



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Registered Post

**Vantage Towers Ltd
C/o Michael Foody, Charterhouse
Unit 2, HQ
27 Market Street
Listowel
Co. Kerry**

6th November 2024

Section 5 referral Reference R24-72 – Vantage Towers Ltd

Is the replacement of an existing telecommunications structure for a new telecommunications structure development and if so, is it exempted development?

A Chara,

I refer to your application received on 16th September 2024 under Section 5 of the Planning & Development Act 2000 (as amended) in relation to the above.

The Planning Authority has considered the matter and I attach herewith the Council's findings in this matter.

Where a declaration is issued by the Planning Authority, any person issued with a declaration, may on payment to an Bord Pleanála of the required fee, refer a declaration for review by An Bord Pleanála within 4 weeks of the date of the issuing of the declaration. Details on making such appeal are available on the Board's website at www.pleanala.ie

Mise, le meas

**Anne O'Gorman
Staff Officer
Planning Department
Economic Development Directorate**

**An Roinn Pleanála
An Stiúirthóireacht Forbairt Gheilleagrach**

Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V95 DXP2

**Planning Department
Economic Development Directorate**

Áras Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2



CLARE COUNTY COUNCIL

SECTION 5 OF THE PLANNING AND DEVELOPMENT ACT 2000 AS AMENDED

DECLARATION ON DEVELOPMENT AND/OR EXEMPTED DEVELOPMENT

Chief Executive's Order No:

84429

Reference Number:

R24-72

Date Referral Received:

16th September 2024

Date Further Information Received:

22nd October 2024

Name of Applicant:

Vantage Towers Ltd

Location of works in question:

Lisdoonvarna, Co. Clare

Section 5 referral Reference R24-72 – Vantage Towers Ltd

is the replacement of an existing telecommunications structure for a new telecommunications structure development and if so, is it exempted development?

AND WHEREAS Clare County Council, in considering this referral, had regard in particular to –

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended;
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001, as amended;
- (c) Class 31 (e) and (j),
- (d) The works as indicated in submitted documents from the referrer.

AND WHEREAS Clare County Council has concluded:

- (a) The installation of the proposed "works" which come within the scope of section 2 (1) of the Planning and Development Act 2000, as amended;
- (b) The said works constitute "development" which comes within the scope of section 3(1) of the Planning and Development Act 2000, as amended;
- (c) The said development comprising replacement of an existing telecommunication structure for a new telecommunication structure is exempted development by virtue of Schedule 2, Part 1, Class (31) (e) and (j).

ORDER: Whereas by Chief Executive's Order No. HR 152 dated 9th April 2021, Pat Dowling, Chief Executive for Clare County Council, did, pursuant to the powers conferred on him by Section 154 of the Local Government Act 2001, delegate to Gareth Ruane, Senior Executive Planner, the powers, functions and duties as set out herein,

NOW THEREFORE pursuant to the delegation of the said powers, functions and duties and under Section 5(2)(a) of the Planning & Development Act 2000 (as amended)

and having considered the various submissions and reports in connection with the referral described above, I, Gareth Ruane, Senior Executive Planner, hereby declare that the said replacement of an existing telecommunication structure for a new telecommunication structure at Lisdoonvarna, Co. Clare is considered development which is exempted development.

Signed:



GARETH RUANE
SENIOR EXECUTIVE PLANNER 

Date:

6th November 2024

**DECLARATION ISSUED UNDER SECTION 5 OF THE
PLANNING & DEVELOPMENT ACT 2000 (AS AMENDED)**

Reference No.: R24-72



Comhairle Contae an Chláir
Clare County Council

Section 5 referral Reference R24-72

Is the replacement of an existing telecommunications structure for a new telecommunications structure development and if so, is it exempted development?

AND WHEREAS, Vantage Towers Ltd has requested a declaration from Clare County Council on the said question.

AND WHEREAS Clare County Council, in considering this referral, had regard in particular to –

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended;
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001, as amended;
- (c) Class 31 (e) and (j),
- (d) The works as indicated in submitted documents from the referrer.

And whereas Clare County Council has concluded:

- (a) The installation of the proposed “works” which come within the scope of section 2 (1) of the Planning and Development Act 2000, as amended;
- (b) The said works constitute “development” which comes within the scope of section 3(1) of the Planning and Development Act 2000, as amended;
- (c) The said development comprising replacement of an existing telecommunication structure for a new telecommunication structure is exempted development by virtue of Schedule 2, Part 1, Class (31) (e) and (j).

THEREFORE: The Planning Authority in exercise of the powers conferred on it by Section 5 of the Planning and Development Act, 2000 (as amended), hereby decides that:

The proposed development consisting of the said replacement of an existing telecommunication structure for a new telecommunication structure at Lisdoonvarna, Co. Clare constitutes development which is exempted development as defined within the Planning & Development Acts, 2000 (as amended) and associated regulations.



Anne O'Gorman
Staff Officer
Planning Department
Economic Development Directorate

6th November 2024

CLARE COUNTY COUNCIL
SECTION 5 DECLARATION OF EXEMPTION APPLICATION
PLANNERS REPORT
REPORT 2

FILE REF:	R24-72
APPLICANT(S):	Vantage Towers Ltd.
REFERENCE:	Whether the replacement of an existing telecommunication structure for a new telecommunication structure is or is not development and is or is not exempted development.
LOCATION:	Lisdoonvarna, Co Clare
DUE DATE:	11 th November 24

Further information was requested 4th October as follows:

1. Please be advised that the Planning and Development Regulations 2001 (as amended) Schedule 2, Part 1, Class 31(e) provide exemptions to Statutory Undertakers with regard to works related telecommunications structures. The Act defines a statutory undertaker as:
"statutory undertaker" means a person, for the time being, authorised by or under any enactment or instrument under an enactment to—
.....(b) provide, or carry out works for the provision of, gas, electricity or telecommunications services,

It is not clear having regard to the information received by the Planning Authority that the applicant meets the criteria of a 'statutory undertaker'. Please arrange to submit details to address this matter.

2. The Planning Authority notes that the Section 5 query received is relying on the provisions of Class 31 (j) of the Exempted Development Regulations (as amended) to conclude that the proposed replacement tower is exempted development. The Planning Authority is concerned that the provisions of the aforementioned class may not be applicable in this instance when the planning status of the existing mast is not clear. In addition, under Article 9 (1) of the same Regulations, development to which Article 6 relates shall not be exempted development for the purposes of the Act if the carrying out of such development would consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use. The proposed development may constitute a 'renewal' of an unauthorised structure. Please

be advised that there is no record of planning permission having been granted for the existing mast. Please indicate when the existing mast was erected and outline any relevant provisions of the Exempted Development Regulations which were operational at the time of the mast being erected.

3. Condition/limitations of 5. (a) states in relation to class 31 (j) that the dimensions of any additional antennae for mobile telephony shall not exceed the greatest length, width or depth of any antenna for mobile telephony of corresponding type on the replaced structure.

It further states under the same class 31 (j) that :

(b) In any other case, the dimensions of any antenna provided shall not exceed:

(i) in the case of any panel type antenna, 3 metres in length x 0.6 metres in width x 0.2 metres in depth,

(ii) in the case of any co-linear type antenna, 5 metres in length x 0.1 metres in diameter, and

(iii) in the case of any dish type antenna (whether shielded or not), 1.8 metres in diameter

No information has been submitted regarding the dimensions of the antennas or regarding the length, width or depth of the additional antennas that may be proposed to be erected. Please submit details to demonstrate compliance with condition/ limitation 5 of Class 31(j).

4. Please submit details to demonstrate that the replacement of an antenna support structure together with any replaced or additional antenna does not result in the field strength of the non-ionising radiation emissions from the radio installations on the site exceeding the limits specified by the Commission for Communications Regulation. (Condition/ limitation no.6 of Class 31 (j) refers.

5. It is noted that it is proposed to construct a 2.4m high palisade fence around the compound. Having regard to the provisions of Class 11 Part 1 Schedule 2 of Planning and Development Regulations 2001 (as amended). The construction, erection, lowering, repair or replacement, other than within or bounding the curtilage of a house, of – (a) any fence (not being a hoarding or sheet metal fence), is considered exempted development provided the height of any new structure shall not exceed 1.2 metres or the height of the structure being replaced, whichever is the greater, and in any event shall not exceed 2 metres. The Planning Authority is concerned that the fence as proposed exceeds the height considered to be exempted development. Please submit details to address this concern.

Summary of Applicant's Reply

1. The applicant meets the criteria of a 'statutory undertaker' and is registered as such on [http:// servicesregister.comreg.ie](http://servicesregister.comreg.ie).
2. The mast was erected in 1975 and there was no requirement to seek planning permission for a structure 1.25m by 1.25sq.m. The company who erected the mast Western water mains were involved the layout of water infrastructure around the county and employees working in remote areas used private mobile radios for communications with crew etc. The mast was necessary for mobile communication by PMRs. In 1988 the mast was first used by different telecom operators. In 2003 Vodaphone took occupation of the mast and is still on set today. The mast is no longer suitable for the equipment required.
3. The existing structure holds 5 antennae. The larger three of these will be relocated onto the new structure. Details these antennae are in Appendix 2. These therefore fall within the conditions of 5 (a). The other two smaller antennae on the existing structure will be decommissioned and not transferred to the new structure.

The RRUs listed on the plans submitted are not antennae. They are remote radio units and are used to stop the loss of signal they are small boxes fitted behind the antennae and are very heavy. They are too heavy for the existing structure.

4. The replacement of the antennae support structure together with any replaced or additional antennae does not result in the field strength of the non- ionizing radiation emissions from the radio installation on the site exceeding the limits specified by the Commission for Communications Regulation.
5. It is not proposed now to install the fence. An Anti climbing cage will be attached to the mast and cage placed around the cabinet.

Statutory Provisions

Planning and Development Act, 2000 (as amended)

In order to assess this proposal, regard has to be had to the *Planning and Development Act 2000, as amended*.

S.3.(1) In this Act, "*development*" means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

'Works' are defined in Section 2 of the *Planning and Development Act 2000, as amended* as follows:

"works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Planning and Development Act, 2000 (as amended) Section 2(1)

"statutory undertaker" means a person, for the time being, authorised by or under any enactment or instrument under an enactment to—

- (a) construct or operate a railway, canal, inland navigation, dock, harbour or airport,
- (b) provide, or carry out works for the provision of, gas, electricity or telecommunications services, or
- (c) provide services connected with, or carry out works for the purposes of the carrying on of the activities of any public undertaking;

Planning & Development Regulations, 2001, as amended

Article 6 refers to Exempted Development and states that subject to Article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Part 1 Schedule 2 of Planning and Development Regulations 2001 (as amended).

Class 31(j)

The carrying out by a statutory undertaker authorised to provide telecommunications services of development consisting of the provision of: -

- (j) an antenna support structure in place of an existing antenna support structure

1.The replaced structure shall be removed no later than 4 weeks following its decommissioning.

2. Where, for reasons of the integrity of the network or other operational reasons, the structure to be replaced remains in use during the construction of the replacement structure, the replacement structure shall be located as near as possible to the existing structure having regard to construction activity and safety requirements and, in any case, no replacement

structure shall be located more than 20 metres from the replaced structure (measured from the base).

3. (a) The height of the replacement structure shall not exceed the height of the replaced structure.

(b) (i) Subject to sub-paragraph (ii), the width of the replacement structure shall not exceed the width of the replaced structure.

(ii) Where the replaced structure was 2 metres or less in width, the width of the replacement structure may not be more than twice the width of the replaced structure, all measurements to be taken at the widest point.

(c) Where the replaced structure did not incorporate an antenna platform, the replacement shall not incorporate such a platform.

4. (a) Subject to sub-paragraphs (b) and (c), the antennae to be attached to the replacement structure shall not exceed the number of antennae on the replaced structure.

(b) For structure under 15 metres in height, an additional 12 antennae for mobile telephony may be attached to the replacement structure, of which not more than 8 of the additional 12 antennae shall be of the dish type (whether shielded or not).

(c) For structures of 15 metres or over in height, an additional 18 antennae for mobile telephony may be attached to the replacement structure, of which not more than 12 of the additional 18 antennae shall be of the dish type (whether shielded or not).

5. (a) The dimensions of any additional antenna for mobile telephony shall not exceed the greatest length, width or depth of any antenna for mobile telephony of corresponding type on the replaced structure.

(b) In any other case, the dimensions of any antenna provided shall not exceed:

(i) in the case of any panel type antenna, 3 metres in length x 0.6 metres in width x 0.2 metres in depth,

(ii) in the case of any co-linear type antenna, 5 metres in length x 0.1 metres in diameter, and

(iii) in the case of any dish type antenna (whether shielded or not), 1.8 metres in diameter

6. The replacement of an antenna support structure together with any replaced or additional antenna shall not result in the field strength of the non-ionising radiation emissions from the radio installations on the site exceeding the limits specified by the Commission for Communications Regulation

Under Article 9 (1) of the same Regulations, development to which Article 6 relates shall not be exempted development for the purposes of the Act:

(a) if the carrying out of such development would –

(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act

(ii) consist of or compromise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,

(iii) endanger public safety by reason of traffic hazard or obstruction of road users,

(iiia) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft,

(iv) except in the case of a porch to which class 7 specified in column 1 of Part 1 of Schedule 2 applies and which complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1, comprise the construction, erection, extension or renewal of a building on any street so as to bring forward the building, or any part of the building, beyond the front wall of the building on either side thereof or beyond a line determined as the building line in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

(v) consist of or comprise the carrying out under a public road of works other than a connection to a wired broadcast relay service, sewer, water main, gas main or electricity supply line or cable, or any works to which class 25, 26 or 31 (a) specified in column 1 of Part 1 of Schedule 2 applies,

(vii) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan.

(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,

(viiA) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12(1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,

(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,

(viiC) consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000.”

(viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,

(ix) consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

(x) consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility,

(xi) obstruct any public right of way,

(xii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area.

Assessment

Planning and Development Regulations 2001 (as amended) Schedule 2, Part 1, Class 31(e)

This section of the Regulations provide exemptions to Statutory Undertakers with regard to works related telecommunications structures. The Act defines a statutory undertaker as:

“statutory undertaker” means a person, for the time being, authorised by or under any enactment or instrument under an enactment to—

- (a) construct or operate a railway, canal, inland navigation, dock, harbour or airport,
- (b) provide, or carry out works for the provision of, gas, electricity or telecommunications services, or
- (c) provide services connected with, or carry out works for the purposes of the carrying on of the activities of any public undertaking;

The applicant meets the criteria of a ‘statutory undertaker’.

Planning and Development Regulations 2001 (as amended) Schedule 2, Part 2, Class 31(j)

The carrying out by a statutory undertaker authorised to provide telecommunications services of development consisting of the provision of: -

(j) an antenna support structure in place of an existing antenna support structure

1. The replaced structure shall be removed no later than 4 weeks following its decommissioning. **This is the case.**

2. Where, for reasons of the integrity of the network or other operational reasons, the structure to be replaced remains in use during the construction of the replacement structure, the replacement structure shall be located as near as possible to the existing structure having regard to construction activity and safety requirements and, in any case, no replacement structure shall be located more than 20 metres from the replaced structure (measured from the base).

The replacement structure shall be located 5.4m distance from the existing .

3. (a) The height of the replacement structure shall not exceed the height of the replaced structure.

The height of the replacement structure does not exceed the height of the existing one. It is 1m shorter.

(b) (i) Subject to sub-paragraph (ii), the width of the replacement structure shall not exceed the width of the replaced structure.

N/A

(ii) Where the replaced structure was 2 metres or less in width, the width of the replacement structure may not be more than twice the width of the replaced structure, all measurements to be taken at the widest point.

The width of the replacement structure may not be more than twice the width of the replaced structure.

(c) Where the replaced structure did not incorporate an antenna platform, the replacement shall not incorporate such a platform.

There are no proposals to incorporate a platform in the new mast although there is a platform on the existing mast .

4. (a) Subject to sub-paragraphs (b) and (c), the antennae to be attached to the replacement structure shall not exceed the number of antennae on the replaced structure.

This is the case.

(c) For structure under 15 metres in height, an additional 12 antennae for mobile telephony may be attached to the replacement structure, of which not more than 8 of the additional 12 antennae shall be of the dish type (whether shielded or not).

N/A.

(d) For structures of 15 metres or over in height, an additional 18 antennae for mobile telephony may be attached to the replacement structure, of which not more than 12 of the additional 18 antennae shall be of the dish type (whether shielded or not).

N/A

5. (a) The dimensions of any additional antennae for mobile telephony shall not exceed the greatest length, width or depth of any antenna for mobile telephony of corresponding type on the replaced structure.

Having regard to the further information received on the 16th October and further clarification of the 25th October, the antennae will fall with the parameters of 5 (a).

(b) In any other case, the dimensions of any antenna provided shall not exceed:

(i) in the case of any panel type antenna, 3 metres in length x 0.6 metres in width x 0.2 metres in depth,

(ii) in the case of any co-linear type antenna, 5 metres in length x 0.1 metres in diameter, and

(iii) in the case of any dish type antenna (whether shielded or not), 1.8 metres in diameter

6. The replacement of an antenna support structure together with any replaced or additional antenna shall not result in the field strength of the non-ionising radiation emissions from the radio installations on the site exceeding the limits specified by the Commission for Communications Regulation.

The replacement of the antennae support structure together with any replaced or additional antennae does not result in the field strength of the non ionizing radiation emissions from the radio installation on the site exceeding the limits specified by the Commission for Communications Regulation

Class 11 Part 1 Schedule 2 of Planning and Development Regulations 2001 (as amended).

The construction, erection, lowering, repair or replacement, **other than** within or bounding the curtilage of a house, of – (a) any fence (not being a hoarding or sheet metal fence), or (b) any wall of brick, stone, blocks with decorative finish, other concrete blocks or mass concrete

Conditions and limitations

1. The height of any new structure shall not exceed 1.2 metres or the height of the structure being replaced, whichever is the greater, and in any event shall not exceed 2 metres.

2. Every wall, other than a dry or natural stone wall, constructed or erected bounding a road shall be capped and the face of any wall of concrete or concrete blocks (other than blocks of a decorative finish) which will be visible from any road, path or public area, including a public open space, shall be rendered or plastered.

It is not proposed now to install the fence. An Anti climbing cage will be attached to the mast and cage placed around the cabinet.

Under Article 9 (1) of the same Regulations, *development to which Article 6 relates shall not be exempted development for the purposes of the Act:*

(c) if the carrying out of such development would –

(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act

N/A

(ii) consist of or compromise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,

N/A

(iii) endanger public safety by reason of traffic hazard or obstruction of road users,

N/A

(iiia) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft,

N/A

(iv) except in the case of a porch to which class 7 specified in column 1 of Part 1 of Schedule 2 applies and which complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1, comprise the construction, erection, extension or renewal of a building on any street so as to bring forward the building, or any part of the building, beyond the front wall of the building on either side thereof or beyond a line determined as the

building line in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

N/A

- (v) *consist of or comprise the carrying out under a public road of works other than a connection to a wired broadcast relay service, sewer, water main, gas main or electricity supply line or cable, or any works to which class 25, 26 or 31 (a) specified in column 1 of Part 1 of Schedule 2 applies,*

N/A

- (vi) *interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan.*

N/A. The site is in a built up area.

(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan, (viiA) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12(1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,

N/A

(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,

N/A

(viiC) consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000.”

N/A

- (vii) *consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,*

Having regard to the further information received the existing structure is considered exempted development and as such the proposed renewal is not to an unauthorised structure

- (viii) *consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,*

N/A

- (ix) *consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility,*

N/A

- (x) *obstruct any public right of way,*

N/A

(xii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area.

N/A

Recommendation

A Section 5 Declaration query as to whether the replacement of an existing telecommunication structure for a new telecommunication structure is or is not development and is or is not exempted development

The following questions have been referred to the Planning Authority:

Whether the replacement of an existing telecommunication structure for a new telecommunication structure at Lisdonnvarna, Co Clare is or is not development and is or is not exempted development

The Planning Authority in considering this referral had regard to:

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended;
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001, as amended;
- (c) Class 31 (e), and (j),
- (d) The works as indicated in submitted documents from the referrer.

And whereas Clare County Council (Planning Authority) has concluded:

- (a) The installation of the proposed "works" which come within the scope of section 2 (1) of the Planning and Development Act 2000, as amended;
- (b) The said works constitute "development" which comes within the scope of section 3(1) of the Planning and Development Act 2000, as amended;
- (c) the said development comprising replacement of an existing telecommunication structure for a new telecommunication structure is exempted development by virtue of Schedule 2, Part 1, Class (31) (e) and (j)

Now therefore Clare County Council (Planning Authority), hereby decides that:

- (i) the said replacement of an existing telecommunication structure for a new telecommunication structure at Lisdonnvarna is development and is exempted development.



Executive Planner

Date: 25/10/24



Senior Executive Planner

Date: 31/10/24

Ellen Carey

From: Michael Foody <michael.foody@chtc.ie>
Sent: Friday 25 October 2024 15:19
To: Ellen Carey; Planning Office
Subject: Planning reference 24/72 Section 5 request
Attachments: Lisdoonvarna Ref 24-72 Section 5 application.pdf

Dear Ellen

Further to your correspondence regarding **clarification** of the response to the above request for further information, I regret any confusion.

To clarify ;

The existing structure holds 5 antennas. The larger three of these will be relocated onto the new structure. Details of these antennas are attached to Appendix 2. These therefore fall within the condition of 5(a) above. The other two smaller antennas on the existing structure will be decommissioned and not transferred to the new structure.

Apologies for the confusion, and I trust the above explains the situation however any queries please do not hesitate to phone me on 087 2835051.

I also attached a corrected letter.

As a side note; On the plan submitted you will see RRU's listed, these are not antennas, they are Remote Radio Units and used to stop the loss of signal from the equipment cabinet along the cables to the antennas. They are like small boxes usually fitted behind the antennas and are very heavy. They are too heavy for the existing structure.

Kind Regards

Michael

Michael Foody FRICS

M: 087 2835051 T: 068 57463

Charterhouse, HQ, 27 Market Street, Listowel, Co. Kerry V31 Y436

charterhouse
INFRASTRUCTURE CONSULTANTS



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Please consider the environment before printing this email.

Planning Department,
Economic Development Directorate,
Clare County Council,
New Road,
Ennis,
Co. Clare.
V95DXP2



16th October 2024

Re:

Section 5 referral Reference R24-72 — Vantage Towers Ltd
Is the replacement of an existing telecommunications structure for a new telecommunications structure development and if so, is it exempted development?

A Chara

With reference to the above and the request for further information in accordance with Section 5 (2) (b) of the Planning & Development Act, 2000, as amended, we respond to each question in turn below;

1. Please be advised that the Planning and Development Regulations 2001 (as amended) Schedule 2, Part 1, Class 31 (e) provide exemptions to Statutory Undertakers with regard to works related telecommunications structures. The Act defines a statutory undertaker as: "Statutory undertaker" means a person, for the time being, authorised by or under any enactment or instrument under an enactment to—

. (b) provide, or carry out works for the provision of, gas, electricity or telecommunications services,.....

It is not clear having regard to the information received by the Planning Authority that the applicant meets the criteria of a "statutory undertaker" Please arrange to submit details to address this matter.

We confirm that Vantage Towers Ltd meets the criteria of a "statutory undertaker" as detailed above. For your information the Electronic Register of Authorised Undertakings (ERAU) is established and maintained by ComReg. To search, register or to amend existing registrations the link through the ComReg web site is; <https://serviceregister.comreg.ie/>

Attached to Appendix 1 of this response is a copy of the certificate from the above link.

2. The Planning Authority notes that the Section 5 query received is relying on the provisions of Class 31 (j) of the Exempted Development Regulations (as amended) to conclude that the proposed replacement tower is exempted development. The Planning Authority is concerned that the provisions of the aforementioned class may not be applicable in this instance when the planning status of the existing mast is not clear. In addition, under Article 9 (1) of the same Regulations, development to which Article 6 relates shall not be exempted development for the purposes of the Act if the carrying out of such development would consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use.

The proposed development may constitute a 'renewal' of an unauthorised structure. Please be advised that there is no record of planning permission having been granted for the existing mast. Please indicate when the existing mast was erected and outline any relevant provisions of the Exempted Development Regulations which were operational at

The site owner has provided the following information in respect of the history of the existing structure. From this information the understanding is that the development was exempt at the time of erection. The proposal therefore complies with the provisions of Class 31 (j) of the Exempted Development Regulations (as amended) to conclude that the proposed replacement tower is exempted development.

The mast was erected mid April 1975. At the time, the site owner checked with Clare County Council regarding the planning requirement and were told that there was no category for a building / structure with a footprint of 1.25m x 1.25m. This matter was also checked on a few occasions with the County Council before and after the mast was constructed.

The reason the mast was erected is because, the company, at the time named Western Watermains, was involved in the laying of water pipes, erection of treatment plants and reservoirs in Counties Clare, Limerick, Galway, Mayo and Leitrim. There were no mobile phones in those days and communications were limited, which necessitated the installation of PMRs (Private Mobile Radios – as used in Taxis etc.) in all the diggers, vans and lorries and the requirement for the mast. The operatives were often in remote locations in the construction of water pipelines and associated infrastructure and communications was vital for the business. At the time the mast was used for mobile communications using PMRs (Private Mobile Radio) system the Company was licensed by the Department of Communications.

There were numerous installations around the country using poles on chimney's and in gardens to facilitate the use of PMRs for numerous business operations.

In 1998 the mast was first used by different telecoms operators. In 2003 Vodafone took occupation of the mast and are still on site today. Due to changing technology and the need to provide services the mast is no longer suitable for the equipment required, hence the proposal to change it for a more robust structure.

3. Condition/limitations of 5. (a) states in relation to class 31 (j) that the dimensions of any additional antennae for mobile telephony shall not exceed the greatest length, width or depth of any antenna for mobile telephony of corresponding type on the replaced structure.

It further states under the same class 31 (j) that:

- (b) In any other case, the dimensions of any antenna provided shall not exceed.
- i in the case of any panel type antenna, 3 metres in length x 0.6 metres in width x 0.2 metres in depth,
 - ii in the case of any co-linear type antenna, 5 metres in length x 0.1 metres in diameter, and
 - iii in the case of any dish type antenna (whether shielded or not), 1.8 metres in diameter
- No information has been submitted regarding the dimensions of the antennas or regarding the length, width or depth of the additional antennas that may be proposed to be erected. Please submit details to demonstrate compliance with condition/ limitation 5 of Class 31 (j).

Proposed

The current structure holds 5 antennas. The larger three of these will be the same size as those on the existing structure and will be relocated onto the new structure. Details of the antennas are attached to Appendix 2. These therefore fall within the condition of 5(a).

4. Please submit details to demonstrate that the replacement of an antenna support structure together with any replaced or additional antenna does not result in the field strength of the non-ionising radiation emissions from the radio installations on the site exceeding the limits specified by the Commission for Communications Regulation. (Condition/ limitation no.6 of Class 31 (j) refers.

Please find attached to Appendix 3 a set of plans detailing the ICNIRP compliance to demonstrate that the replacement of an antenna support structure together with the antennas do not result in the field strength of the non-ionising radiation emissions from the radio installations on the site exceeding the limits specified by the Commission for Communications Regulation. A letter of confirmation is also attached.

