

CMC PLANNING CONSULTANTS

SITE ASSESSMENT

Proposed Installation of Overground Electronic
Communications Infrastructure under S.254 Licence at
Glenageary Road Upper Dún Laoghaire Co. Dublin

September 2019

Overview

Cignal Infrastructure Ltd is proposing the development of overground electronic communications infrastructure under Section 254 (ee) of the Planning & Development Act 2000 (as amended) revised by S.I. No. 391 of 2016 European Union (Reduction of Cost of Deploying High-Speed Public Communications Networks) Regulations 2016. The associated infrastructure, commonly referred to as a “street solution” is required to deliver high speed digital services within the jurisdiction, on behalf of eir Mobile.

Details of the proposed development are contained in the plans and particulars attached to this submission as prepared by Jason Redmond and Associates Constituting Engineers on behalf of Cignal Infrastructure Drawing Ref DN_3321. This assessment is intended as a site specific addendum to the attached general due diligence report “Proposed installation of Cignal Smart Street pole solutions at various locations in Dún Laoghaire Rathdown”.

The site at Glenageary Road Upper has been assessed against the following source material:

- Dún Laoghaire and Rathdown County Development Plan 2016-2022
- Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities 1996 and Circular Letter PL07/12 & Guidelines issued by the Department of Environment Community and Local Government
- Section 254 (5) of the Planning and Development Act
- MyPlan.ie Dept. of Housing, Planning, Community & Local Government
- Historic Environment Viewer Dept. of Arts, Heritage, Regional, Rural and Gaeltacht Affairs
- Natura 2000 Network Viewer European Environment Agency
- ComReg Site Viewer and Code of Practice on Sharing of Radio Sites 03/28R

Assessment Limitations

In Chapter 8 of the CDP, Principles of Development- Telecommunications Antennae and Structures, the Council lays out its general submission requirements for telecommunications infrastructural development. The proposed street solution on Glenageary Road Upper will be assessed against the requirements laid out in Section 8.2.9.9 summarised below. In the consideration of proposals for telecommunications antennae and support structures, applicants will be required to demonstrate the following:

1. *Compliance with the Planning Guidelines for Telecommunications Antennae and Support Structures (1996) and Circular Letter PL 07/12*
2. *Location of all existing telecommunications structures within a 1km*
3. *Impact on amenity – visual impact*
4. *Signal strength analysis*
5. *ICNIRP Compliance*
6. *Impact on existing Rights of Way*

NOTE: The Development Plan requirement to provide signal strength analysis is in direct conflict with the Guidelines more specifically Paragraph 2.6 of Circular Letter PL 07/12, which states

2.6 Health and Safety Aspects

The 1996 Guidelines advise that planning authorities should not include monitoring arrangements as part of planning permission conditions nor determine planning applications on health grounds. This Circular Letter reiterates that advice to local planning authorities. Planning authorities should be primarily concerned with the appropriate location and design of telecommunications structures and do not have competence for health and safety matters in respect of telecommunications infrastructure. These are regulated by other codes and such matters should not be additionally regulated by the planning process

According to ComReg:

“The Department of the Environment, Heritage and Local Government is responsible for the health effects of non-ionising radiation including electromagnetic fields. ComReg’s role in relation to Non-ionising Radiation is solely to ensure that licensed operators comply with their licence condition and do not exceed the emissions levels established by the International Commission on Non-Ionizing Radiation Protection (ICNIRP)”

We suggest that ComReg is the sole expert in relation to monitoring of the Telecommunications Industry and under the Guidelines, any assessment in relation to Health and Safety should be carried out by its experts alone. Signal strength analysis is therefore omitted from this assessment.

Glenageary Road Upper, 53.27628, -6.12385

1.0 Background Information

The information below was extracted from the survey report provided by Jason Redmond and Associates Constituting Engineers, noted in the course of the initial search ring surveys which resulted in the proposed location being advanced as the primary candidate.

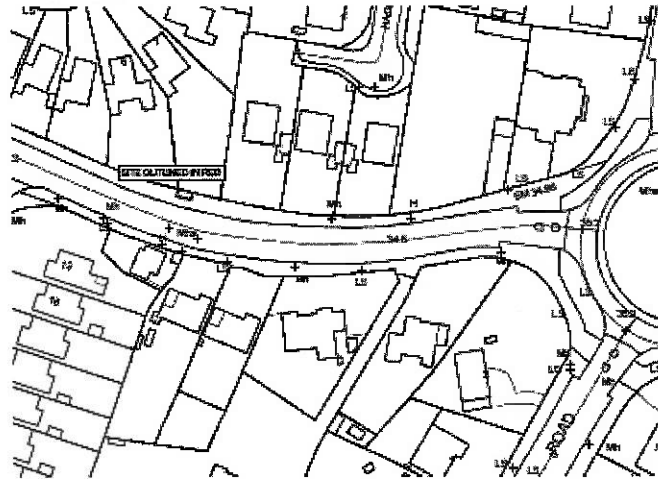


Image 1 Extract from Site Location Map Drwg No DN 1889-102

1.1 Requirement

This proposed development is required to provide indoor coverage for large black spot area on eir Mobile's network. This large black spot area stretches from church of Ireland on Silchester Road to Adelaide Rd, Marlborough Rd, Glenageary Rd Upper, Bellevue Road, Haddington Park, Hillcourt Rd, and Avondale Rd. It is envisioned that the proposed infrastructure, in combination to existing and proposed sites, will provide comprehensive coverage to the area.

1.2: Site Justification

1. It is located in the centre of the search ring in an area without commercial or industrial development
2. The chosen location on high ground which will facilitate widespread coverage from this location.
3. The location will not interfere with existing services-a location on the opposite side of the road was deemed too close to overhead wires
4. There is fibre connectivity into the network at this location.

1.3 Other Locations reviewed:

This was felt to be the most suitable location as it is in the centre of the search ring

1. Silchester Park – too low to facilitate coverage.
2. Kilcolman Court area rejected because of trees which would block RF and the structure would impact on existing overhead cables
3. Commercial area at Glenageary roundabout too far from search ring to provide coverage and too close to existing eir Mobile site at Sallynoggin Road.

2.0 Development Plan Considerations

2.1 Zoning:

The Local Authority mapping shows that the proposed location on the boundary of a large area zoned to protect/improve residential amenity. According to Table 8.3.2 Zoning Objective 'A': Public Services, such as the proposed electronic communications infrastructure, are "Permitted in Principle"

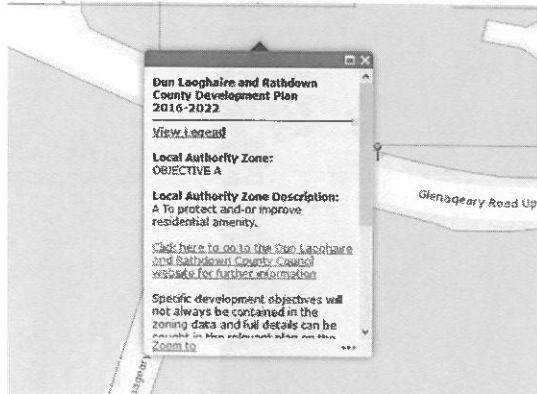


Table 8.3.2

ZONING OBJECTIVE 'A'

'To protect and/or improve residential amenity'.

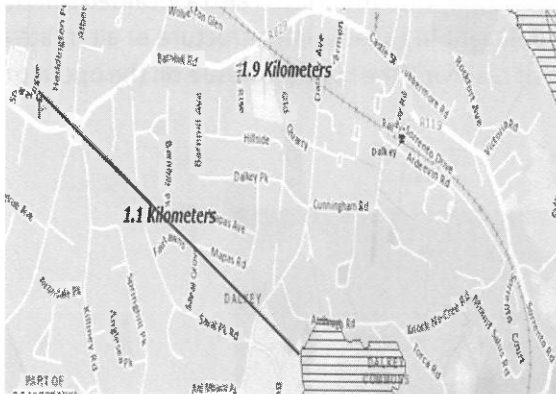
Permitted in Principle: Public Services

Image 2: Extracted from Dún Laoghaire and Rathdown County Development Plan map viewer

2.2 Impact on Designated Areas and Protected Structures

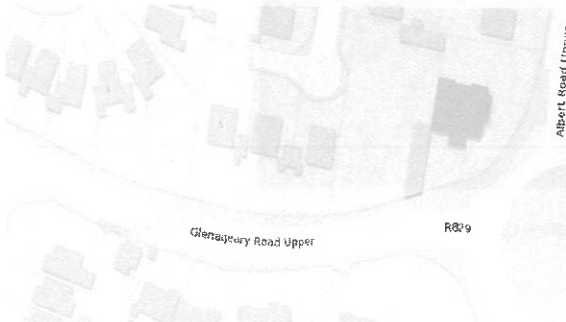
The location was assessed to ensure there was no impact uncovered on designated areas or protected structures, from the proposed installation.

