely,

Torlach Denihan

One of the three aims of this Action Plan is to:

'Reduce, to the extent possible in the context of a public health emergency, the economic and social disruption associated with the COVID 19 outbreak.'

Under the introduction of this significant policy document, the following is stated:

*We are a nation of sociable people and it is difficult to accept that we must now change our behaviour to self-distance, self-isolate, and avoid our normal social activities, such as staying home from school, out of pubs, away from sporting activities and **working from home**. However, this is not an optional change of lifestyle it is an **absolute necessity**.*

We wish to submit to the planning authority that this wave of necessary 'Working from Home' practice, has placed increased demand on the telecommunications sector, in terms of the volume of additional mobile voice calls, which are being made by people working from home, which is placing substantial additional pressure on the broadband capacity of the network, on a nationwide basis.

It is respectfully submitted that it stands to reason that the entire telecommunications network is therefore a crucial tool in facilitating people to 'Work from Home' and is therefore enabling continued supply and demand of services and goods and in facilitating the continued crucial economic development of our State, during this crisis. Therefore, it is submitted that the telecommunications sector itself, whilst not exactly a front line service in terms of fighting this virus, certainly is a front line sector, in terms of facilitating the continued economic development of our State, by ensuring that we remain 'Open for Business' through the means of 'Working from Home', which will hopefully ensure a swift economic 'bounce back' after this crisis has ceased.

We in Signal/Cellnex are finding that many of our clients, who are major operators in the telecommunications sector are under increasing pressure to guarantee supply of their radio networks to meet the surge in demand. This situation is not unique to Ireland. As Cellnex is the largest European telecommunications infrastructure provider, we have the combined crucial knowledge of how the issue of increasing demand due to 'Working from Home' practices, has been addressed at European level. In certain countries, the Telecommunications Sector has been prioritised within the remit of land use planning, by way of enacting relevant legislation.

It is anticipated that under the cross - sector response to the Covid 19 crisis in Ireland, that similar legislative provisions may also be enacted, with reference to Action 9 of the Action Plan.

process the subject licence application, with immediate effect, notwithstanding the outer time limit, which is presently at your disposal.

We remain committed to providing essential telecommunications infrastructure and facilitating the increased demand surge, which the network is experiencing due to essential 'Working from Home' practices, during this crisis. We kindly request your assistance in providing this 'essential' service as efficiently and as speedily as possible by processing our applications and the subject application without delay.

We understand that IBEC will be writing to all of the Planning Authorities in the Country imminently, regarding the nature of telecommunications services, being essential services, but please, in the interim, find attached direct correspondence received from IBEC, which will support our submission.

We wish to thank you most sincerely for your time and resources expended on assessing this application and we look forward to hearing from you.