5. It is noted that it is proposed to construct a 2.4m high palisade fence around the compound. Having regard to the provisions of Class 1 1 Part 1 Schedule 2 of Planning and Development Regulations 2001 (as amended). The construction, erection, lowering, repair or replacement, other than within or bounding the curtilage of a house, of — (a) any fence (not being a hoarding or sheet metal fence), is considered exempted development provided the height of any new structure shall not exceed 1.2 metres or the height of the structure being replaced, whichever is the greater, and in any event shall not exceed 2 metres. The Planning Authority is concerned that the fence as proposed exceeds the height considered to be exempted development. Please submit details to address this concern.

The above is noted and having discussed the matter with Vantage Towers Limited the decision has been made to exclude the proposed compound fence. Instead an anti-climbing cage has been attached to the mast and a cage placed around the cabinet. In this respect please find attached a revised plan of the proposal attached to Appendix 4.

We trust the above responses meet with the requirements of the Section 5 application and look forward to the local authority's determination on this referral.

Yours sincerely,

A handwritten signature in black ink that reads "Michael Foody". The signature is written in a cursive, flowing style.

Michael Foody,
Charterhouse

Appendix 1; ComReg Certificate

Appendix 2; Antenna detail

Appendix 3; ICNIRP Compliance

Appendix 4; Revised Plans

Appendix 1

ComReg Certificate; Vantage Towers Ltd under Electronic Register of Authorised Undertakings (ERAU)

Search Vantage Towers Add filter... SEARCH

All fields: Vantage Towers ×

[Remove all filters](#)

Provider Name *	Trading As	Network Type	Service Type	Area	Commencement	
Vantage Towers Limited	Vantage	Mobile Telephony	Publicly available telephone services	Nationwide	03/02/2020	Details

1 - 1 of 1 items

Appendix 2

Details of the antennas to be relocated to the new structure.

AQU4518R61v06

D04X-2x690-960/2x1427-2690-4x65-2x15i/2x18.5i-4xM-R
EasyRET 2L2H 8-Port Antenna with 4 Integrated RCUs -2.0m



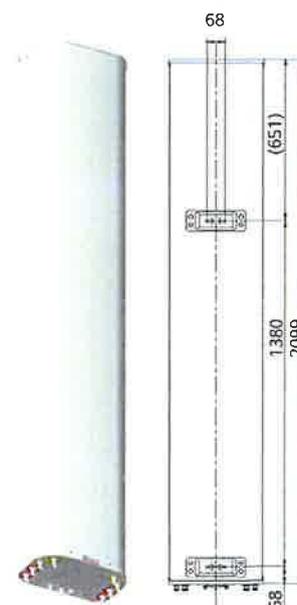
Antenna Specifications

Electrical Properties										
Frequency range (MHz)		2 x (690 - 960) (Lr1/Rr2)				2 x (1427 - 2690) (Ly1/Ry2)				
		690 - 803	790 - 862	824 - 894	880 - 960	1427 - 1518	1695 - 1990	1920 - 2200	2200 - 2490	2490 - 2690
Polarization		+45°, -45°				+45°, -45°				
Electrical downtilt (°)		2 - 12, continuously adjustable, each band separately				2 - 12, continuously adjustable, each band separately				
Gain (dBi)	at mid Tilt	14.1	14.7	14.9	15.1	16.1	17.6	18.0	18.5	18.6
	over all Tilts	14.0 ± 0.5	14.6 ± 0.5	14.8 ± 0.5	15.0 ± 0.5	16.0 ± 0.8	17.5 ± 0.7	17.9 ± 0.7	18.4 ± 0.5	18.5 ± 0.5
Side lobe suppression for first side lobe above main beam (dB)		> 15	> 16	> 16	> 15	> 15	> 16	> 16	> 16	> 16
Horizontal 3dB beam width (°)		70 ± 7	66 ± 6	63 ± 6	60 ± 6	70 ± 7	63 ± 7	60 ± 7	59 ± 6	57 ± 6
Vertical 3dB beam width (°)		10.5 ± 0.9	9.5 ± 0.7	9.2 ± 0.5	8.7 ± 0.5	7.7 ± 0.6	6.5 ± 0.6	5.9 ± 0.6	5.3 ± 0.5	4.8 ± 0.5
VSWR		< 1.5				< 1.5	< 1.5			
Cross polar isolation (dB)		≥ 25				≥ 25	≥ 25			
Interband isolation (dB)		≥ 25				≥ 28	≥ 28			
Front to back ratio, ±30° (dB)		> 20	> 22	> 22	> 23	> 26	> 26	> 26	> 26	> 26
Cross polar ratio (dB)		0°	> 18	> 18	> 18	> 18	> 18	> 18	> 18	> 18
Max. effective power per port (W)		400 (at 50°C ambient temperature)				250 (at 50°C ambient temperature)				
Max. effective power whole antenna (W)		1200 (at 50°C ambient temperature)								
Intermodulation IM3 (dBc)		≤ -153 (2 x 43 dBm carrier)								
Impedance (Ω)		50								
Grounding		DC Ground								

1. Values based on NGMN recommendations on Base Station Antenna Standards (BASTA).
2. Electrical datasheet in XML format is available.

Mechanical Properties

Antenna dimensions (H x W x D) (mm)	2099 x 369 x 226
Packing dimensions (H x W x D) (mm)	2335 x 455 x 270
Antenna weight (kg)	31.5
Clamps weight (kg)	4.2 (2 units)
Antenna packing weight (kg)	43.5 (Included clamps)
Mast diameter supported (mm)	50 - 115
Radome material	Fiberglass
Radome colour	Light grey
Operational temperature (°C)	-40 .. +65
Wind load (N)	Frontal: 425 (at 150 km/h) Lateral: 505 (at 150 km/h) Maximum: 770 (at 150 km/h)
Max. operational wind speed (km/h)	200
Survival wind speed (km/h)	250
Connector	8 x 4.3-10 Female
Connector position	Bottom



Accessories

Item	Model	Description	Weight	Units per antenna
Downtilt kit	ASMDT0D01	Mechanical downtilt: 0 - 12 °	2.1 kg	1 (Separate packing)

AQU4518R61v06

D04X-2x690-960/2x1427-2690-4x65-2x15i/2x18.5i-4xM-R
EasyRET 2L2H 8-Port Antenna with 4 Integrated RCUs -2.0m



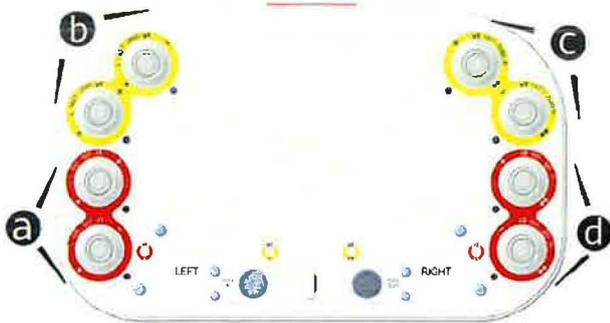
Antenna Information Management Module (AIMM) Specifications

Properties								
RET type	Integrated RET							
RET protocols*	AISG 2.0 / 3GPP							
Input voltage range (V)	10 - 30 DC							
Power consumption (W)	< 0.5 (when the motor does not work, 12 V) < 5 (when the motor is working, 12 V) < 10 (when the motor is starting up or shutting down, 12 V)							
Adjustment time (full range) (s)	Typ. 40 (typically, depending on antenna type)							
RET connector	2 x 8 pin connector according to IEC 60130-9 Daisy chain in: Male / Daisy chain out: Female							
Pin assignment according AISG	1	2	3	4	5	6	7	8
	DC	n/c	R5-485B	n/c	R5-485A	DC	DC return	n/c
Lightning protection (kA)	2.5 (10/350 μs) 10 (8/20 μs)							

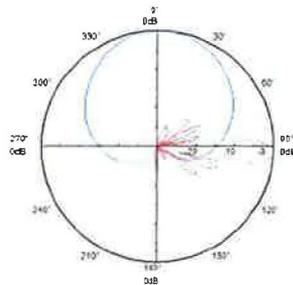
* Please confirm the AISG protocol of primary station is compatible with RET antenna protocol interface. The protocol of RET antenna software interface is switchable between AISG 2.0/3GPP and AISG 1.1 with a vendor defined command. For more details about protocol switching function, contact Huawei before system installation.

Standards: EN/IEC 60950-1(Safety), EN/IEC 60950-22(Safety – Equipment installed outdoor),EN 55032 (Emission), EN/IEC 62368-1(Safety). ETSI EN 301 489, FCC Part15, ICES-003

Certification: CE, FCC, IC, RCM, RoHS, REACH, WEEE



Pattern sample for reference

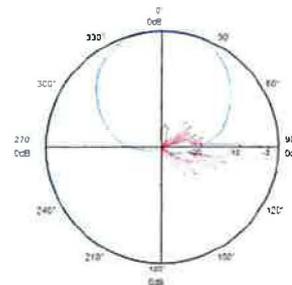
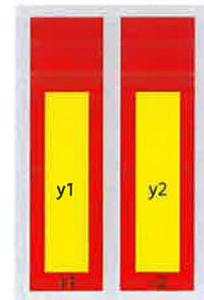


690 - 960 MHz

Integrated RET S/N:

- Ⓐ HWxxxx.....Lr1
- Ⓑ HWxxxx.....Ly 1
- Ⓒ HWxxxx.....Ry 2
- Ⓓ HWxxxx.....Rr2

r - Red y - Yellow
L - Left array R - Right array



1427 - 2690 MHz

NOTE

1. Facilities, such as towers and poles, must bear the weight and wind load of antennas.
2. HUAWEI 's standard brackets and accessories must be used for any installation.
3. The antenna working environment must meet the requirements specified in the datasheet.
4. Only qualified personnel are allowed to perform installation. Installation tools and procedures must conform to requirements described in the antenna installation guide.

Appendix 3 .

Letter of confirmation and plans demonstrate that the replacement of an antenna support structure together with any replaced or additional antenna does not result in the field strength of the non-ionising radiation emissions from the radio installations on the site exceeding the limits specified by the Commission for Communications Regulation. (Condition/ limitation no.6 of Class 31 (j) refers.

16th October 2024



Vodafone Ireland Ltd
Mountainview
Leopardstown
Dublin 18
Confidential

Our ref: **CE076**

Declaration of Conformity with ICNIRP Public Exposure Guidelines (**"ICNIRP Declaration"**)

Vodafone Ireland Radio Engineering

Declares that the proposed upgraded for;

Ray Moore House
Kilfenora Road
Lisdoonvarna
Co. Clare.

is designed to be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionizing Radiation (ICNIRP), as expressed in the EU Council recommendation of 12 July 1999 "on the limitation of exposure of the general public to electromagnetic fields (0 Hz to 300 GHz)".

Yours sincerely

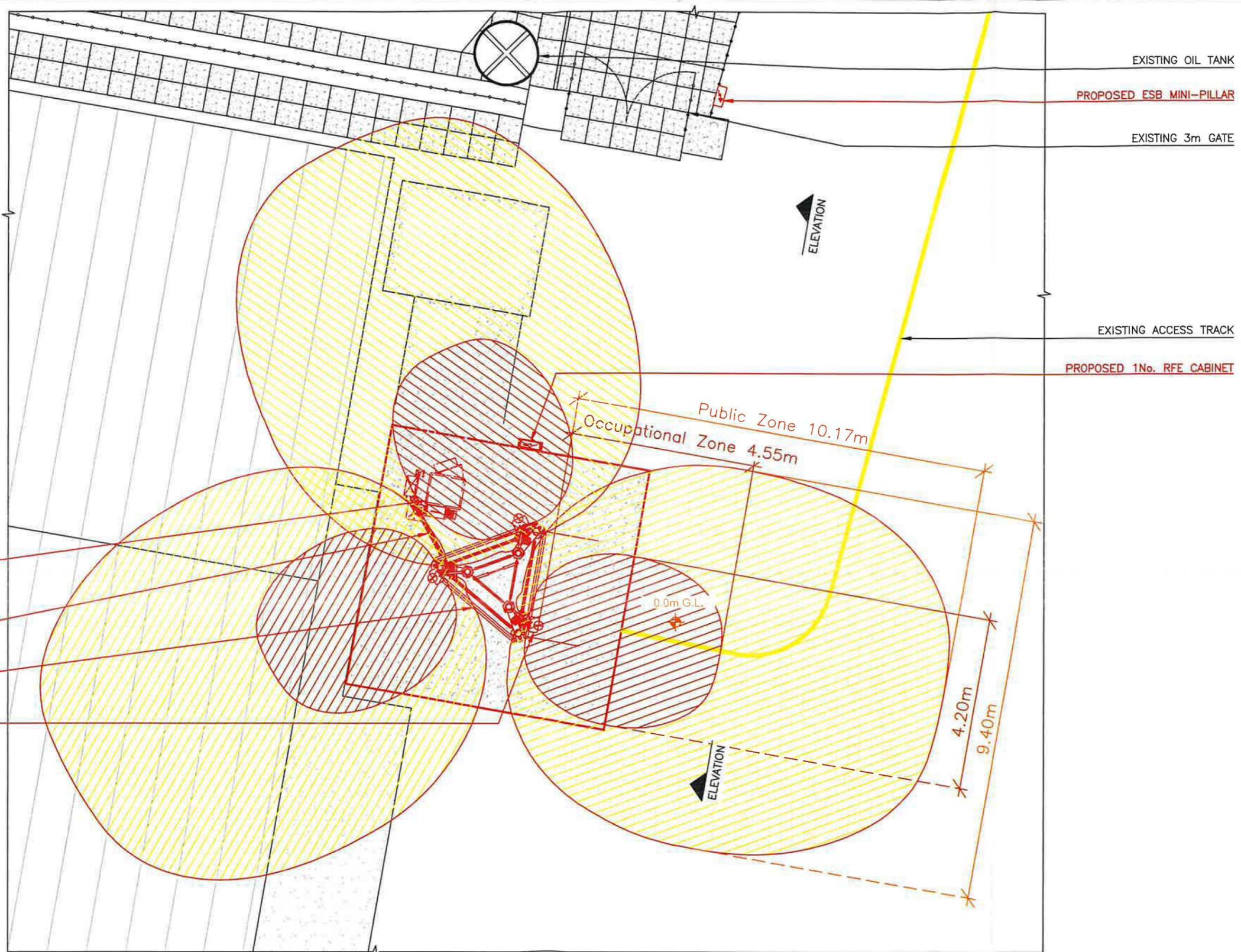
A handwritten signature in black ink that reads "Patrick Gilligan".