No impact anticipated due to distances involved and existing screening— see map extracts below;



Proposed Natural Heritage Areas Dalkey Coastal Zone and Killiney Hill Site Code: 001206. Dalkey Islands SPA Site Code: 00417. Rockabill to Dalkey Island SAC Site Code: 003000

Image 3 Extracted from www.myplan.ie



Protected Structure: Rosney House

RPS Number: 1507

Distance from proposed location c.100m

Image 4 extracted from DLR Development Plan map viewer

3.0 Location of all existing telecommunications structures within 1km

Delmec has provided mapping overlaid with information extracted from ComReg's siteviewer-Drawing No. DN 1889-100, which illustrates the almost complete absence of any existing alternative co-location infrastructure within a 1Km radius, which has resulted in the emergence of a considerable blackspot area on all networks.



Image 5 – Extracted from ComReg mapping DN 1889-100

Three and eir Mobile currently share an 18m monopole structure in Sallynoggin – see image 6 below (ComReg Site Ref:1218) which provides mobile and limited data services to the locality and is not considered suitable for expansion or enhancement. Indeed the only other base station site within 1Km is Vodafone's rooftop off the Adelaide Road (ComReg Site Ref: DN316) which is also a localised solution and unsuitable to reach the target area. The area is deficient in suitable infrastructure or alternatives and so should be considered as a last resort, capable of resolving the blackspot issue on the operator's network.



Image 6 Closest eir Mobile installation on Three's structure ComReg Site ID1218 Registry Ref: D17A/0499

4.0 Visual Impact

The proposed location is illustrated on the set of drawings attached to the licence application – Drawing No. DN 1889. The location is assessed below using the matrix extracted from the Environmental Protection Agency Guidelines, as described in the main planning report.

The site is located in proximity to a bend on a main road with traffic flowing in both directions and close to a large roundabout with five junctions. There are wide pathways on either side of the Glenageary Road, which currently accommodate lighting structures, electricity poles and other utility development. There are many well established trees and other planting which offer screening and a large wall running from the roundabout along Glenageary Road Upper towards Sallynoggin. The overall land use is predominantly residential mostly comprising of detached stand-alone development. There is also a run of existing tall utility lighting infrastructure along the roadway, of various designs and age.



Image 7 Extracted from Google Earth

The overhead view taken from Google Earth indicates that the location is well screened from the immediate residential development to the rear, by existing planting. The wide road and existing utility development also offer context to the installation from ground views. The photomontage image provided by Jason Redmond and Associates illustrates the anticipated visual impact of the installation, within its urban setting from the opposite side of the road. It is anticipated that the pole will be visible, but mature trees offer both a backdrop to the pole and amelioration of impactful views to allow the structure better blend into the surrounding streetscape. We note that the pole is coloured light grey in the montage but it is considered that the steel pole will read closer to the steel colour of the in situ lighting structure, which will assist with its ability to merge with its surroundings.



Image 8 Extracted from Licence Application

It is considered that the pole is consistent with the type of utility development, commonly found at the side a busy roadway. The height of the pole will be contextualised by the existing large lampposts and so should not present as visually dominant, once it becomes an accepted part of the local

infrastructure. It is also considered that there is adequate space surrounding the pole to ensure that it does not hinder the safe passage of pedestrians on the footpath or other road users. The slimline solution was designed to incorporate the equipment using the minimum infrastructure necessary. This approach is consistent with best practice visual amelioration standards and the 1996 Guidelines for siting communications infrastructure. Where visible the shrouded design should provide a Trompe l'oeil, appearing similar in dimension to a lighting structure and part of the visually accepted forms located beside a road.

Set against the Environmental Protection Agency Guidelines criteria, it's considered that the impact from the majority of vantage points will be moderate, in that the pole causes noticeable changes in the environment without affecting the areas sensitivities, due to existing screening in the context of a main road approaching a roundabout. The type of impact would be best described as neutral- an impact that represents a change, but does not affect the quality of the environment. Generally, no impactful views are anticipated on any designed areas, monuments or amenity routes. None of the views anticipated in the immediate area were found to be overtly impactful or terminating an existing view. Therefore, the impact is considered Imperceptible: *"An impact capable of measurement, but without noticeable consequences. No discernible deterioration or improvement in the existing view"*.

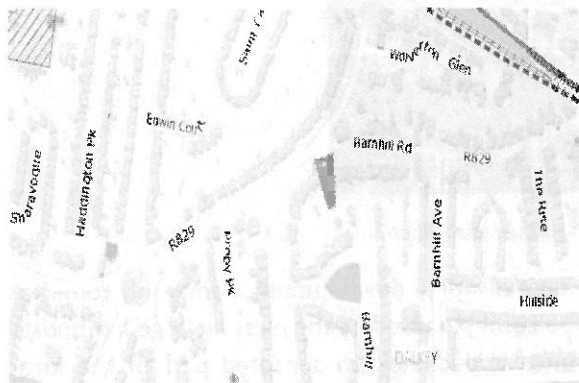
Overall, it is considered that there is no overtly detrimental impact anticipated from most close up or distance views of the proposed development. Where available; views are anticipated to be moderate within acceptable parameters and in line with the general visual expectation approaching a roundabout.

5.0 ICNIRP Compliance

The subject site will be built in accordance to current Health and Safety legislation and Guidelines. The transmitter output powers, antenna types fall arrest and mounting configuration are consistent with modern technologies. The cumulative power output of the proposed installation falls well within the IRPA Guidelines by a massive safety factor. Please find attached a general declaration provided by [REDACTED] Head of Environment Health and Safety with eir Group, stating that the proposed equipment and installation is designed to be in full compliance with the limits set by the Guidelines of the International Commission on Non-Ionising Radiation Protection -ICNIRP Guidelines.

6.0 Rights of Way

There are no impacts anticipated on any Mountain Access Route, Public Right-of-Way, Wicklow Way, or Proposed Walkway-Cycleway, detailed in the County Development Plan for Glenageary Road Upper. We note the East Coast Cycle Route and Public Right of Way, which will not be effected by the proposed development.



LOCATION Proposed Sutton to Sandycove Walkway-Cycleway as a component part of the National East Coast Trail Cycle Route

Public Right-of-Way

DESCRIPTION Marine Road to Summerhill Road, Dun Laoghaire and Summerhill Road to Old Quarry, Dalkey (entire length of "The Metals"

Image 9 Extracted from DLR Development Plan map viewer

Conclusion

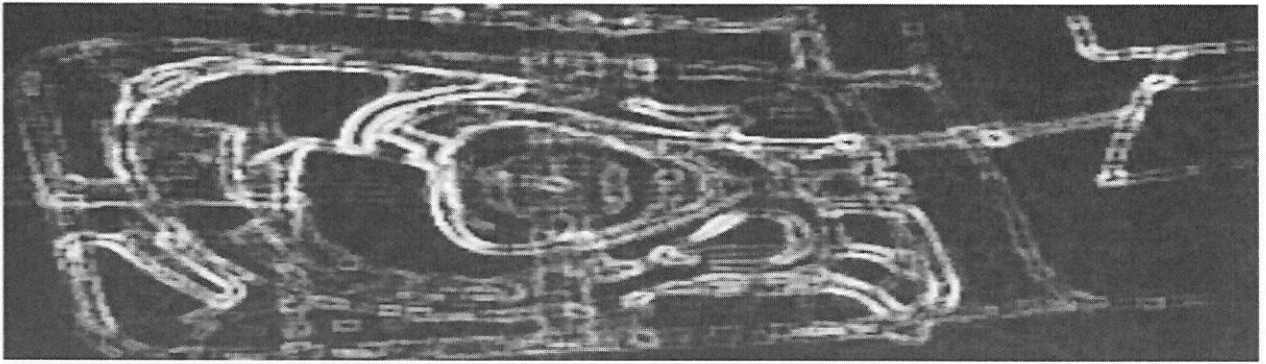
Following assessment under the Principles of Telecommunications Development set out in the County Development Plan, it is considered that the installation meets with the requirements of the Authority in terms of its use, design and site location. Public Service utilities such as communications infrastructure is permitted in principle under the current county development plan and the area is capable of accommodating the infrastructure, without detrimental impact.

The proposal meets with State, EU and CDP policies for the provision of Next Generation Technologies across the Country. The development is required by eir Mobile, licenced to deliver mobile and data services to customers in a large black spot area, currently deficient in alternative infrastructure.

The proposed structure has been sensitively designed for deployment at a roadside location in an urban setting, in compliance with the 1996 Guidelines and the Green Book. The development will not impact on any rights of way, scenic route or cycle lane, nor will it impair passing road users or pedestrians, as required under S.254. Finally, it is understood that the pole will be installed and maintained in compliance with current Health and Safety legislation and Guidelines.

Overall, the assessment has shown that the proposal should be regard as being suitable for its location and within the proper planning and sustainable development of the area.





CMC PLANNING CONSULTANTS

Report on the proposed installation of Cignal
Smart Street pole solutions at various locations in
Dun Laoghaire Rathdown

September 2019

FUMBALLY EXCHANGE ARGUS HOUSE BLACKPITS DUBLIN 8



Overview

Cignal Infrastructure Ltd is applying for licence to install overground communications infrastructure within the jurisdiction of Dún Laoghaire – Rathdown Co. Council (DLR), in order to deliver high speed digital services, on behalf of eir Mobile. In total, there are 15 search ring areas currently identified within the DLR jurisdiction. Under Section 254 (ee) of the Planning & Development Act 2000 (as amended) a Local Authority can issue a licence for overground electronic communications infrastructure and any associated physical infrastructure, subject to planning and development considerations.