Patrick Gilligan
Network Engineering
Vodafone Radio Networks

Vodafone Ireland Limited

Mountainview, Leopardstown, Dublin, D18 XN97, Ireland
T - +353 (0)1 203 7777 W - www.vodafone.ie

Registered Office: Mountainview, Leopardstown, Dublin, D18 XN97. Registered in Ireland No. 326967
Directors: Amanda Nelson (CB) (CEO), Mark Denley (CB) and Elizabeth Headon



- PROPOSED VODAFONE OPERATOR OUTDOOR CABINET ON CONCRETE BASE
- PROPOSED VODAFONE OPERATOR CABLE MANAGEMENT SYSTEM
- PROPOSED 30m MULTI USER LATTICE TOWER
- PROPOSED 3No. VODAFONE RELOCATED ANTENNAS

ICNIRP SITE LAYOUT PLAN
SCALE 1:100



Site Name: Lisdoonvarna
Site Code: CE076

VANTAGE TOWERS

Together, we accelerate a sustainably connected Europe

- Notes:**
1. Do not scale.
 2. All dimensions are in mm otherwise specified.
 3. Assume all site details are existing unless otherwise specified.

Rev.	Description	By	Date
H			
G			
F			
E			
D	ANTENNA TYPE	JPN	18/10/24
C	ICNIRP SHOWN	JPN	15/10/24
B	TOWER LOCATION	SS	04/09/24
A	TOWER DIMENSION	JPN	01/08/24
-	SECTION 5 DRAWING	SN	30/07/24

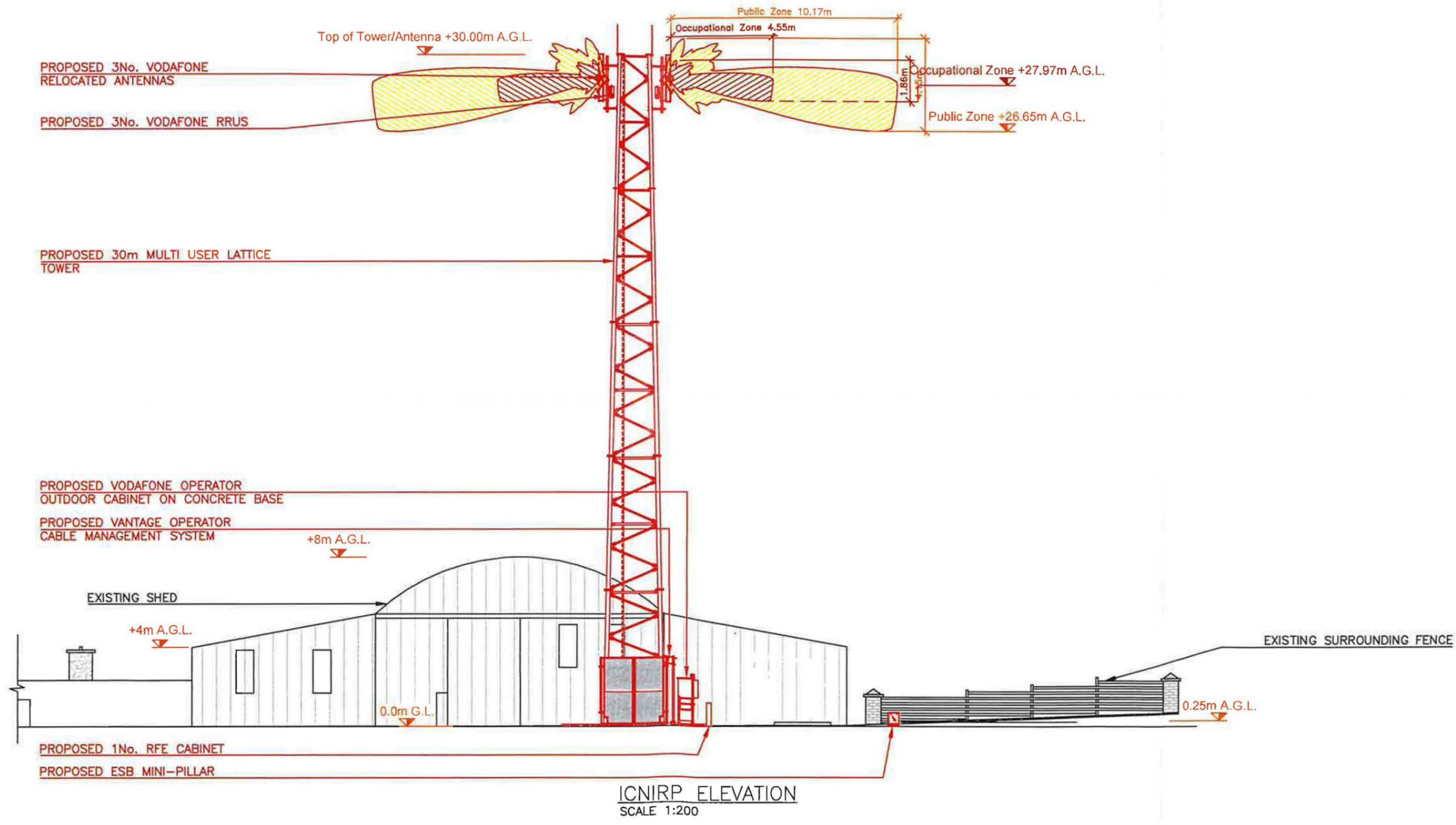
Cabin/Cabinet Details	
Type:	RBS 6150
Dim:	2.05x0.88x0.78m
Colour:	
Structure Details	
Type:	LATTICE TOWER
Height:	30m

Purpose			
SECTION 5 DRAWING			
Site code	CE076	Survey date	11/07/24
Sheet Size	A3	Drawn	SN
Checked	JPN	Date	30/07/24
Approved	IB	Date	30/07/24
Scale	As Shown	Date	30/07/24

Title	
ICNIRP Site Layout Plan	
Project	
PROPOSED VANTAGE TOWERS SITE AT LISDOONVARNA KILFENORA ROAD Co. CLARE	
Drawing No.	CE076 / S5 / 05

NOT FOR CONSTRUCTION

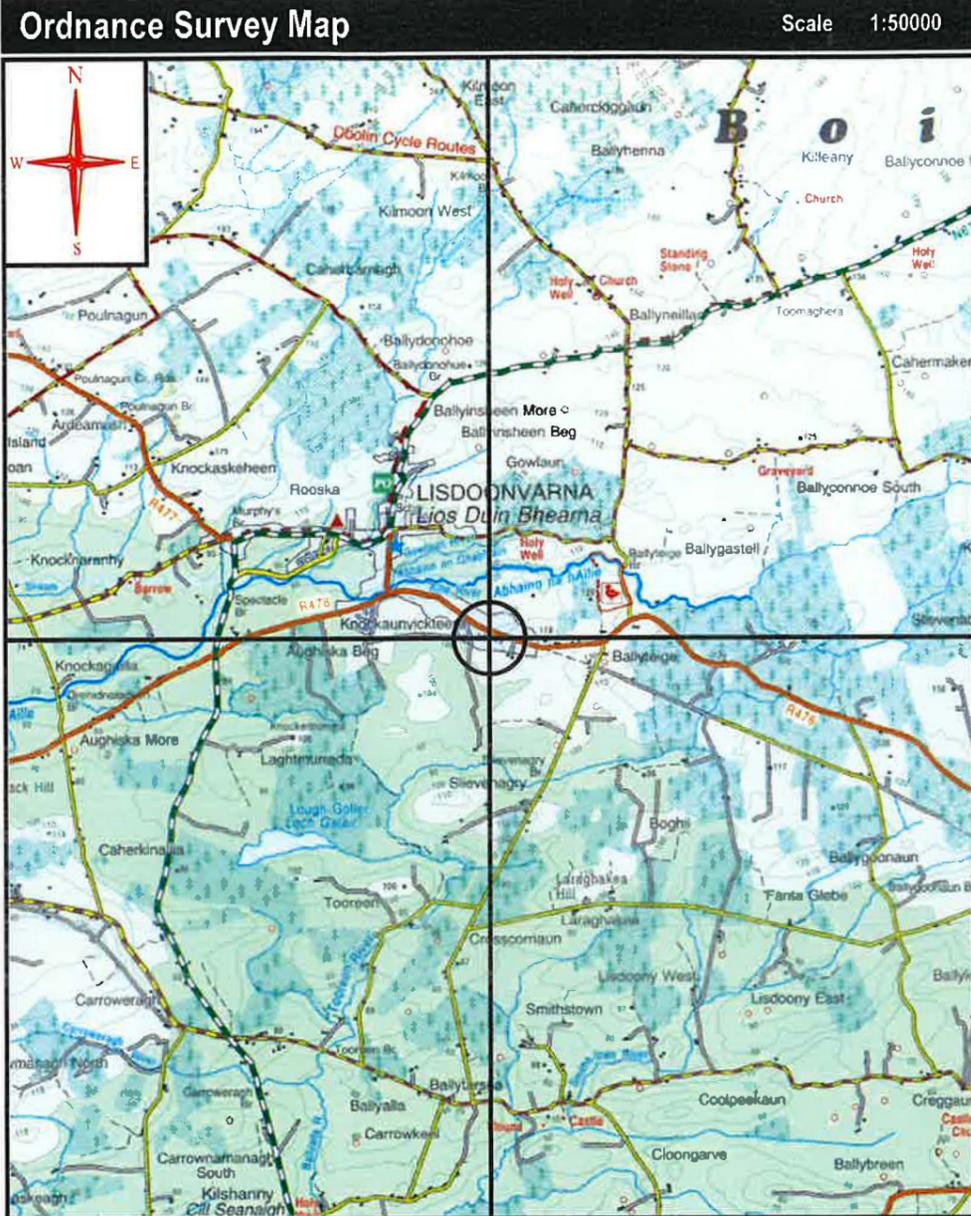
Revision D



ICNIRP ELEVATION
SCALE 1:200

Site Name: LISDOONVARNA
Site Code: CE076

VANTAGE TOWERS <i>Together, we accelerate a sustainably connected Europe</i>	Notes: 1. Do not scale. 2. All dimensions are in mm otherwise specified. 3. Assume all site details are existing unless otherwise specified.		H G F E D C B A - Rev.	ANTENNA TYPE ICNIRP SHOWN TOWER LOCATION TOWER DIMENSION SECTION 5 DRAWING	JPN 18/10/24 JPN 15/10/24 SS 04/09/24 JPN 01/08/24 SN 30/07/24	By Date	Cabin/Cabinet Details Type: RBS 6150 Dim: 2.05x0.88x0.78m Colour:	Structure Details Type: LATTICE TOWER Height: 30m	SECTION 5 DRAWING			Title: ICNIRP Elevation	NOT FOR CONSTRUCTION
	Site code: CE076 Survey date: 11/07/24 Sheet Size: A3	Scale: As Shown	Drawn: SN Date: 30/07/24	Checked: JPN Date: 30/07/24	Approved: IB Date: 30/07/24	Project: PROPOSED VANTAGE TOWERS SITE AT LISDOONVARNA KILFENORA ROAD Co. CLARE	Drawing No: CE076 / S5 / 06	Revision: D					
	Purpose:								Purpose:			Revision:	
	Purpose:								Purpose:			Revision:	



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Copyright Reference: CYAL50376702

Drawing No.	Drawing Title
CE076 / S5 / 01	O.S. Location Map & Photos
CE076 / S5 / 02	Overall Site Layout
CE076 / S5 / 03	Site Layout Plan
CE076 / S5 / 04	South-East Elevation
CE076 / S5 / 05	ICNIRP Site Layout Plan
CE076 / S5 / 06	ICNIRP Elevation

Site Photographs



FIG. 1: PROPOSED SITE ELEVATION



FIG. 2: EXISTING SATELLITE VIEW

Irish Grid New Site Coordinates		Irish Grid Site Coordinates		Irish Grid Site Entrance Coordinates	
East	114232	East	114233	East	114256
North	197550	North	197558	North	197603
GPS Site Coordinates		GPS Site Coordinates		GPS Site Entrance Coordinates	
Latitude	53.0220722	Latitude	53.022139	Latitude	53.022550
Longitude	-9.278860	Longitude	-9.278861	Longitude	-9.278530

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Notes:

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- All dimensions are in mm otherwise specified.
- Assume all site details are existing unless otherwise specified.