This report comprises a review of the planned development under the general planning considerations laid out in Section 254 of the Planning and Development Act 2000. A separate site specific planning assessment will also be prepared, following a desk top review of each location, as requested by DLR at the preplanning stage. Resource materials including relevant drawings and documents, have been provided by Jason Redmond and Associates Consulting Engineers on behalf of Cignal.

It is proposed to install a bespoke support pole with an overall height of 15m carrying three number Tri-sector antennas and one dish, shrouded behind radio friendly material with internal cabling linking the equipment to a small cabinet alongside on behalf of eir Mobile. The installations are required to bring coverage to known blackspot areas, on the operator's network. The infrastructure is generally proposed at roadside locations, within urban streetscapes and in proximity to residential, commercial, educational and social amenity areas.

1.0 Licence Application Requirements

Under S.254 of the Planning and Development Act, an application for a licence has to undergo a series of assessments by the relevant planning and roads authorities. The considerations include the relevant provisions of the development plan and more generally the proper planning and sustainable development of the area as laid out in subsection 5, extracted below.

S.254 (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.*

The locations chosen were assessed against the considerations listed, in order to ensure compliance with the requirements of Section 254 and the proper planning and sustainable development of the respective areas.

2.0 Planning Considerations

Under S.254 of the Planning & Development Act 2000 any proposed development has to be considered compatible with the proper planning and sustainable development of an area, compliant with the Guidelines for telecommunications development, considered against the volume of similar structures and the safety of road users. These considerations are examined below, incorporating the requirements of S.254 (5).

2.1 The Proper Planning and Sustainable Development of the Area

We suggest the provision of telecoms infrastructure should be considered under S.254 as part of the general mix of utility development in urban streetscapes. Please refer to the site specific assessment attached, wherein each location is reviewed to ensure that there are no conditions present that would prevent the installation of the proposed pole.

2.2 Relevant Provisions of the County Development Plan

In line with the licence requirements, the proposed locations were assessed against the content of the Dun Laoghaire Rathdown County Development Plan 2016-2022. The Telecommunications provisions in the DLR County Development Plan include policies to support and facilitate the provision of appropriate infrastructure and next generation services, balanced against environmental considerations. The County Development Plan (CDP) reflects the importance of the provision of a modern telecommunications infrastructure, to support the local economy, develop the knowledge economy and attract new industry.

3.1.2.2 Policy E2: Knowledge Economy *It is Council policy to promote the development of knowledge-based enterprise in the County. The Council will liaise with Enterprise Ireland, the IDA, Forfás, the County's Third Level Institutions and other relevant organisations to identify opportunities in Dún Laoghaire-Rathdown for the promotion of research and development/innovation and, in particular, to promote the location of new industry in the County that is generated from innovation processes.*

It is Council policy to promote the rollout of high speed broadband, in particular next generation networks, to support knowledge-based enterprises.

5.1.5.3 Policy EI28: Telecommunications Infrastructure *It is Council policy to promote and facilitate the provision of an appropriate telecommunications infrastructure, including broadband connectivity and other technologies, within the County. The widespread availability of a high quality telecommunications network throughout Dun Laoghaire-Rathdown will be critical to the development of a knowledge economy, will help attract inward investment in hi-tech knowledge based industries and will engender the image of the County as the premier entrepreneurial County in the State.*

The advantages of a high quality telecommunications network must, however be, balanced against the need to safeguard the rural and urban environment, particularly in sensitive areas where the impacts on residential amenity and visual amenity of areas needs to be adequately assessed.

8.2.9.9 Telecommunications Antennae and Structures *In the consideration of proposals for telecommunications antennae and support structures, applicants will be required to demonstrate Compliance with the Planning Guidelines for Telecommunications Antennae and Support Structures' (1996) and Circular Letter PL 07/12 issued by the Department of the Environment and Local Government (as may be amended from time to time), and to other publications and material as may be relevant in the circumstances.*

Extract 1 Dun Laoghaire Rathdown County Development Plan 2016 – 2022

The proposed infrastructure is compliant with the general policies of the Authority in relation to the roll out of smart technology infrastructure, while not overtly impacting on the respective host environments. The proposed development sites were specifically chosen on survey with the CDP requirements in mind and a desk study was undertaken to assess visual or amenity impacts, prior to the proposal being advanced.

2.2.1 Guidelines for Telecommunications Antennae and Support Structures (1996)

The general principle of the proposed development is compliant with the aims of the Planning Guidelines for Telecommunications Antennae and Support Structures (1996) in terms of design and visual impact as outlined below.

Siting

The Guidelines outlines the importance of suitable site specific infrastructure when proposing suitable locations.

4.2 Design and Siting

The design of the antennae support structure and to a great extent of the antennae and other "dishes" will be dictated by radio and engineering parameters. There may be only limited scope in requesting changes in design. However, the applicant should be asked to explore the possibilities of using other available designs where these might be an improvement. Similarly, location will be substantially influenced by radio engineering factors

The Guidelines acknowledge that radio engineers are restricted by network parameters when choosing a site location. This would appear to be more relevant today, where most networks are operating on a mixture of primary mast and secondary roof installations, which are used to provide infill coverage to specific towns or roads. Typical infill sites have a low coverage radius and blackspots emerged where coverage dropped off in outlying residential areas, where demand is greatest. These blackspots can occur within 500m of an installation- depending on the landscape or topography. Modern construction methods also impact on the indoor signal strength available.

The locations within DLR were chosen using a tailored search ring provided by the operator's radio engineers specifically to eliminate blackspots on the network, in response to increasing demands for high data speeds from home workers and local enterprises.

The Report of the Mobile Phone and Broadband Taskforce 2016 examined use of Local Authority land to facilitate the delivery of telecommunications services, it surmised that

"The Taskforce is of the opinion that requests for access to State-owned assets that are appropriate and reasonable should be facilitated in order to address telecommunications service deficits".

It is therefore considered that siting suitable telecommunications infrastructure alongside roadways is acceptable and development should be permitted in principle, subject to the proper planning and sustainable development of the subject location.

Visual Impact

While it is acknowledged that there will be some degree of visual impact from the installation of utility infrastructure, it is considered that views of the infrastructure are acceptable if they are not dominant or distracting. Any proposal should be viewed within the context of its immediate surroundings. The Guidelines' recommendations as to the criteria used to assess the impact of the development are detailed below.

4.3 Visual Impact:

*The visual impact is among the more important considerations which have to be taken into account in arriving at a decision on a particular application. In most cases **the applicant will only have limited flexibility as regards location**, given the constraints arising from radio planning parameters, etc., already referred to. **Visual impact will, by definition, vary with the general context of the proposed development.** Consequently the approach of the authority will vary depending on whether the proposed development is in...a suburban area a larger town or city. Some masts will remain quite noticeable in spite of the best precautions...There will be local factors which have to be taken into account in determining the extent to which an object is noticeable or intrusive – **intermediate objects (buildings or trees), topography, the scale of the object in the wider landscape, the multiplicity of other objects in the wider panorama, the position of the object with respect to the skyline, weather and lighting conditions, etc.***

*Only as a last resort and if the alternatives suggested in the previous paragraph are either unavailable or unsuitable should **free-standing masts** be located in a residential area or beside schools. If such a location should become necessary, sites already developed for utilities should be considered and **masts and antennae should be designed and adapted for the specific location. The support structure should be kept to the minimum height consistent with effective operation and should be monopole (or poles) rather than a latticed tripod or square structure.***

The applicant is proposing a low profile solution, designed to deliver localised services to acknowledged blackspot areas. It is considered that the installation of a localised solution site in a blackspot area is a matter of "last resort" as, by definition, the existing infrastructure has failed to provide sufficient coverage for localised services. The sensitive delivery of next generation services to these blackspot areas has directly influenced the design of the infrastructure, as required in the Guidelines. The bespoke slimline pole solution, which replicates taller lamp standards and CCTV poles, has been designed to enable the provision of next generation antennas, within the narrowest profile possible. To achieve this slender profile, a slimline antenna has been developed specifically for the urban environment. The antenna used are 3.7m long designed to fit within a 406mm diameter shroud.

The proposed locations are all sited on Local Authority land in proximity to the roads network. These urban highways currently house a variety of utility infrastructure such as lampposts, traffic lights and cabinets, which offer context to the pole in the wider streetscape. Once in situ, the pole should not appear inconsistent in its environment, in terms of its design and impact on an urban landscape. In most cases there are existing trees and/or infrastructures to ameliorate views of the installations and offer a visual balance to its height. The poles are steel grey, which will replicate existing lampposts and blend into the Irish skyline and the cabinets are proposed in green.

In general, the height of telecommunications infrastructure is determined by a variety of factors, most particularly network requirements. According to the source material provided eir Mobile has determined that an overall height of 15m is required in order to provide the required coverage and to clear local obstacles that could cause network interference.

The "Green Book", *Guidance on Potential Location of Overground Telecommunications Infrastructure on Public Roads* offers advice to operators and planners on accommodating telecoms infrastructure alongside roadways. The Green Book acknowledges that the type of infrastructure required will vary, depending on a number of factors, such as location, existing road type and network coverage targets.

In Section 5.4 Consideration of Suitability of Locations, it refers to the use of standalone poles as the preferred option in urban settings where there is a wide verge or similar- see Table A below, extracted from the Green book.

Consideration of Opportunities to Facilitate Telecommunications Infrastructure on the Roads Network			
Urban Roads			
	General	Opportunities	Comment
	<p>In the case of urban roads, there are generally few opportunities to cater for large, stand-alone masts. There may be opportunities in the vicinity of some roundabouts.</p> <p>There are, however, likely to be more opportunities to accommodate small telecoms antennae / cabinets within the streetscape. Also, it may be feasible to erect new poles to accommodate telecommunications infrastructure.</p>	<p>Opportunities are generally limited to locations where a wide verge or footpath allows the accommodation of small cabinets/antennae and/or the erection of stand-alone poles to accommodate telecommunications infrastructure.</p>	<p>Stand-alone poles are the preferred option in urban areas, as there are ongoing operational and maintenance issues relating to accommodating electronic equipment on lighting columns.</p>

Figure 1: Table A Guidance on potential location of overground telecommunications infrastructure on public roads

We also note Appendix A of the Green Book, which offers examples of existing in situ pole like infrastructure, particularly examples three and four, both of which are structures of 15m and over.

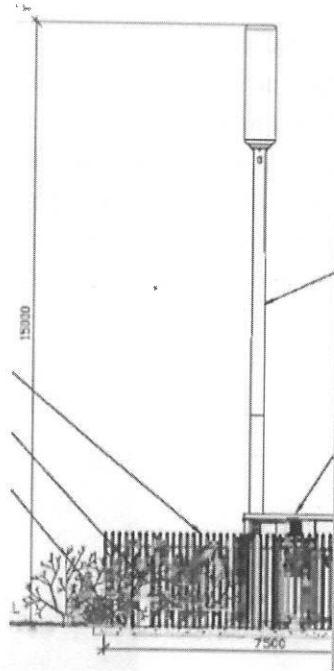


Fig. 2 Extracted from the Green Book Appendix A: Example 3 Smaller Single Operator Site

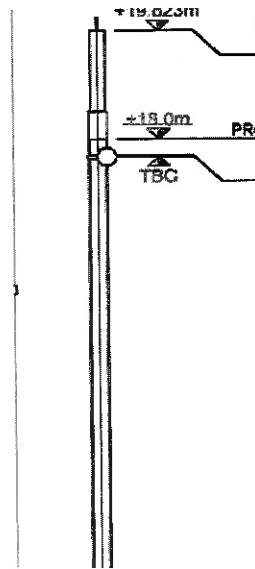


Fig. 3 Extracted from the Green Book Appendix A: Example 4 Minimum size mast installation

In general, the bespoke slimline solution proposed is relatively unobtrusive and compares favourably to use of largescale masts and rooftop installations, which tend to be more visually dominant. The use of long narrow antennas provides for a consistent width, which is more aesthetically favourable in an urban setting than the “lollypop” style pole seen in example 3 above.

The design of telecommunications infrastructure has changed considerably since the Guidelines were written in 1996. However, the principles outlined in the Guidelines in terms of assessment can still offer assistance in determining whether a proposed solution is suitable to the proper planning and sustainable development of the location. Image 1 below which is extracted from the Appendix 1D of the 1996 Guidelines, illustrates what was considered acceptable in terms of design and impact in a residential area in 1996. Image 2, which shows the proposed Cignal infrastructure, attests to the progress in design terms of localised communications infrastructure.

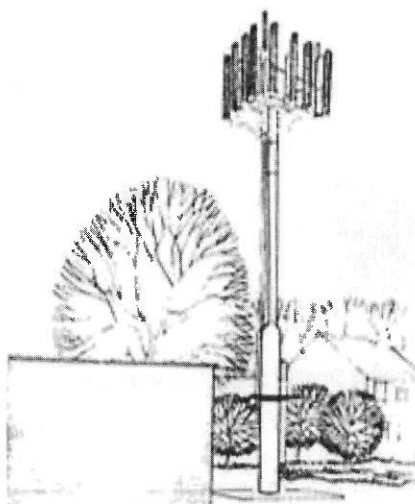


Image 1 Appendix 1D 1996 Guidelines



Image 2. Photomontage of proposed installation

The legislation is silent in defining the design or dimensions of any of the numerous structures and apparatus permissible under S. 254, for whatever use. It is for the planner to determine the suitability of the infrastructure in the context of the County Development Plan, the Guidelines and the Green Book. It is considered that the type of bespoke solution proposed is generally compliant with the guidance contained in these documents.

Visual Assessment Criteria

Each proposed installation was assessed to determine its potential visual impact on the immediate location. The criteria detailed in the Environmental Protection Agency Guidelines were used to assess the impact levels of the proposed development on the landscape, see Table 1 and 2 below. The criteria measure the degree of sensitivity and potential impact of the proposed development, taking the cityscape and existing natural/environmental screening into account.

IMPACT LEVEL CRITERIA
Imperceptible: An impact capable of measurement, but without noticeable consequences. No discernible deterioration or improvement in the existing view.
Slight: An impact which causes noticeable changes in the environment without affecting its sensitivities. The impact has been minimised by its scale or intervening topography and vegetation.
Moderate: An impact that alters the character of the environment as a result of changes to an appreciable segment of the view or intrusion in the foreground.
Significant: An impact by which its character, magnitude, duration or intensity alters a sensitive aspect of the environment. Where a view is obstructed or so dominated by a proposed scheme that it becomes the focus of attention.
Profound: An impact on a view that removes all sensitive characteristics or completely obstructs or alters the view

Table 1 Environmental Protection Agency Guidelines

These ratings are further assessed by the Type of Impact, which may be viewed as Neutral, Positive or Negative and as outlined below.

TYPE OF IMPACT
Neutral represents a change that does not affect the quality of the environment.
Positive represents a change that improves the quality of the environment.
Negative represents a change that diminishes the quality of the environment.

Table 2 Environmental Protection Agency Guidelines

Impact level also takes into consideration the duration of the impact, the construction stage works quite often have a negative visual impact to varying degrees, but the impacts are considered temporary and lessen as the site becomes integrated into its environment and an accepted part of the streetscape.

Based on the above mentioned criteria, desk top assessments indicate that while the proposed developments are located in areas, which would usually result in a high degree of visibility for a standard monopole, the bespoke solution proposed is capable of merging with the existing public service infrastructure, which should lessen its visual dominance from the majority of vantage points. The greatest impact is anticipated in close proximity to the site, where the pole will be contextualised by the existing roads and utility development. Where visible, the shrouded design will act to screen the antennas entirely and diminish any impact.

Overall it is considered that, while the poles will be visible in their respective locations, there is no overtly detrimental impact anticipated and any views of the shrouded infrastructure will be low impact and within acceptable parameters, in the context of a roadside location.

2.3 The number of existing structures and appliances along the public road

The Authority has to consider the cumulative effect of installing additional street furniture alongside the public road, which is particularly relevant in the context of urban streetscapes. Survey notes provided by Jason Redmond and Associates suggest that the presence of existing infrastructure and services played a part in determining the most suitable location for the poles, within the parameters of the Operator's network requirements. The space available to pedestrians and other users was also considered in siting the poles.

While agreeing that a predominance of obelisk structures could have a cluttering effect, it's considered that the existing lampposts are beneficial to contextualise the proposed pole and ameliorate visual impact.

2.4 The convenience and safety of road users including pedestrians.

According to the Green Book, standalone poles are the preferred option in urban areas on wide verges or footpaths. It is considered that all efforts were made to ensure that the proposed locations would not impact on the convenience and safety of road users and pedestrians. The infrastructure was deliberately sited on land that had sufficient space to house the structure, without compromising existing utility services. These locations will be further assessed by the respective Local Authority Roads Engineer, as part of the licence process, to ensure that the additional infrastructure does not present a hazard.

3.0 Summary

This report sought to assess the principle of installing street solutions in the jurisdiction of Dun Laoghaire- Rathdown, against current legislation and guidelines. It has determined that the provision of telecommunications infrastructure adjacent to the roads network is permitted under current legislation and encouraged by guidelines issued by the State.

Under Section 254 (ee) of the Planning & Development Act 2000 (as amended) a Local Authority can issue a licence for *overground electronic communications infrastructure* and any *associated physical infrastructure*, subject to planning and development considerations.

The proposed infrastructure on Local Authority land accords with the National Broadband Plan and the Digital Agenda for Europe, which advocates for this type of installation to support Next Generation rollout. Furthermore, use of Local Authority land for utility infrastructure was thoroughly explored by the Roadworks and Licensing Working Group, established to address issues involved in the granting of Road Opening Licences to telecoms operators by both the Transport Infrastructure Ireland (TII) and Local Authorities. The resulting publication, the Green Book, lays out the considerations required when assessing roadside development and recommends the use of slimline poles in urban areas.

Each proposed development was assessed against the County Development Plan, the Green Book and the Guidelines to ensure compliance. The visual and environmental impact of the infrastructure required to deliver enhanced services was a consideration in the design stages. The adopted design is considered to be innovative and appropriate in delivering required services directly to the demand centres.