Rev.	Description	By	Date
JH			
IG			
FF			
EE			
DD			
CC	ICNIRP SHOWN	JPN	15/10/24
BB	TOWER LOCATION	SS	04/09/24
AA	TOWER DIMENSION	JPN	01/08/24
-	SECTION 5 DRAWING	SN	30/07/24

Cabin/Cabinet Details	
Type:	RBS 6150
Dim:	2.05x0.88x0.78m
Colour:	...
Structure Details	
Type:	LATTICE TOWER
Height:	30m

SECTION 5 DRAWING			
Site code	CE076	Survey date	11/07/24
Sheet Size	A3	Scale	As Shown
Drawn	SN	Checked	JPN
Date	30/07/24	Date	30/07/24
Approved	IB	Date	30/07/24

Title		Project	
O.S. Location Map & Photos		PROPOSED VANTAGE TOWERS SITE AT LISDOONVARNA KILFENORA ROAD Co. CLARE	
Drawing No.	CE076 / S5 / 01	Revision	C

NOT FOR CONSTRUCTION



EXISTING ACCESS ROUTE

EXISTING SITE LOCATION

PROPOSED SITE COMPOUND

PUBLIC ROAD (R476)

OVERALL SITE LAYOUT

Site Name: Lisdoonvarna
Site Code: CE076

VANTAGE TOWERS

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Notes:

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Rev.	Description	By	Date
H			
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E			
D			
C	IGNRP SHOWN	JPN	15/10/24
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A	TOWER DIMENSION	JPN	01/08/24
-	SECTION 5 DRAWING	SN	30/07/24

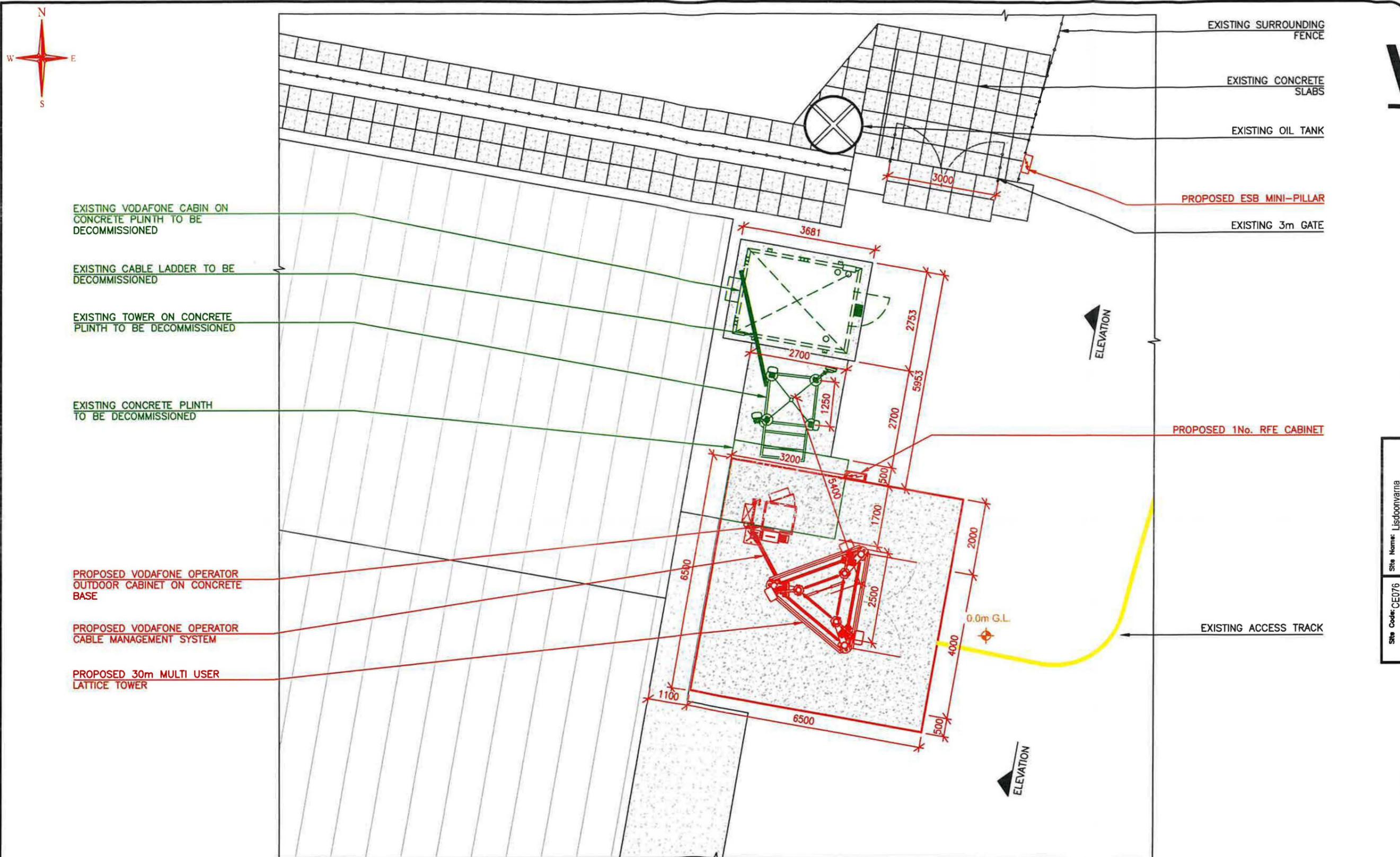
Cabin/Cabinet Details	
Type:	RBS 6150
Dim:	2.05x0.88x0.78m
Colour:	

Structure Details	
Type:	LATTICE TOWER
Height:	30m

Purpose			
SECTION 5 DRAWING			
Site code	CE076	Survey date	11/07/24
Sheet Size	A3	Scale	As Shown
Drawn	SN	Checked	JPN
Date	30/07/24	Date	30/07/24
Approved	IB	Date	30/07/24

Title	
Overall Site Layout	
Project	PROPOSED VANTAGE TOWERS SITE AT LISDOONVARNA KILFENORA ROAD Co. CLARE
Drawing No.	CE076 / S5 / 02
Revision	C

NOT FOR CONSTRUCTION



SITE LAYOUT PLAN
SCALE 1:100

VANTAGE TOWERS

Together, we accelerate a sustainably connected Europe

- Notes:**
- Do not scale.
 - All dimensions are in mm otherwise specified.
 - Assume all site details are existing unless otherwise specified.

Rev.	Description	By	Date
H			
G			
F			
E			
D			
C	IGNRP SHOWN	JPN	15/10/24
B	TOWER LOCATION	SS	04/09/24
A	TOWER DIMENSION	JPN	01/09/24
-	SECTION 5 DRAWING	SN	30/07/24

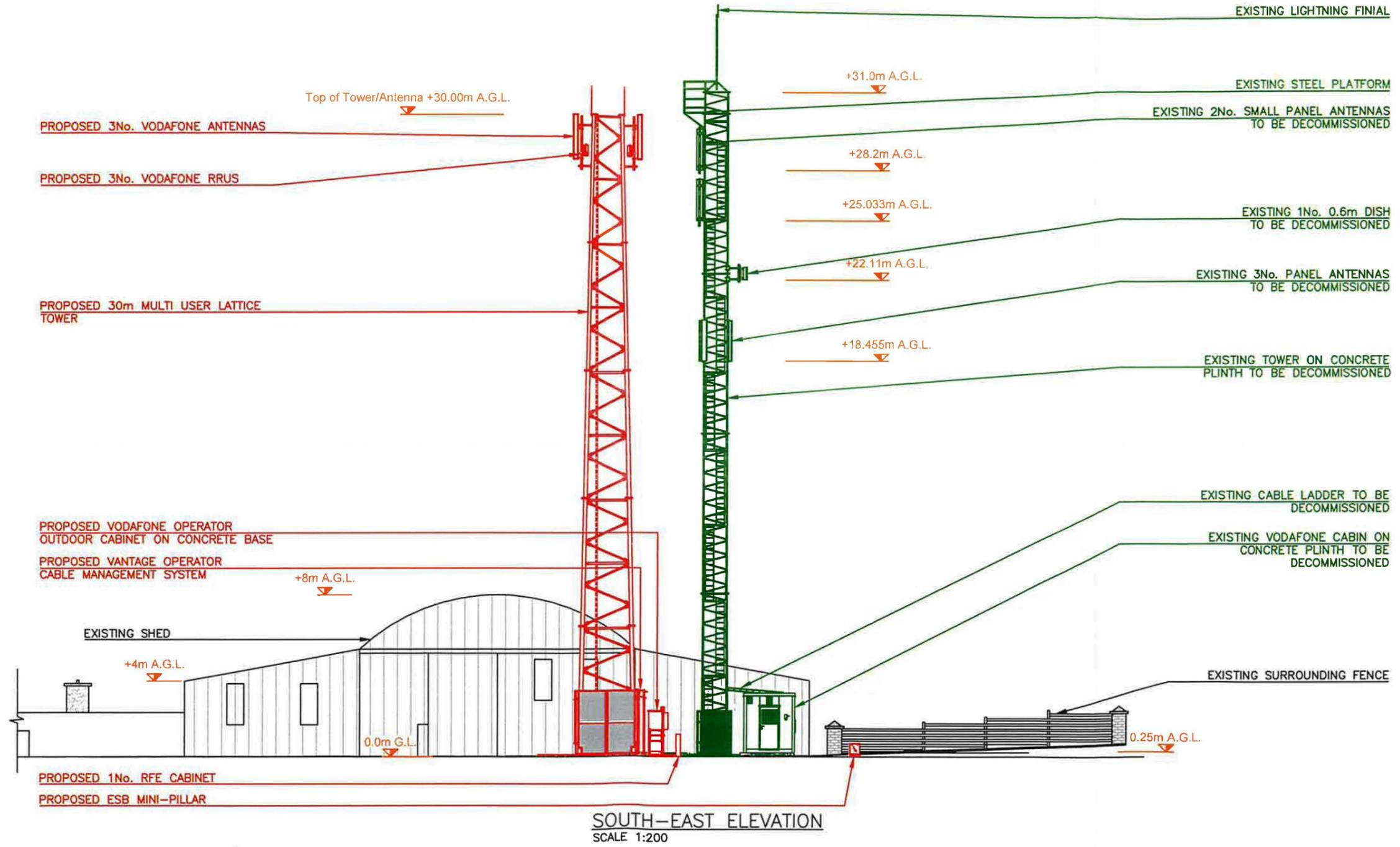
Cabin/Cabinet Details	
Type:	RBS 6150
Dim:	2.05x0.88x0.78m
Colour:	-
Structure Details	
Type:	LATTICE TOWER
Height:	30m

Purpose			
SECTION 5 DRAWING			
Site code	CE076	Survey date	11/07/24
Sheet Size	A3	Scale	As Shown
Drawn	SN	Checked	JPN
Approved	IB	Date	30/07/24
Date	30/07/24	Date	30/07/24
Date	30/07/24	Date	30/07/24

Title	
Site Layout Plan	
Project	
PROPOSED VANTAGE TOWERS SITE AT LISDOONVARNA KILFENORA ROAD Co. CLARE	
Drawing No.	
CE076 / S5 / 03	
Revision	
C	

Site Name: Lisdoonvarna
Site Code: CE076

NOT FOR CONSTRUCTION



Site Name: Lisdoonvarna
Site Code: CE076

Notes:

1. Do not scale.
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3. Assume all site details are existing unless otherwise specified.

Rev.	Description	By	Date
H			
G			
F			
E			
D			
C	ICNRP SHOWN	JPN	15/10/24
B	TOWER LOCATION	SS	04/09/24
A	TOWER DIMENSION	JPN	01/08/24
-	SECTION 5 DRAWING	SN	30/07/24

Cabin/Cabinet Details	
Type:	RBS 6150
Dim:	2.05x0.88x0.78m
Colour:	
Structure Details	
Type:	LATTICE TOWER
Height:	30m

Purpose			
SECTION 5 DRAWING			
Site code	CE076	Survey date	11/07/24
Sheet Size	A3		
Scale	As Shown	Drawn	SN
		Checked	JPN
		Approved	IB
Date	30/07/24	Date	30/07/24
Date	30/07/24	Date	30/07/24

Title		South-East Elevation	
Project		PROPOSED VANTAGE TOWERS SITE AT LISDOONVARNA KILFENORA ROAD Co. CLARE	
Drawing No.		CE076 / S5 / 04	
Revision		C	
NOT FOR CONSTRUCTION			

Appendix 4

Revised plan of the proposal showing the removal of the compound fence.



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Vantage Towers Ltd
C/o Michael Foody, Charterhouse
Unit 2, HQ
27 Market Street
Listowel
Co. Kerry

04/10/2024

Section 5 referral Reference R24-72 – Vantage Towers Ltd

Is the replacement of an existing telecommunications structure for a new telecommunications structure development and if so, is it exempted development?

A Chara,

I refer to your application received on 16th September 2024 under Section 5 of the Planning & Development Act 2000 (as amended) in relation to the above.

I wish to advise that in accordance with Section 5 (2) (b) of the Planning & Development Act, 2000, as amended, the following further information is required:

Having regard to the details as submitted with this Section 5 Referral application, the following further information is required to allow for a full assessment of this referral:

1. Please be advised that the Planning and Development Regulations 2001 (as amended) Schedule 2, Part 1, Class 31(e) provide exemptions to Statutory Undertakers with regard to works related telecommunications structures. The Act defines a statutory undertaker as:

“Statutory undertaker” means a person, for the time being, authorised by or under any enactment or instrument under an enactment to—

.....(b) provide, or carry out works for the provision of, gas, electricity or telecommunications services,

It is not clear having regard to the information received by the Planning Authority that the applicant meets the criteria of a ‘statutory undertaker’. Please arrange to submit details to address this matter.

2. The Planning Authority notes that the Section 5 query received is relying on the provisions of Class 31 (j) of the Exempted Development Regulations (as amended) to conclude that the proposed replacement tower is exempted development. The Planning Authority is concerned that the provisions of the aforementioned class may not be applicable in this instance when the planning status of the existing mast is not clear. In addition, under Article 9 (1) of the same Regulations, development to which Article 6 relates shall not be exempted development for the purposes of the Act if the carrying out of such development would consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use.

An Roinn Pleanála

An Stiúirthóireacht Forbairt Gheilleagrach

Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V95 DXP2

Planning Department

Economic Development Directorate

Áras Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2



The proposed development may constitute a 'renewal' of an unauthorised structure. Please be advised that there is no record of planning permission having been granted for the existing mast. Please indicate when the existing mast was erected and outline any relevant provisions of the Exempted Development Regulations which were operational at the time of the mast being erected.