A review of the development's potential impact shows that the proposed poles will have a similar effect on the amenity of the area as existing public service infrastructure, such as lampposts or CCTV poles. Indeed it is considered that these structures are not only less visually impactful than a monopole/mast solution but considerably less visually impactful than exposed rooftop installations, many of which are exempted development under Class 31 of the P&D Regulations.

It is considered that the design proposed, which allows for an expansion in broadband services to the County with minimal environmental impact, conforms to the principles of proper planning and sustainable development, and as such should be favourably viewed by Dun Laoghaire Rathdown Co. Council.





Marsh Ireland Brokers Ltd
Marsh House
25-28 Adelaide Road
Dublin 2
D02 RY98
Tel: 01 604 8100
www.marsh.ie

To Whom It May Concern

7th January 2022

Dear Sir/Madam,

**Confirmation of Insurance – Cellnex Ireland Ltd, Signal Infrastructure Limited and/or
Cellcom Ireland Ltd and/or On 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 with insurers who are authorised to conduct insurance business in Ireland by their respective regulatory authority(ies). 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: [REDACTED]
PERIOD OF INSURANCE: 1st January 2022 to 28th February 2022 (both days inclusive)
LIMIT OF INDEMNITY: €13,500,000 (for each and every occurrence)

PUBLIC LIABILITY

INSURER: XL Insurance Company SE
POLICY NUMBER: [REDACTED]
PERIOD OF INSURANCE: 1st January 2022 to 28th February 2022 (both days inclusive)
LIMIT OF INDEMNITY: €6,500,000 (any one event and in the aggregate during the period of insurance)

Marsh Ireland Brokers Limited, trading as Marsh Ireland, Bowring Marsh, Charity Insurance, Echelon Claims Consultants, Guy Carpenter & Company, ILCS, Insolutions, Lloyd & Partners, Marsh Aviation Consulting, Marsh Claims Management Services, Marsh Claims Solutions, Marsh Specialty, Marsh Reclaim, and Marsh Risk Consulting, is regulated by the Central Bank of Ireland.

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A business of Marsh McLennan

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,

[Redacted Signature]

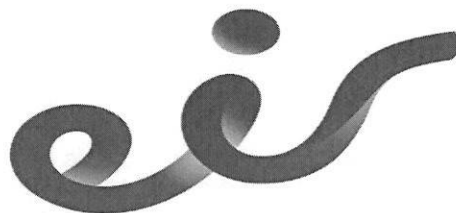
Client Advisor
Marsh Ireland Brokers Ltd
Direct Dial: [Redacted]
E-mail: [Redacted]

Marsh Ireland Brokers Limited, trading as Marsh Ireland, Bowring Marsh, Charity Insurance, Echelon Claims Consultants, Guy Carpenter & Company, ILCS, Insolutions, Lloyd & Partners, Marsh Aviation Consulting, Marsh Claims Management Services, Marsh Claims Solutions, Marsh Specialty, Marsh Reclaim, and Marsh Risk Consulting, is regulated by the Central Bank of Ireland.

Marsh Ireland, Bowring Marsh, Charity Insurance, Echelon Claims Consultants, Guy Carpenter & Company, ILCS, Insolutions, Lloyd & Partners, Marsh Aviation Consulting, Marsh Claims Management Services, Marsh Claims Solutions, Marsh Specialty, Marsh Reclaim, and Marsh Risk Consulting are trading names of Marsh Ireland Brokers Limited. Marsh Ireland Brokers Limited is a private company limited by shares registered in Ireland under company number 169458. VAT Number IE 6569458D. Registered Office: 4th Floor, 25-28 Adelaide Road, Dublin 2, Ireland, D02 RY98. Directors: [Redacted]



A business of Marsh McLennan



2022 Bianconi Avenue
Citywest Business Campus
Dublin 24 D24 HX03
T +353 1 671 4444
eir.ie

Radio Emissions Statement

As an operator of a Mobile Telecommunications Network *Eir Ltd* is aware of its requirements in relation to management of electromagnetic field radiation and are committed to management of risk to our employees, members of the public and any other groups who may be affected by our networks. All of the radio equipment on our network and our radio base stations are "Safe by Design" and are designed to meet international health and safety standards and best practice, including the relevant guidance from International Commission on Non-Ionizing Radiation Protection (ICNIRP) and from the Communications Regulator in Ireland.

Eir Ltd own and operate mobile telecommunications sites across Ireland. These sites are built and managed to operate within the limits for exposure to Electromagnetic Fields which are set by the Communications Regulator and are based on guidance from the International Council for Non-Ionising Radiation Protection (ICNIRP) and meet the requirements of directives from the European Commission. The issue of radiation from Mobile Phones has been a concern for many people since the introduction of this technology significant numbers of studies have been performed and have been reviewed by international experts. The World Health Organisation in their fact sheet on Electromagnetic fields and public health: mobile phones have stated that "A large number of studies have been undertaken on both acute and long-term effects from HF (High Frequency EMF Radiation) exposure typical of base stations. Research at these levels of exposure has provided no conclusive evidence of any related adverse health effects". (Ref; <http://www.who.int/mediacentre/factsheets/fs193/en/>). In their on line Q&A on Mobile Phones and Cancer the WHO also states "Studies to date provide no indication that environmental exposure to RF fields, such as from base stations, increases the risk of cancer or any other disease." (<http://www.who.int/features/qa/30/en/>)

The International Council on Non Ionising Radiation Protection, who are the lead independent agency on non-ionising radiation safety have stated "A large number of studies have been undertaken on both acute and long-term effects from HF (High Frequency Non Ionising Radiation) exposure typical of base stations. Research at these levels of exposure has provided no conclusive evidence of any related adverse health effects." (<http://www.icnirp.org/en/applications/base-stations/index.html>) in late 2015 The European Commission's Scientific Committee on Emerging and Newly Identified Health Risks published a "Final Opinion on the Potential health effects of exposure to electromagnetic fields (EMF)" The expert opinion is based on the latest scientific studies and expert review. In its summary the Scientific Committee state that "The results of current scientific research show

Directors:



eir is a trading name of eircom Limited,
Registered as a Branch
in Ireland Number 907674
Incorporated in Jersey Number 116389

Branch Address: 1 Heuston South Quarter,
St. John's Road, Dublin 8
VAT registration: IE 3286434NH

that there are no evident adverse health effects if exposure remains below the levels recommended by the EU legislation.

Our antennae are well below this level) Overall, the epidemiological studies on radiofrequency EMF exposure do not show an increased risk of brain tumours. Furthermore, they do not indicate an increased risk for other cancers of the head and neck region.”

The maximum exposure levels that are set by ICNIRP for Public exposure to radiation in the mobile phone frequency range is 28 V/m. All of our sites are designed and maintained to operate well within these guideline limits. Independent compliance inspections that are carried out for our company and are published by the Communications Regulator on their website (www.siteviewer.ie) show that the levels of EMF radiation from mobile telecoms masts in Ireland ranges between 0.5-3V/m, well within the safe exposure limits advised by international experts.

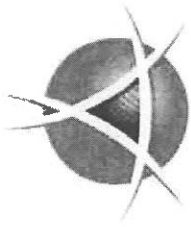
We continue to monitor the advice and guidance given by Government, international experts and equipment manufacturers to ensure that the sites that we operate continue to operate well within the limits set for exposure of members of the public and for our employees and contractors who will work at your location.

Internal Documentation References:

Meteor Mobile Communications Design and Build Specification and Guidelines
Standard Safe Operating practices - Mobile Network

Statement Prepared By: [REDACTED]

Date: 12/07/17



Commission for
Communications Regulation
Coimisiún Um
Rialáil Cumarsáide

**Declaration under Regulation 5 of the European Communities
(Electronic Communications)(Authorisation) Regulations 2011 (S.I.
335 of 2011)**

To whom it may concern

In accordance with the terms of Regulation 5 of the European Communities (Electronic Communications)(Authorisation) Regulations 2011, the Commission for Communications Regulation hereby confirms that the undertaking named below has submitted a notification pursuant to Regulation 4(1)

Authorised Person: Signal Infrastructure Ltd

and in accordance with that Regulation is deemed to be authorised to provide an electronic communications network or electronic communications service subject to the terms and conditions of a general authorisation issued by the Commission for Communications Regulation.

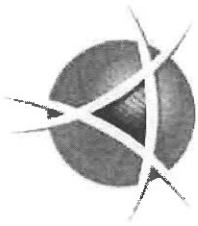
An Authorised Person may:

- (a) provide the electronic communications networks or services as described in the notification and which is recorded in the public register maintained for that purpose by the Commission for Communications Regulation,
- (b) apply for a consent under section 53 of the Act of 2002 to commence or carry out road works. Applications for such consent shall be made to the road authority in whose functional area the Authorised Person proposes to carry out the road works.
- (c) apply for a licence under section 254(1) of the Planning and Development Act 2000 for the establishment of overground electronic communications infrastructure and any associated physical infrastructure on, under, over or along a public road. Applications for such a licence shall be made to the planning authority in whose functional area the Authorised Person proposes to establish the infrastructure.