3. Condition/limitations of 5. (a) states in relation to class 31 (j) that the dimensions of any additional antennae for mobile telephony shall not exceed the greatest length, width or depth of any antenna for mobile telephony of corresponding type on the replaced structure.

It further states under the same class 31 (j) that:

(b) In any other case, the dimensions of any antenna provided shall not exceed:

(i) in the case of any panel type antenna, 3 metres in length x 0.6 metres in width x 0.2 metres in depth,

(ii) in the case of any co-linear type antenna, 5 metres in length x 0.1 metres in diameter, and

(iii) in the case of any dish type antenna (whether shielded or not), 1.8 metres in diameter

No information has been submitted regarding the dimensions of the antennas or regarding the length, width or depth of the additional antennas that may be proposed to be erected. Please submit details to demonstrate compliance with condition/ limitation 5 of Class 31(j).

4. Please submit details to demonstrate that the replacement of an antenna support structure together with any replaced or additional antenna does not result in the field strength of the non-ionising radiation emissions from the radio installations on the site exceeding the limits specified by the Commission for Communications Regulation. (Condition/ limitation no.6 of Class 31 (j) refers.

5. It is noted that it is proposed to construct a 2.4m high palisade fence around the compound. Having regard to the provisions of Class 11 Part 1 Schedule 2 of Planning and Development Regulations 2001 (as amended). The construction, erection, lowering, repair or replacement, other than within or bounding the curtilage of a house, of – (a) any fence (not being a hoarding or sheet metal fence), is considered exempted development provided the height of any new structure shall not exceed 1.2 metres or the height of the structure being replaced, whichever is the greater, and in any event shall not exceed 2 metres. The Planning Authority is concerned that the fence as proposed exceeds the height considered to be exempted development. Please submit details to address this concern.

Mise, le meas


Anne O'Gorman
Staff Officer
Planning Department
Economic Development Directorate

CLARE COUNTY COUNCIL
SECTION 5 DECLARATION OF EXEMPTION APPLICATION
PLANNERS REPORT

FILE REF:	R24-72
APPLICANT(S):	Vantage Towers Ltd.
REFERENCE:	Whether the replacement of an existing telecommunication structure for a new telecommunication structure is or is not development and is or is not exempted development.
LOCATION:	Lisdoonvarna, Co Clare
DUE DATE:	11 th October 24

Site Location

The proposal site located within Lisdoonvarna and is occupied by agricultural sheds.

Recent Planning History on site.

23/60237-Permission granted to change use of existing shed from commercial use to agricultural use for the storage of hay/feed and farm machinery together with all ancillary site development works and services

It was noted on inspection for 23/ 60237 that there was mast on site. Retention of the mast did not fall within the scope of this application. The mast appears to have been in place since at least 2009 and such while the Planning Authority is statute barred from taking legal action, this does not imply that the existing mast is authorised or qualifies as exempted development having regard to the planning regulations.

Background to Referral

This Referral under Section 5(1) of the Planning and Development Act 2000 (as amended) has been made by Vantage Towers Ltd.

The applicant is seeking a Section 5 Declaration as to whether the replacement of an existing telecommunication structure for a new telecommunication structure is or is not development and is or is not exempted development.

Based on the accompanying details the proposal will involve:

- The installation of a 30m high lattice structure carrying three antennae (and to remove 341m high lattice structure carrying 5 antennae and a dish.
- The existing equipment cabin will be removed and a new cabinet installed.
- The replacement structure is 5.4m away from the existing tower.
- The total height of the new structure is 1m smaller than the existing .
- The width of the structure is twice the width of the replacement (from 1250 to 2500)
- A new 2.4m high palisade fence will be erected around the new structure in the compound 6.5m by 6.5m

Statutory Provisions

Planning and Development Act, 2000 (as amended)

In order to assess this proposal, regard has to be had to the *Planning and Development Act 2000, as amended*.

S.3.(1) In this Act, “development” means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

‘Works’ are defined in Section 2 of the *Planning and Development Act 2000, as amended* as follows:

“works” includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Planning and Development Act, 2000 (as amended) Section 2(1)

“statutory undertaker” means a person, for the time being, authorised by or under any enactment or instrument under an enactment to—

- (a) construct or operate a railway, canal, inland navigation, dock, harbour or airport,
- (b) provide, or carry out works for the provision of, gas, electricity or telecommunications services, or
- (c) provide services connected with, or carry out works for the purposes of the carrying on of the activities of any public undertaking;

Planning & Development Regulations, 2001, as amended

Article 6 refers to Exempted Development and states that subject to Article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for

the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Part 1 Schedule 2 of Planning and Development Regulations 2001 (as amended).

Class 31(j)

The carrying out by a statutory undertaker authorised to provide telecommunications services of development consisting of the provision of: -

(j) an antenna support structure in place of an existing antenna support structure

1. The replaced structure shall be removed no later than 4 weeks following its decommissioning.

2. Where, for reasons of the integrity of the network or other operational reasons, the structure to be replaced remains in use during the construction of the replacement structure, the replacement structure shall be located as near as possible to the existing structure having regard to construction activity and safety requirements and, in any case, no replacement structure shall be located more than 20 metres from the replaced structure (measured from the base).

3. (a) The height of the replacement structure shall not exceed the height of the replaced structure.

(b) (i) Subject to sub-paragraph (ii), the width of the replacement structure shall not exceed the width of the replaced structure.

(ii) Where the replaced structure was 2 metres or less in width, the width of the replacement structure may not be more than twice the width of the replaced structure, all measurements to be taken at the widest point.

(c) Where the replaced structure did not incorporate an antenna platform, the replacement shall not incorporate such a platform.

4. (a) Subject to sub-paragraphs (b) and (c), the antennae to be attached to the replacement structure shall not exceed the number of antennae on the replaced structure.

(b) For structure under 15 metres in height, an additional 12 antennae for mobile telephony may be attached to the replacement structure, of which not more than 8 of the additional 12 antennae shall be of the dish type (whether shielded or not).

(c) For structures of 15 metres or over in height, an additional 18 antennae for mobile telephony may be attached to the replacement structure, of which not more than 12 of the additional 18 antennae shall be of the dish type (whether shielded or not).

5. (a) The dimensions of any additional antenna for mobile telephony shall not exceed the greatest length, width or depth of any antenna for mobile telephony of corresponding type on the replaced structure.

(b) In any other case, the dimensions of any antenna provided shall not exceed:

(i) in the case of any panel type antenna, 3 metres in length x 0.6 metres in width x 0.2 metres in depth,

(ii) in the case of any co-linear type antenna, 5 metres in length x 0.1 metres in diameter, and

(iii) in the case of any dish type antenna (whether shielded or not), 1.8 metres in diameter

6. The replacement of an antenna support structure together with any replaced or additional antenna shall not result in the field strength of the non-ionising radiation emissions from the radio installations on the site exceeding the limits specified by the Commission for Communications Regulation

Under Article 9 (1) of the same Regulations, *development to which Article 6 relates shall not be exempted development for the purposes of the Act:*

(a) if the carrying out of such development would –

(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act

(ii) consist of or compromise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,

(iii) endanger public safety by reason of traffic hazard or obstruction of road users,

(iiia) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft,

(iv) except in the case of a porch to which class 7 specified in column 1 of Part 1 of Schedule 2 applies and which complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1, comprise the construction, erection, extension or renewal of a building on any street so as to bring forward the building, or any part of the building, beyond the front wall of the building on either side thereof or beyond a line determined as the building line in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

(v) consist of or comprise the carrying out under a public road of works other than a connection to a wired broadcast relay service, sewer, water main, gas main or electricity supply line or cable, or any works to which class 25, 26 or 31 (a) specified in column 1 of Part 1 of Schedule 2 applies,

(vii) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the

making of a new development plan, in the draft variation of the development plan or the draft development plan.

(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,

(viiA) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12(1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,

(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,

(viiC) consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000."

(viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,

(ix) consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

(x) consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility,

(xi) obstruct any public right of way,

(xii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area.

Assessment

Basis of Referral

The applicant is seeking a Section 5 Declaration as to whether replacement of an existing telecommunication structure for a new telecommunication structure at Lisdoonvarna Co. Clare is or is not development and is or is not exempted development.

Planning and Development Regulations 2001 (as amended) Schedule 2, Part 1, Class 31(e)

This section of the Regulations provide exemptions to Statutory Undertakers with regard to works related telecommunications structures. The Act defines a statutory undertaker as:

“statutory undertaker” means a person, for the time being, authorised by or under any enactment or instrument under an enactment to—

- (a) construct or operate a railway, canal, inland navigation, dock, harbour or airport,
- (b) provide, or carry out works for the provision of, gas, electricity or telecommunications services, or
- (c) provide services connected with, or carry out works for the purposes of the carrying on of the activities of any public undertaking;

It is not clear that the applicant meets the criteria of a ‘statutory undertaker’. Further information will be requested in this regard.

Planning and Development Regulations 2001 (as amended) Schedule 2, Part 2, Class 31(j)

The carrying out by a statutory undertaker authorised to provide telecommunications services of development consisting of the provision of: -

- (j) an antenna support structure in place of an existing antenna support structure

1. The replaced structure shall be removed no later than 4 weeks following its decommissioning. **This is the case.**

2. Where, for reasons of the integrity of the network or other operational reasons, the structure to be replaced remains in use during the construction of the replacement structure, the replacement structure shall be located as near as possible to the existing structure having regard to construction activity and safety requirements and, in any case, no replacement structure shall be located more than 20 metres from the replaced structure (measured from the base).

The replacement structure shall be located 5.4m distance from the existing .

3. (a) The height of the replacement structure shall not exceed the height of the replaced structure.

The height of the replacement structure does not exceed the height of the existing one. It is 1m shorter.

(b) (i) Subject to sub-paragraph (ii), the width of the replacement structure shall not exceed the width of the replaced structure.

N/A

(ii) Where the replaced structure was 2 metres or less in width, the width of the replacement structure may not be more than twice the width of the replaced structure, all measurements to be taken at the widest point.

The width of the replacement structure may not be more than twice the width of the replaced structure.

(c) Where the replaced structure did not incorporate an antenna platform, the replacement shall not incorporate such a platform.

There are no proposals to incorporate a platform in the new mast although there is a platform on the existing mast .

4. (a) Subject to sub-paragraphs (b) and (c), the antennae to be attached to the replacement structure shall not exceed the number of antennae on the replaced structure.

This is the case.

(c) For structure under 15 metres in height, an additional 12 antennae for mobile telephony may be attached to the replacement structure, of which not more than 8 of the additional 12 antennae shall be of the dish type (whether shielded or not).

N/A.

(d) For structures of 15 metres or over in height, an additional 18 antennae for mobile telephony may be attached to the replacement structure, of which not more than 12 of the additional 18 antennae shall be of the dish type (whether shielded or not).

N/A

5. (a) The dimensions of any additional antennae for mobile telephony shall not exceed the greatest length, width or depth of any antenna for mobile telephony of corresponding type on the replaced structure.

No information has been submitted regarding the length, width or depth of the additional antennas

(b) In any other case, the dimensions of any antenna provided shall not exceed:

(i) in the case of any panel type antenna, 3 metres in length x 0.6 metres in width x 0.2 metres in depth,

(ii) in the case of any co-linear type antenna, 5 metres in length x 0.1 metres in diameter, and

(iii) in the case of any dish type antenna (whether shielded or not), 1.8 metres in diameter

No information has been submitted regarding the dimensions of the antennas.

6. The replacement of an antenna support structure together with any replaced or additional antenna shall not result in the field strength of the non-ionising radiation emissions from the radio installations on the site exceeding the limits specified by the Commission for Communications Regulation

No information has been submitted to confirm this requirement .

Class 11 Part 1 Schedule 2 of Planning and Development Regulations 2001 (as amended).

The construction, erection, lowering, repair or replacement, **other than** within or bounding the curtilage of a house, of – (a) any fence (not being a hoarding or sheet metal fence), or (b) any wall of brick, stone, blocks with decorative finish, other concrete blocks or mass concrete

Conditions and limitations

1. The height of any new structure shall not exceed 1.2 metres or the height of the structure being replaced, whichever is the greater, and in any event shall not exceed 2 metres.

2. Every wall, other than a dry or natural stone wall, constructed or erected bounding a road shall be capped and the face of any wall of concrete or concrete blocks (other than blocks of a decorative finish) which will be visible from any road, path or public area, including a public open space, shall be rendered or plastered.

The proposed palisade fence is 2.4m in height which exceeds the height considered exempted under class 11 which is 2 m. Further information will be requested in this regard.

Under Article 9 (1) of the same Regulations, *development to which Article 6 relates shall not be exempted development for the purposes of the Act:*

(c) if the carrying out of such development would –

- (i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act*

N/A

- (ii) consist of or compromise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,*

N/A

- (iii) endanger public safety by reason of traffic hazard or obstruction of road users,*

N/A

(iiia) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft,

N/A

- (iv) except in the case of a porch to which class 7 specified in column 1 of Part 1 of Schedule 2 applies and which complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1, comprise the construction, erection, extension or renewal of a building on any street so as to bring forward the building, or any part of the building, beyond the front wall of the building on either side thereof or beyond a line determined as the building line in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,*

N/A

- (v) consist of or comprise the carrying out under a public road of works other than a connection to a wired broadcast relay service, sewer, water main, gas main or electricity supply line or cable, or any works to which class 25, 26 or 31 (a) specified in column 1 of Part 1 of Schedule 2 applies,*

N/A

- (vi) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation*

of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan.

N/A. The site is in a built up area.

(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan, (viiA) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12(1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,

N/A

(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,

N/A

(viiC) consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000."

N/A

(vii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,

The proposed development may comprise an renewal of an existing unauthorised structure. Further information will be requested in this regard.