Where an Authorised Person is providing an electronic communications service or network to the public, such Authorised Person has the right to negotiate interconnection with another Authorised Person or another undertaking deemed to be authorised in another Member State. The right to negotiate interconnection is subject to the provisions of the European Communities (Electronic Communications Networks and Services)(Access) Regulations 2011 and any decisions,

**Commission for Communications Regulation
An Coimisiún um Rialáil Cumarsáide**

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Telephone +353 1 804 9600 Fax +353 1 804 9665 Email info@comreg.ie Web www.comreg.ie



Commission for
Communications Regulation
Coimisiún Um
Rialáil Cumarsáide

determinations, requirements, specifications, notifications and directions issued by the Commission for Communications Regulation from time to time. Such interconnection shall be for the purpose of providing publicly available Electronic Communications Services in order to ensure the provision and interoperability of services.

Issued on behalf of the Commission for Communications Regulation by

Name:



Title/Position: Analyst – Market Framework Division

Date: 3 March 2016

Commission for Communications Regulation
An Coimisiún um Rialáil Cumarsáide

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Telephone +353 1 804 9600 Fax +353 1 804 9665 Email info@comreg.ie Web www.comreg.ie

LEGEND:	
Radius Area (1km)	○
Proposed Site SR-0174 Glengeary Road Upper	★
Existing Vodafone site shown thus	●
Existing EIR site shown thus	○
Existing H3Gi site shown thus	○



LOCATION MAP

SCALE 1:100,000



No.	Revision	Date	By	Clk
A	INITIAL ISSUE	25/06/18		

CIGNAL
Clear Signal. Everywhere.

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Email: info@jrasc.ie

Deimec

Deimec Engineering Limited
10 Barrowside Business Park,
Steeny Road, Graiguecullen, Co. Carlow

GA

Cignal site ID	CIG-01243
Operator site ID	DN_1889

Site Name	GLENGEARY CO.DUBLIN
-----------	------------------------

Title	COMREG MAP
-------	------------

Designed	Date	27/6/18
Drawn	Scale	1:100,000@A
Dwg No.	DN_1889-100	Rev. A



E = 726396.5608, N = 725415.3780

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Description:
 Historic 1:10,000 Edition
Publisher / Source:
 Ordnance Survey Ireland (OSI)
Date Source / Reference:
 OSN25
 Publication Date = 31-Dec-1987
 Survey Date = 31-Dec-1987
 Limited Date = 31-Dec-1990
OSN25
 Revision Date = 31-Dec-1987
 Survey Date = 31-Dec-1987
 Limited Date = 31-Dec-1990
OSN25-28
 Revision Date = 31-Dec-2001
 Survey Date = 31-Dec-2001
 Limited Date = 31-Dec-2001
File Format:
 Topographic File Format (TFF)
File Name:
 F:\OSN25\162.LIF
Clip Extent / Area of Interest (AOI):
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 UTM Zone = 29S, UTM Datum = OSGB36, UTM Spheroid = OS_Spheroid, UTM Projection = OS_Projection
Projection / Spatial Reference:
 PROJCRS_PSI_1987, UTM, OSGB36, OSGB36
Centre Point Coordinates:
 XY = 726831.5738, 728087.9031
Date Generation Date:
 13-May-2019
Product Version:
 1.1
License / Copyright:
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COI	TRK CABINET AND POLE LOCATION AS SHOWN ON SITE WITH DR CC CL	05/00/19		
B	REVISED AS PER COMMENTS	28/09/19		
A	METAL ISSUE	21/05/19		
A	PLANNING	21/05/19		

No.	Revision	Date	By	Ckd
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Jason Redmond & Associates Consulting Engineers

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 Email: info@jras.ie



Deimec Engineering Limited
 10 Barnowood Business Park,
 Slattery Road, Graiguecullen, Co. Carlow

PLANNING

Site ID DN_1889

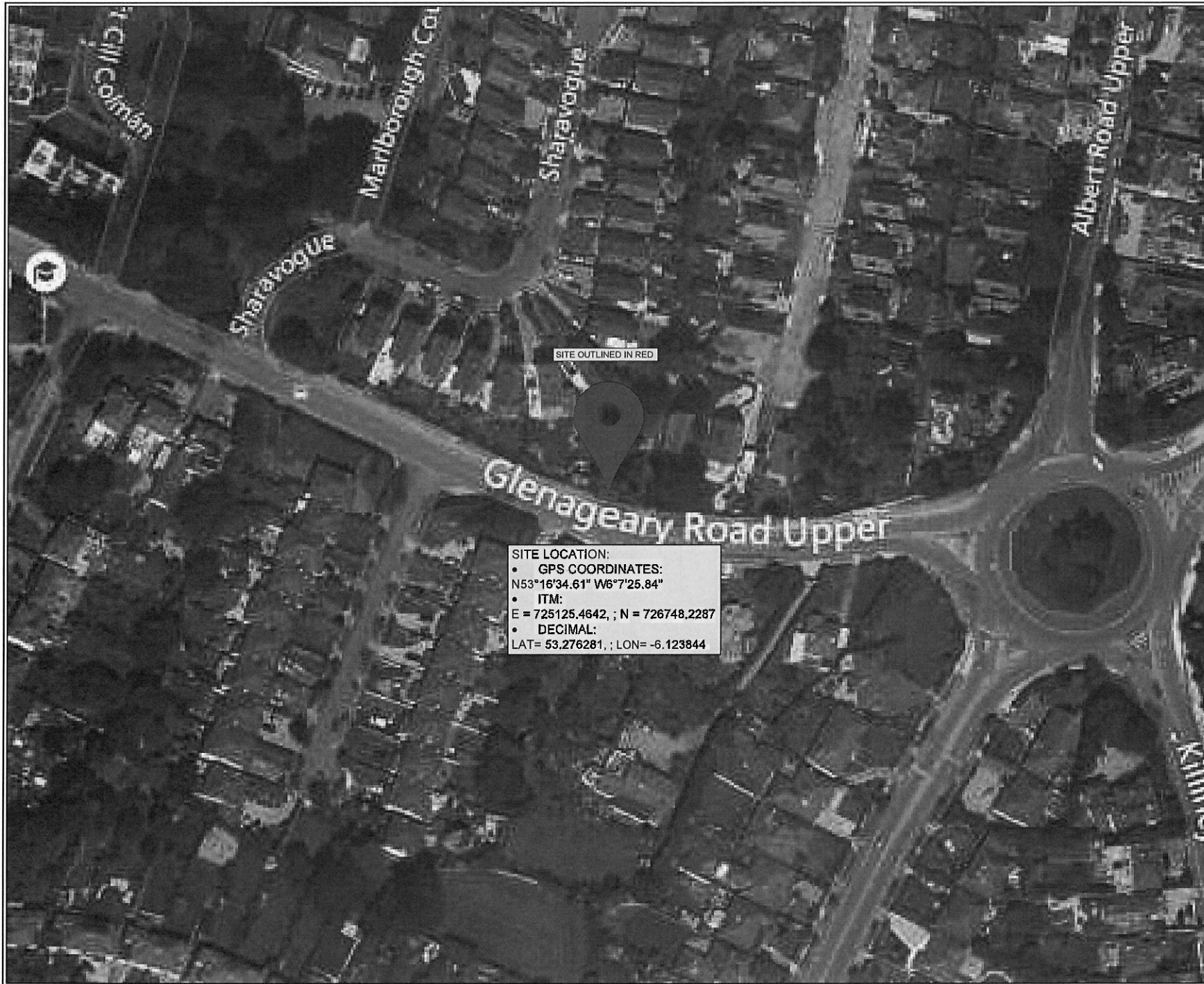
Site Name
**GLENGEARY ROAD UPPER
 DUBLIN 18**

Title
**SIGNAL SMART STREETPOLE
 SITE LOCATION MAP**

Designed Date 13.05.2019

Drawn Scale 1:10,000 Rev. C

Dwg No. DN_1889-100



SITE OUTLINED IN RED

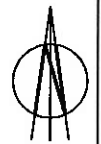
SITE LOCATION:
 • GPS COORDINATES:
 N53°16'34.61" W6°7'25.84"
 • ITM:
 E = 725125.4642, ; N = 726748.2287
 • DECIMAL:
 LAT= 53.276281, ; LON= -6.123844

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NOT FOR CONSTRUCTION



No.	Revision	Date	By	Clk
C	FINAL CANNOT POLE LOCATION AS SHOWN IN SITE VISIT PHOTO	03/06/2019		
B	REVISED AS PER COMMENTS	20/05/19		
A	INITIAL ISSUE	21/05/19		
A	PLANNING	21/05/19		



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Deimec
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 10 Barrowside Business Park,
 Sleaty Road, Grangecullen,
 Co. Carlow