(viii) consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area or, pending the variation of

a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

N/A

(ix) consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility,

N/A

(x) obstruct any public right of way,

N/A

(xii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area.

N/A

Recommendation

Further

I recommend requesting additional information as follows:

1. Please be advised that the Planning and Development Regulations 2001 (as amended) Schedule 2, Part 1, Class 31(e) provide exemptions to Statutory Undertakers with regard to works related telecommunications structures. The Act defines a statutory undertaker as:
"statutory undertaker" means a person, for the time being, authorised by or under any enactment or instrument under an enactment to—
.....(b) provide, or carry out works for the provision of, gas, electricity or telecommunications services,

It is not clear having regard to the information received by the Planning Authority that the applicant meets the criteria of a 'statutory undertaker'. Please arrange to submit details to address this matter.

2. The Planning Authority notes that the Section 5 query received is relying on the provisions of Class 31 (j) of the Exempted Development Regulations (as amended) to conclude that the proposed replacement tower is exempted development. The Planning Authority is concerned that the provisions of the aforementioned class may not be applicable in this instance when the planning status of the existing mast is not clear. In addition, under Article 9 (1) of the same Regulations, development to which Article 6 relates shall not be exempted development for the purposes of the Act if the carrying out of such development would consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use. The proposed development may constitute a 'renewal' of an unauthorised structure. Please be advised that there is no record of planning permission having been granted for the existing mast. Please indicate when the existing mast was erected and outline any relevant provisions of the Exempted Development Regulations which were operational at the time of the mast being erected.

3. Condition/limitations of 5. (a) states in relation to class 31 (j) that the dimensions of any additional antennae for mobile telephony shall not exceed the greatest length, width or depth of any antenna for mobile telephony of corresponding type on the replaced structure.

It further states under the same class 31 (j) that :

(b) In any other case, the dimensions of any antenna provided shall not exceed:

(i) in the case of any panel type antenna, 3 metres in length x 0.6 metres in width x 0.2 metres in depth,

(ii) in the case of any co-linear type antenna, 5 metres in length x 0.1 metres in diameter, and

(iii) in the case of any dish type antenna (whether shielded or not), 1.8 metres in diameter

No information has been submitted regarding the dimensions of the antennas or regarding the length, width or depth of the additional antennas that may be proposed to be erected. Please submit details to demonstrate compliance with condition/ limitation 5 of Class 31(j).

4. Please submit details to demonstrate that the replacement of an antenna support structure together with any replaced or additional antenna does not result in the field strength of the non-ionising radiation emissions from the radio installations on the site exceeding the limits specified by the Commission for Communications Regulation. (Condition/ limitation no.6 of Class 31 (j) refers.

5. It is noted that it is proposed to construct a 2.4m high palisade fence around the compound. Having regard to the provisions of Class 11 Part 1 Schedule 2 of Planning and Development Regulations 2001 (as amended). The construction, erection, lowering, repair or replacement, other than within or bounding the curtilage of a house, of – (a) any fence (not being a hoarding or sheet metal fence), is considered exempted development provided the height of any new structure shall not exceed 1.2 metres or the height of the structure being replaced, whichever is the greater, and in any event shall not exceed 2 metres. The Planning Authority is concerned that the fence as proposed exceeds the height considered to be exempted development. Please submit details to address this concern.

Ellen Coery

Executive Planner

Date: 02/10/24

EM

Senior Executive Planner

Date: 02/10/24

Appropriate Assessment & Determination

STEP 1. Description of the project/proposal and local site characteristics:	
(a) File Reference No:	Section 5 R 24- 73
(b) Brief description of the project or plan:	Replacement telecommunication tower
(c) Brief description of site characteristics:	Farm yard complex
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	None
(e) Response to consultation:	None

STEP 2. Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.				
European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
Ballyteige SAC	Annex I habitats: • Molinia meadows on calcareous, peaty or clayey-silt-laden soil	870 m as the crow flies	None	No

¹ Short paraphrasing and/or cross reference to NPWS is acceptable – it is not necessary to reproduce the full text on the QI/SCI.

² If the site or part thereof is within the European site or adjacent to the European site, state here.

STEP 3. Assessment of Likely Significant Effects	
(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:	
Impacts:	Possible Significance of Impacts: (duration/magnitude etc.)
Construction phase e.g. <ul style="list-style-type: none"> ● Vegetation clearance ● Demolition ● Surface water runoff from soil excavation/infill/landscaping (including borrow pits) ● Dust, noise, vibration ● Lighting disturbance ● Impact on groundwater/dewatering ● Storage of excavated/construction materials ● Access to site ● Pests 	None
Operational phase e.g. <ul style="list-style-type: none"> ● Direct emission to air and water ● Surface water runoff containing contaminant or sediment ● Lighting disturbance ● Noise/vibration ● Changes to water/groundwater due to drainage or abstraction ● Presence of people, vehicles and activities 	None

<ul style="list-style-type: none"> • Physical presence of structures (e.g. collision risks) • Potential for accidents or incidents 	
In-combination/Other	None

(b) Describe any likely changes to the European site:	
<p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> • Reduction or fragmentation of habitat area • Disturbance to QI species • Habitat or species fragmentation • Reduction or fragmentation in species density • Changes in key indicators of conservation status value (water or air quality etc.) • Changes to areas of sensitivity or threats to QI • Interference with the key relationships that define the structure or ecological function of the site 	None

(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Step 4. Screening Determination Statement

The assessment of significance of effects:

Describe how the proposed development (alone or in-combination) is/is **not likely** to have significant effects on European site(s) in view of its conservation objectives.

The proposed development comprises the removal of an existing telecommunication tower and its replacement with a new one. There are no hydrological pathways linking the subject site to the nearest SAC.

Conclusion: The proposed development is not likely to have significant effects on European site(s) in view of its conservation objectives.

	Tick as Appropriate:	Recommendation:
(i) It is clear that there is no likelihood of significant effects on a European site.	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.
(ii) It is uncertain whether the proposal will have a significant effect on a European site.	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) Significant effects are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
Signature and Date of Recommending Officer:	02/10/ 24	 Name: Ellen Carey E.P.
Signature and Date of the Decision Maker:		



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Vantage Towers Ltd
C/o Michael Foody, Charterhouse
Unit 2, HQ
27 Market Street
Listowel
Co. Kerry

16/09/2024

Section 5 referral Reference R24-72 – Vantage Towers Ltd

Is the replacement of an existing telecommunications structure for a new telecommunications structure development and if so, is it exempted development?

A Chara,

I refer to your application received on 16th September 2024 under Section 5 of the Planning & Development Act 2000 (as amended) in relation to the above.

Please note that the Planning Authority is considering the matter and a reply will issue to you in due course.

Mise, le meas

Brian Fahy
Planning Department
Economic Development Directorate

An Roinn Pleanála
An Stiúirthóireacht Forbairt Gheilleagrach

Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V95 DXP2

Planning Department
Economic Development Directorate

Áras Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2



P07

**CLARE COUNTY COUNCIL
COMHAIRLE CONTAE AN CHLÁIR**

Planning Department, Telephone No. (065) 6821616 Economic Development Directorate, Fax
No. (065) 6892071 Clare County Council, Email: planoff@clarecoco.ie New Road, Ennis,
Website: www.clarecoco.ie
Co. Clare.
V95DXP2



R24-72

**REQUEST FOR A DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT
(Section 5 of the Planning & Development Act 2000 (as amended))**

FEE: €80

This following form is a non-statutory form which has been prepared by Clare County Council for the purpose of obtaining the necessary information required for a declaration to be made under Section 5 by the Planning Authority

1. CORRESPONDENCE DETAILS.	
(a) Name and Address of person seeking the declaration	<p>_____ Vantage Towers Ltd.</p> <p>_____</p> <p>Mountainview, Leopardstown, Dublin 18</p> <p>_____</p>
(b) Telephone No.:	
(c) Email Address:	<p>c/o michael.foody@chtc.ie</p>
(d) Agent's Name and address:	<p>_____ Charterhouse c/o Michael Foody</p> <p>_____</p> <p>Unit 2, HQ, 27 Market Street, Listowel. Co. Kerry</p>



2. DETAILS REGARDING DECLARATION BEING SOUGHT

(a) PLEASE STATE THE SPECIFIC QUESTION FOR WHICH A DECLARATION IS SOUGHT
Note: only works listed and described under this section will be assessed.

Sample Question: *Is the construction of a shed at 1 Main St., Ennis development and if so is it exempted development?*

Exemption Clarification Query; to replace an existing telecommunications structure for a new telecommunications structure

(b) Provide a full description of the question/matter/subject which arises wherein a declaration of the question is sought.

we specifically seek clarification in respect of exempted development in accordance with the conditions outlined in Schedule 2 Part 1 Class 31 (j) of the Exempted Development Planning & Development Regulations (as amended).

The proposal is to erect a 30 metre high lattice structure carrying three antennas and subsequently to remove an existing 31 metre high lattice structure carrying five antennas and a dish. The existing equipment cabin will be removed and a cabinet installed.

In accordance with Class 31 (j), the replacement structure is only 5.4 metres away from the existing, the total height of the new structure is reduced by 1 metre, the width of the structure is exactly twice the width of the replaced structure. i.e. from 1250 mm to 2500 mm.

A new 2.4 metre high palisade fence will be erected around the new structure in a compound 6.5 metres by 6.5 metres.

(c) List of plans, drawings etc. submitted with this request for a declaration:
(Note: Please provide a site location map to a scale of not less than 1:2500 based on Ordnance Survey map for the areas, to identify the lands in question)

A letter of explanation is attached including the following attachments;

Appendix 1: A set of 4 plans are included; Please see planning sheet for a drawing schedule.

Appendix 2: A site visit report including photographs. Please note this was undertaken before final decision and plans were drawn. They do however provide photographs of the site, existing structure and surrounding area.

3. DETAILS RE: PROPERTY/SITE/BUILDING FOR WHICH DECLARATION IS SOUGHT

<p>(a) Postal Address of the Property/Site/Building for which the declaration sought:</p>	<p>Lisdoonvarna</p> <hr/> <p>County Clare</p> <hr/>
<p>(b) Do the works in question affect a Protected Structure or are within the curtilage of a Protected Structure? If yes, has a Declaration under Section 57 of the Planning & Development Act 2000 (as amended) been requested or issued for the property by the Planning Authority?</p>	<p>No</p> <hr/> <hr/>
<p>(c) Legal interest in the land or structure in question of the person requesting the declaration (Give Details):</p>	<p>Leasehold / Occupier</p> <hr/>
<p>(d) If the person in (c) above is not the owner and/or occupier, state the name and address of the owner of the property in question:</p> <p><i>Note: Observations in relation to a referral may be requested from the owner/occupier where appropriate.</i></p>	<p>MICHAEL MEE & PAULINE MEE (Raymore House Lisdoonvarna County Clare)</p>

(e) Is the owner aware of the current request for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended)?:	Yes
(f) Are you aware of any enforcement proceedings connected to this site? <i>If so please supply details:</i>	No
(g) Were there previous planning application/s on this site? <i>If so please supply details:</i>	No however the landowner had a recent application granted planning reference P23/60237
(h) Date on which 'works' in question were completed/are likely to take place:	March 2025

SIGNED: Michael Fooley

DATE: 13/09/2024

GUIDANCE NOTES

This following are non-statutory advice notes prepared by Clare County Council for the purpose of advising people what information is required for a decision to be made under Section 5 by the Planning Authority

- (i) The request for a declaration under Section 5 must be accompanied by 2 copies of site location map based on the Ordnance Survey map for the area of a scale not less than 1:1000 in urban areas and 1:2500 in rural areas and should clearly identify the site in question.
- (ii) The request for a declaration under Section 5 must be accompanied by the required fee of €80.00.
- (iii) If submitting any additional plans/reports etc. as part of the request for a declaration, please submit 2 copies. (iv) The request for a declaration should be sent to the following address:

Planning Department,
 Economic Development Directorate,
 Clare County Council
 Aras Contae an Chlair,
 New Road,
 Ennis,
 Co. Clare
 V95DXP2

- (v) Notwithstanding the completion of the above form, the Planning Authority may require the submission of further information with regard to the request in order to enable the Authority to issue a declaration on the question.
- (vi) The Planning Authority may also request other persons to submit information on the question which has arisen and on which the declaration is sought

Planning Department,
Economic Development Directorate,
Clare County Council,
New Road,
Ennis,
Co. Clare.
V95DXP2

13th September 2024

Re: SECTION 5 APPLICATION; Exemption Clarification Query; to replace an existing telecommunications structure for a new telecommunications structure at Lisddonvarna, County Clare.

A Chara

On behalf of Vantage Towers Ltd, we request clarification regarding replacement of an existing telecommunication structure at Lisddonvarna.

This referral seeks the local authority's declaration on whether the proposed telecommunications works is or is not an exempted development within the meaning of the Act.

In this regard we specifically seek clarification in respect of exempted development in accordance with the conditions outlined in Schedule 2 Part 1 Class 31 (j) of the Exempted Development Planning & Development Regulations (as amended). The full list of these conditions is attached end the end of this letter.

The Proposed Works

The proposal is to erect a 30 metre high lattice structure carrying three antennas and subsequently to remove an existing 31 metre high lattice structure carrying five antennas and a dish. The existing equipment cabin will be removed, and a cabinet installed.

In accordance with Class 31 (j), the replacement structure is only 5.4 metres away from the existing, the total height of the new structure is reduced by 1 metre, the width of the structure is exactly twice the width of the replaced structure. i.e. from 1250 mm to 2500 mm.

A new 2.4 metre high palisade fence will be erected around the new structure in a compound 6.5 metres by 6.5 metres.