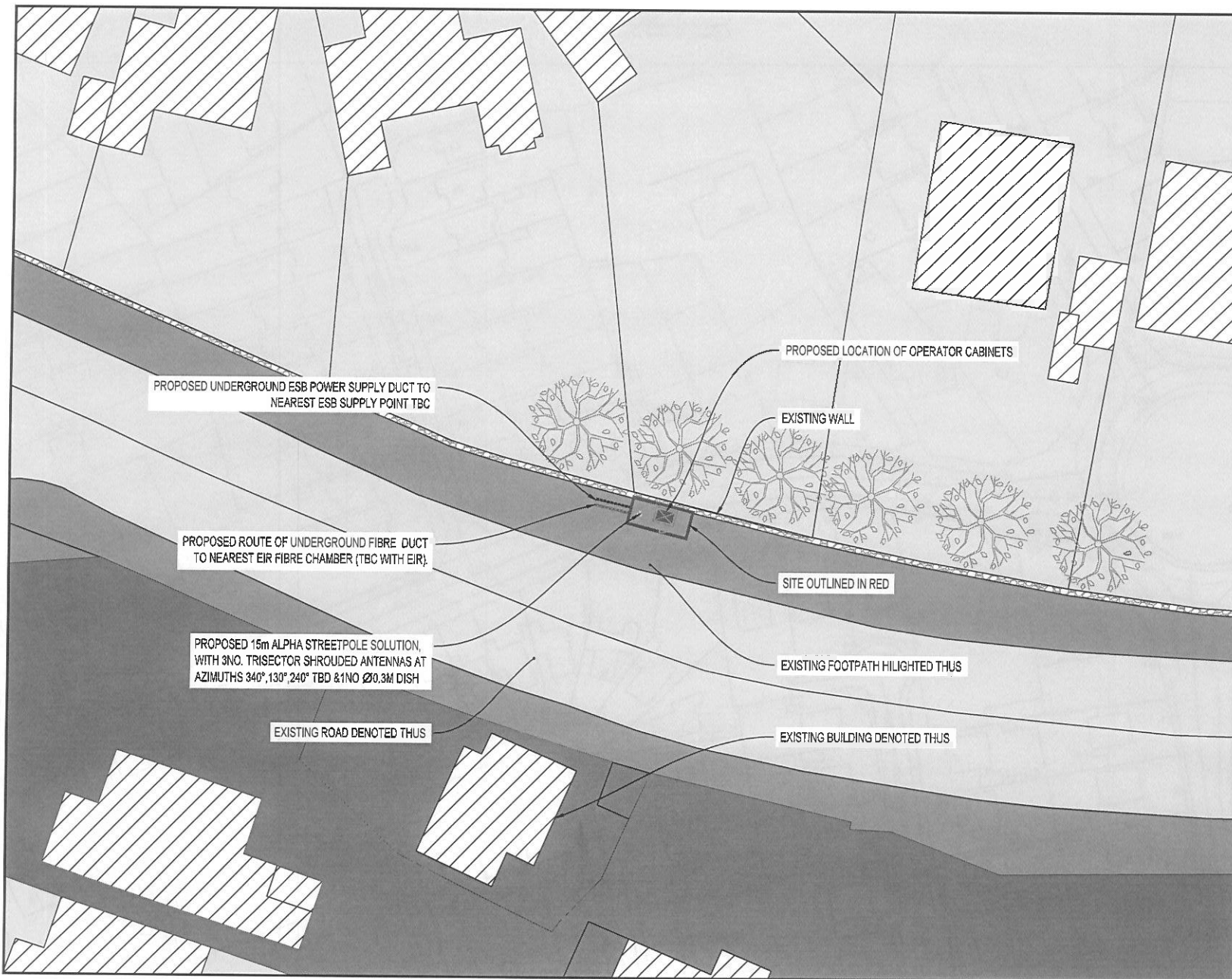
PLANNING

Site ID: DN_1889

Site Name:
 GLENAGEARY ROAD UPPER
 DUBLIN 18

Title:
 CIGNAL SMART STREETPOLE
 SITE LOCATION MAP AERIAL PHOTO

Designed	Date	13.05.2019
Drawn	Scale	1:2500
Dwg No.	Rev.	C



SITE LAYOUT

SCALE 1:250

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NOT FOR CONSTRUCTION

LEGEND

EXISTING ROADS	
SITE OUTLINED THUS	
EXISTING BUILDING	
EXISTING GRASS VERGE	
EXISTING FOOTPATH	



CD1	FINAL CABINET AND POLE LOCATION AGREED ON SITE WITH ESB CO. LTD.	02/02/21		
B	REVISED AS PER COMMENTS	20/08/19		
A	INITIAL ISSUE	20/02/19		
A	PLANNING	21/05/19		
No.	Revision	Date	By	Clad



Signal Ireland,
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Sandycreek Industrial Estate,
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Jason Redmond & Associates Consulting Engineers

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Deimec Engineering Limited
10 Barrowville Business Park,
Sluaty Road, Graiguecullen,
Co. Carlow

PLANNING

Site ID: DN_1889

Site Name
GLENGEARY ROAD UPPER
DUBLIN 18

Title
SIGNAL SMART STREETPOLE
SITE LAYOUT PLAN

Designed	Date: 25.04.2019
Drawn	Scale: 1:250 Rev: C

Dwg No. DN_1889-103

E = 725273.9523, N = 726876.7865



E = 724954.1823, N = 726627.4945

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Description:
 Digital Orthographic Model (DOM)
Publisher / Source:
 Ordnance Survey Ireland (OSI)
Data Source / Reference:
 PFM22
File Name:
 Dublin_Avondale_DOM_2013

Site Name / Area of Interest (AOI):
 UTM: 725273.9523, 726876.7865
 UTM: 725273.9523, 726876.7865
 UTM: 725273.9523, 726876.7865
 UTM: 725273.9523, 726876.7865

Projection / Spatial Reference:
 Projection: EPSG:2956, UTM_Pseudo_Mercator
Centre Point Coordinates:
 UTM: 725273.9523, 726876.7865

Reference Scale:
 Map Scale / Map Scale
 1:1,000 / 1:300-1:7

Date Issued / Date:
 Issue: 13-06-2019
Source Data Release:
 OSM Release: V1.11X.105

Product Version:
 Version: 1.3

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COI	FINAL CORRECT AND FILE LOCKING MARKED ON THE MODEL TO GO	03/05/21		
B	REVISED AS PER COMMENTS	26/05/19		
A	INITIAL ISSUE	21/05/19		
A	PLANNING	21/05/19		

CIGNAL
 Clear signal. Everywhere

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 PH: 05785 81155
 Email: info@jrassco.ie

Deimec
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 10 Barrowdale Business Park,
 Sleaty Road, Graiguecullen, Co. Carlow

PLANNING

Site ID: DN_1890

Site Name:
 GLENGEARAY ROAD UPPER
 DUBLIN 18

Title:
 SIGNAL SMART STREETPOLE
 SITE LOCATION PLAN

Designed	Date	13.05.2019
Drawn	Scale	1:1,000
Dwg No. DN_1889-102	Rev.	C

DRAWN: 13/05/19



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CON	FINAL CHECK AND PRICE LOCKING AS AGREED IN SEE THE BILL OF MATERIALS	03/09/2019		
B	REVISED AS PER COMMENTS	28/08/19		
A	INITIAL ISSUE	21/06/19		
A	PLANNING	21/06/19		
No.	Revision	Date	By	Chk

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Email: info@jrassoc.ie

Delmec
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Sleaty Road, Graiguecullen,
Co. Carlow

PLANNING

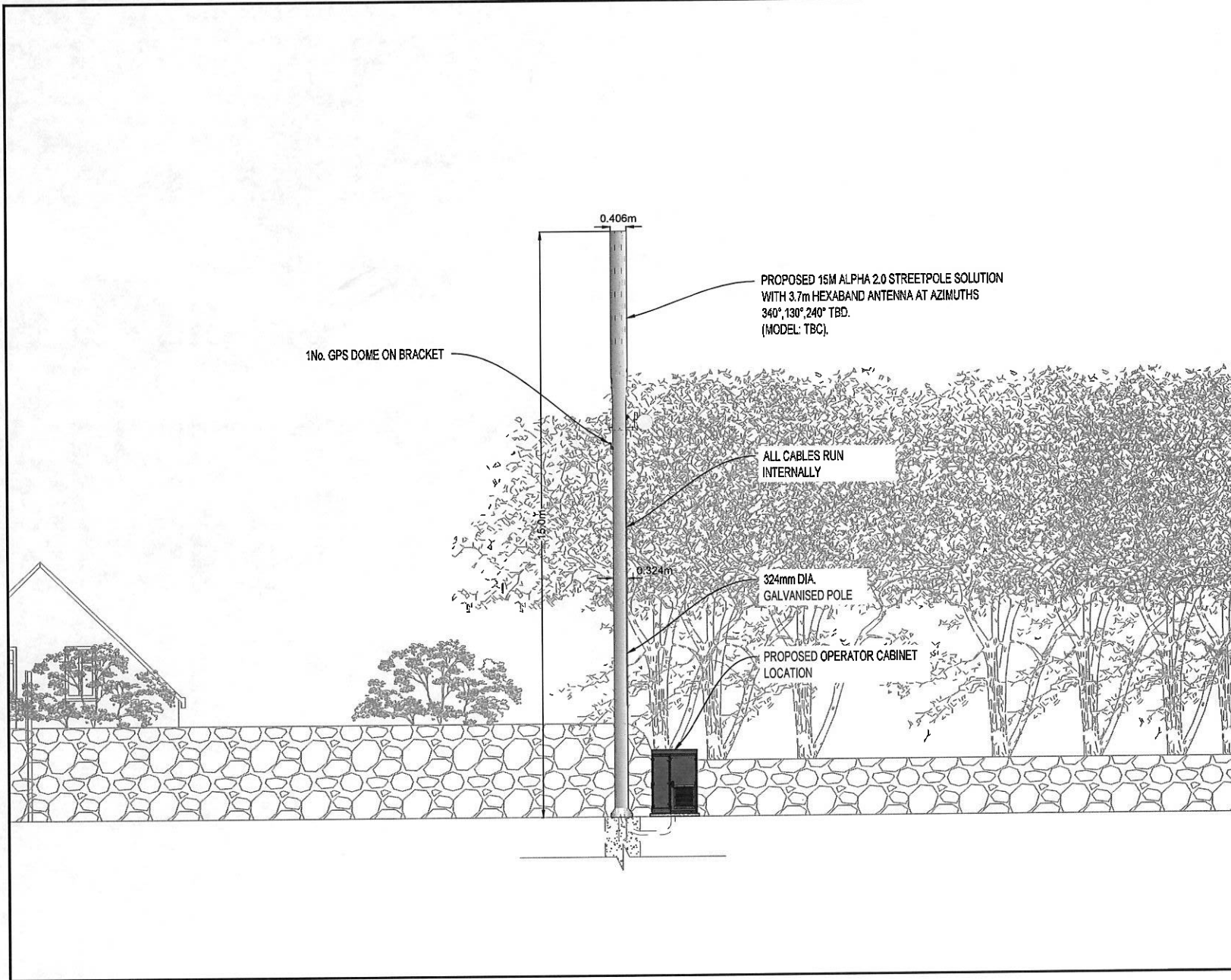
STR# ID: [REDACTED] DN_1889

[REDACTED]

Site Name
**GLENGEARY ROAD UPPER
DUBLIN 18**

Title
**SIGNAL SMART STREETPOLE
SCHEMATIC ELEVATION**

Designed: [REDACTED] Date: 13.06.2019
Drawn: [REDACTED] Scale: HTS Rev. C
Dwg No. DN_1889-104



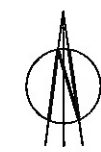
ELEVATIONS
SCALE 1:100

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CRITICAL DATES TO BE RECORDED IMMEDIATELY UPON COMMENCEMENT OF WORK.

NOT FOR CONSTRUCTION



01	FINAL STREETPOLE LOCATION AGREED BY THE HIGHWAY CO. CO.	02/06/19		
B	REVISED AS PER COMMENTS	20/06/19		
A	INITIAL ISSUE	21/05/19		
A	PLANNING	21/05/19		
No.	Revision	Date	By	Chd



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Co. Laois.
Ph: 05788 81165
Email: info@jrawe.ie



Delmeo Engineering Limited
10 Barrowside Business Park,
Steyle Road, Graiguecullen, Co. Carlow

PLANNING

Site ID: DN_1889

Site Name:
GLENGEARY ROAD UPPER
DUBLIN 18

Title:
CIGNAL SMART STREETPOLE
ELEVATIONS

Designed	Date: 25/04/2019
Drawn	Scale: 1:100
Dwg No. DN_1889-103A	Rev. C

Licence Number: CRM225967

DÚN LAOGHAIRE-RATHDOWN COUNTY COUNCIL
Comhairle Contae Dhún Laoghaire-Ráth an Dúin

PLANNING AND DEVELOPMENT ACT, 2000
(SECTION 254)
PLANNING AND DEVELOPMENT REGULATIONS 2001

LICENCE TO PLACE A TELECOMMUNICATION
CABINET AND POLE ON THE PUBLIC FOOTPATH/ROADWAY

Dún Laoghaire-Rathdown County Council ("the Council") grants to

Cignal Infrastructure Ltd ("the Licensee")

a Licence to place and maintain 1 Telecommunications Cabinet
measuring externally 1.54m³ (1.17mL × 0.798mW × 1.652mH),
and a pole area 0.824m² (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) at the
Glenageary Rd Upper, Glenageary, Co. Dublin.

Underwriter: AXA

Public Liability Insurance: Policy no. [REDACTED]

Date of grant of licence: 09/07/2021

Expiry date of licence: 08/07/2026

James Phelan

Senior Engineer

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



The decision by the Council to grant a licence to the Licensee is made subject to the following conditions:

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 set out in this licence, and the height and other dimensions as specified in those particulars shall not be exceeded.
2. *Duration of Licence* - The duration of this agreement is for five years only. The agreement shall expire five years from the date of the grant of the licence. Within three months of the expiry date, the pole and cabinet shall be removed by the Licensee and the area reinstated to the satisfaction of the Council at the Licensee's expense and as specified in other conditions.
3. *Withdrawal of License* - Under section 254(4) of the Planning and Development Act 2000, the Council has the right to withdraw this licence and require the Licensee to remove the appliance, apparatus or structure at the Licensee's own expense where in the opinion of the Council by reason of the increase or alteration of traffic on the road or of the widening of the road or of any improvement of or relating to the road, the appliance, apparatus or structure causes an obstruction or becomes dangerous. In the event of a withdrawal of a licence under section 254(4) of the Planning and Development Act 2000, all reinstatement works shall comply with the "Guidelines for Managing Openings in Public Roads" unless specifically stated otherwise and in accordance with the requirements of the Council.

Any notice issued by the Council to the Licensee to withdraw this Licence under section 254(4) of the Planning and Development Act 2000 or otherwise shall be in writing and shall be delivered by hand or sent by pre-paid ordinary post to the Licensee's registered office at Unit 311, 76 Furze Rd, Sandyford Business Park, Sandyford, Dublin 18, D18 YV50. Any such notices shall be deemed to have been delivered to the Licensee on the date of delivery of the notice if the notice is delivered by hand or the date following the date of posting of the notice, if the notice is sent by ordinary pre-paid post.

4. *Obsolescence* - In the event of obsolescence of the installed infrastructure (telecommunications street pole, antenna and operator cabinet) or withdrawal or expiry of the license without renewal, the telecommunications street pole, antenna and associated operator cabinet shall be removed from the site and the site reinstated at the expense of the Licensee in accordance with the requirements of the Council. The Licensee shall reinstate and where appropriate repair any damage to the public area, with all works to the satisfaction of the Council at the Licensee's expense. All reinstatement works shall comply with the "Guidelines for Managing Openings in Public Roads" unless specifically stated otherwise and in accordance with the requirements of the Council.
5. *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 unless agreed in writing between the Council and the Licensee.
6. *Installation and Drainage* - 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 Licensee shall not interfere with roadside drainage without the prior written agreement of the Council.



7. *Road Opening License*: No works are to be carried on/in a public road until the Licensee is in receipt of a Road Opening License issued by the Council (Section 13(10)(b) of the Roads Act (1993)), providing all documentation is correctly submitted.
8. *Footpath and Cyclists* - The Licensee shall ensure that the telecommunications street pole and cabinet shall not obstruct pedestrians, cyclists and will not to create a road safety hazard. The specific location is to be prior agreed with the Council.
9. *Maintenance* - Access to the licence area for maintenance purposes by any statutory undertakers shall be available at all times.
10. *Change of Ownership* - The Licensee shall notify the Council in writing of any change of ownership, transfer to a new operator or any subsequent agreements to the sharing of the telecommunications street pole and associated operator cabinets.
11. *Legislation* - This licence is for the telecommunications street pole, antenna and cabinet and nothing in this licence shall be construed as negating the Licensee's statutory obligations or requirements under any other enactments or regulations, including planning legislation, building legislation and The Roads Act 1993.
12. *Payment of fee* - The granting of the licence is subject to payment of the appropriate fee and adherence to the requirements and does not automatically guarantee the renewal in subsequent years
13. *Sub-letting* - This Licence is personal to the Licensee and may not be assigned or sub-let, however the Licensee may permit third party customers of the Licensee to use the pole and Telecommunications cabinet subject to the terms of the Licence.
14. *Breach* - Any breach of the terms of the Licence by the Licensee's third party customers shall constitute a breach by the Licensee of this Licence and the Licensee shall remain fully liable for the acts or omissions of any third party customers authorised to use the pole or Telecommunications cabinet including any negligence of the third party customers.
15. *Change in use* - A change in use of the licenced area will require the submission of a new licence application
16. *Maintenance during licence* - 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
17. *Insurance* - Prior to the erection of any equipment under this licence, the Licensee shall provide evidence to the Council of public liability insurance to a minimum level of 7 million euro which indemnifies the Council for third party claims arising from the installation of the equipment. The Licensee must provide evidence of such insurance cover remaining in place for each year of the Licence. Failure to provide such annual updates of insurance cover to the Council will give grounds to the Council to withdraw this Licence from the Licensee.
18. If accidental damage is caused to the cabinet and pole or associated network, the Council will not be responsible for any claims made against it by the licensee or their customers.



19. 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.
20. The Licensee shall supply to the Council a contact name and number that is available at all times, including outside normal working hours so that any reports of damage to the structure can be passed to the licensee and rectified without delay.
21. Any works which require the use of a mobile crane or hoist will require the applicant to submit an application for a mobile crane and hoist licence prior to the commencement of the development. This is covered under a surface permit application. Any scaffolding requirements are also covered under a surface permit license.