HEAD OFFICE: HQ, 27 Market Street, Listowel, Co. Kerry, V31 Y436

T: 068 57463 **E:** info@chtc.ie **www.chtc.ie**

1

Planning Framework Used in Our Assessment

The documents assessed in determining the query are as follows:

- Clare County Development Plan
- Past planning applications at ownership lands, specifically planning reference P23/60237.
- Local Government Planning and Development Regulations 2001 – 2023 (Unofficial Consolidation)
- Article 5 – Interpretation of terms
- Article 6 – Exempted Development
- Article 9 – Restrictions on Exemption
- Schedule 2 – Part 1, Exempted Development General
- Class 31 (f) cabinets forming part of a telecommunications system.
- Class 31 Class 31 (j) an antenna support structure in place of an existing antenna support structure,

Attached to Appendix 1 is set of drawings detailing the proposed replacement installation works. As a result of the works it is submitted the overall visual impact will be unchanged. The plans do not include signage or steel notes, earthing or power line diagrammatic. Only necessary details are included.

Attached to Appendix 2 is an initial site visit report including photographs. Please note this was undertaken before final decision and plans were drawn. They do however provide photographs of the site, existing structure and surrounding area.

Conclusion

It is the opinion of this office that the proposal does fall within the exempted rules for development, however for the avoidance of any doubt we seek Council's clarification.

If you have any further queries in relation to the matter, please contact us at your earliest convenience.

We look forward to receipt of the local authority's determination on this referral.

Yours sincerely,



Michael Foody,
Charterhouse

PLANNING AND DEVELOPMENT REGULATIONS 2001 – 2023 (Unofficial Consolidation)

Exempted Development: Article 6 (1) - Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Typical reasons for Non-Applicability of Exemptions test

Article 9 (1) (a) (i) - contravenes a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act.

Article 9 (1) (a) (vi) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

Article 9 (1) (a) (vi): consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,

Article 9 (1) (a) (vii): consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,

Article 9 (1) (a) (viiA): consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12 (1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,

Article 9 (1) (a) (viiB): comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,

Article 9 (1) (a) (xii): further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area

Schedule 2, Part 1, Class 31 (j) of the Planning and Development Regulations

an antenna support structure in place of an existing antenna support structure,

1. The replaced structure shall be removed no later than 4 weeks following its decommissioning.

2. Where, for reasons of the integrity of the network or other operational reasons, the structure to be replaced remains in use during the construction of the replacement structure, the replacement structure shall be located as near as possible to the existing structure having regard to construction activity and safety requirements and, in any case, no replacement structure shall be located more than 20 metres from the replaced structure (measured from the base).

3. (a) The height of the replacement structure shall not exceed the height of the replaced structure.

(b) (i) Subject to sub-paragraph (ii), the width of the replacement structure shall not exceed the width of the replaced structure.

(ii) Where the replaced structure was 2 metres or less in width, the width of the replacement structure may not be more than twice the width of the replaced structure, all measurements to be taken at the widest point.

(c) Where the replaced structure did not incorporate an antenna platform, the replacement shall not incorporate such a platform.

4. (a) Subject to sub-paragraphs (b) and (c), the antennae to be attached to the replacement structure shall not exceed the number of antennae on the replaced structure.

(b) For structure under 15 metres in height, an additional 12 antennae for mobile telephony may be attached to the replacement structure, of which not more than 8 of the additional 12 antennae shall be of the dish type (whether shielded or not).

(c) For structures of 15 metres or over in height, an additional 18 antennae for mobile telephony may be attached to the replacement structure, of which not more than 12 of the additional 18 antennae shall be of the dish type (whether shielded or not).

5. (a) The dimensions of any additional antenna for mobile telephony shall not exceed the greatest length, width or depth of any antenna for mobile telephony of corresponding type on the replaced structure.

(b) In any other case, the dimensions of any antenna provided shall not exceed: (i) in the case of any panel type antenna, 3 metres in length x 0.6 metres in width x 0.2 metres in depth, (ii) in the case of any co-linear type antenna, 5 metres in length x 0.1 metres in diameter, and (iii) in the case of any dish type antenna (whether shielded or not), 1.8 metres in diameter.

6. The replacement of an antenna support structure together with any replaced or additional antenna shall not result in the field strength of the non-ionising radiation emissions from the radio installations on the site exceeding the limits specified by the Commission for Communications Regulation.

Appendix 2



Attendees:

Print Name	Company	Role
Lukasz Milejski	Indigo	Surveyor
Mark Kennedy	Vantage	Property
Not available	Obelisk	ASP

Existing RF Antennas:

<u>Operator</u>	<u>Type and no.</u>	<u>Proposed Azimuth</u>	<u>Proposed Height (to bottom)</u>	<u>Cable Type</u>
Vodafone	TBC	100°	TBC	Fiber
Vodafone	TBC	230°	TBC	Fiber
Vodafone	TBC	330°	TBC	Fiber

Existing TX Details:

1no. SIAE link on site with 0.6m dish at 22.0m – B-end – CE032 Slieve Elva



Fiber Optic:

The nearest Eir fiber chamber is located at the edge of the R467 main road, approx. 85m from existing VF cabin.



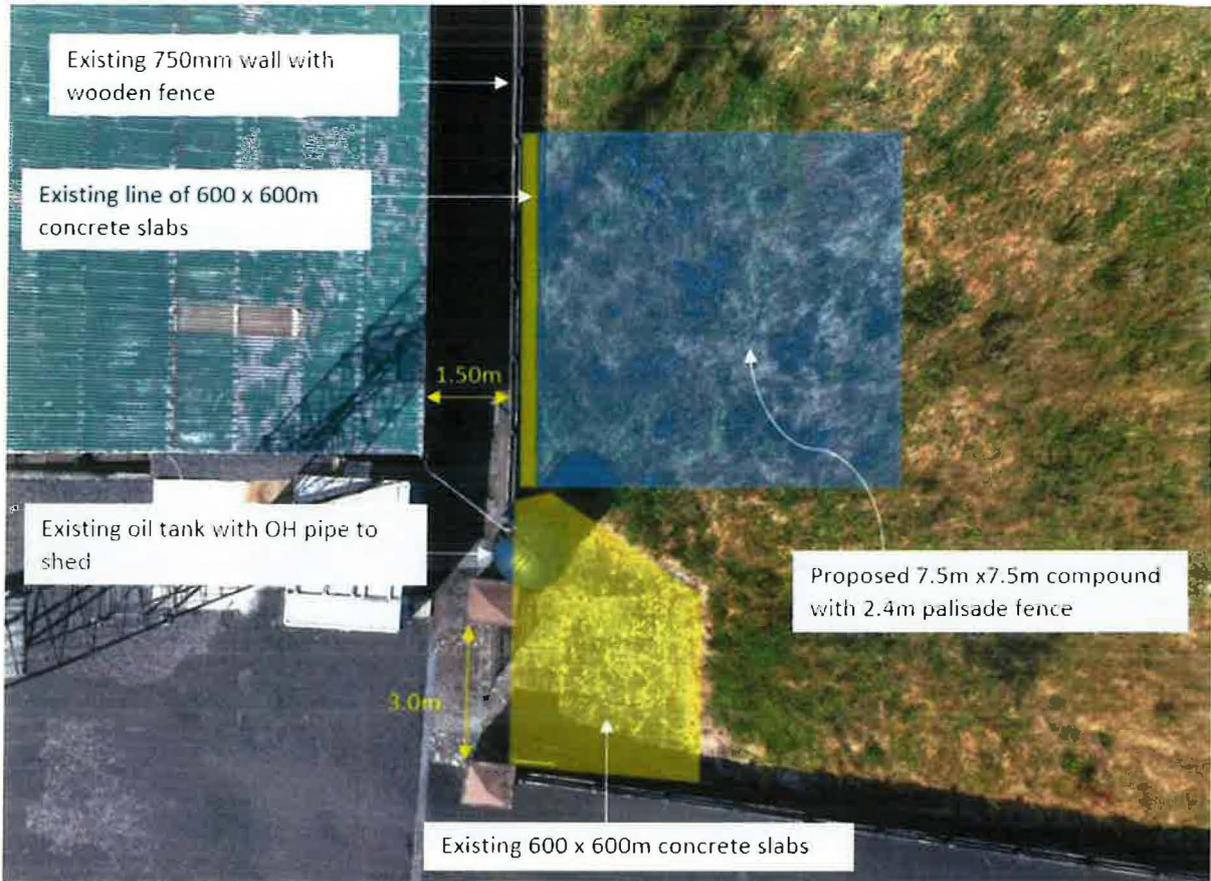
Electrical Supply:

Existing power is supplied up from Landlords power room located in the warehouse adjacent to SP's house, VF ESB meter is also located there. Nearest 3ph LV line is located at the edge of R476 main road approx. 50m from proposed site locations.



Location_2:

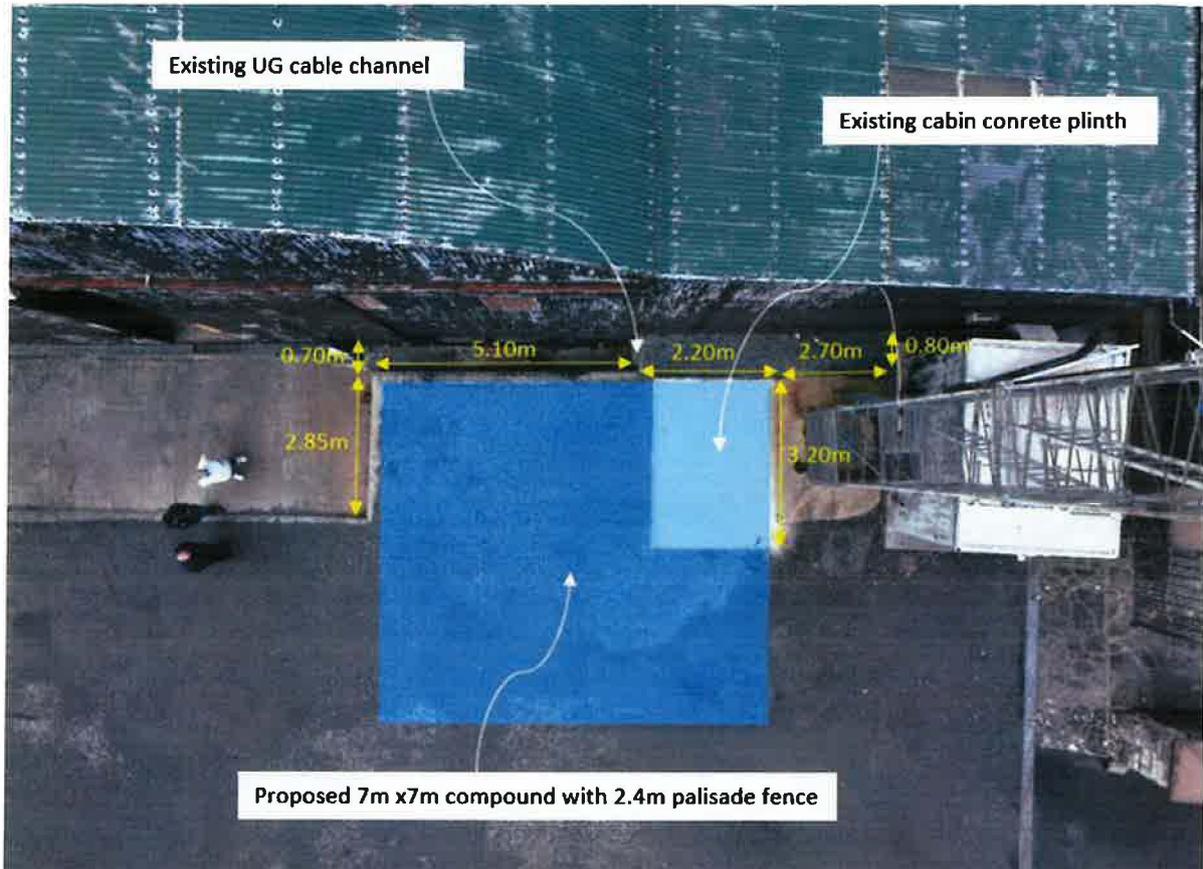
30m Lattice Tower on 7.0m x 7.0m compound with 2.4m palisade fence proposed. Line of 600m x 600m concrete slabs noted between existing wall (with wooden fence) and green area (proposed site location). Existing tarmac access route can be used for the crane at build stage.



Proposed compound location:

Location_1:

30m Lattice Tower on 7.0m x 7.0m compound with 2.4m palisade fence proposed. Existing 3.20m x 2.20m cabin concrete plinth can be dismantle (according to info from SP depth of the plinth approx. 300mm). Existing UG cable channel noted between shed and proposed site location. Proposed structure foundation build-up required due to slope on proposed site location.



Access:

Access to proposed site locations is fully existing, access point from the main R476 road noted at 53.022573°, -9.278469°, path to proposed site Location_2 leads through existing 3m gate. Existing site is located on secured yard with CCTV in operation.



Site Survey Report (MSV)

Existing Site Name:	Lisdoonvarna	Existing Site ID:	CE076
Site location Lat / Long	Loc_1: 53.022084°, -9.278860° Loc_2: 53.022204°, -9.278915°	Project:	LSU – Tower replacement
Survey Date:	11-07-2024	Surveyor:	Lukasz Milejski

Proposed site location:



Link to panoramic views below:

Location_1:

<https://kuula.co/share/5RTxv?logo=1&info=1&fs=1&vr=0&zoom=1&sd=1&thumbs=1>

Ordnance Survey Map

Scale 1:50000



Reproduced from the OS Discovery Maps, 1:50000 with the permission of © Ordnance Survey Ireland Government of Ireland
Copyright Reference: CYAL50376702

Drawing No.	Drawing Title
CE076 / S5 / 01	O.S. Location Map & Photos
CE076 / S5 / 02	Overall Site Layout
CE076 / S5 / 03	Site Layout Plan
CE076 / S5 / 04	South-East Elevation

Site Photographs



FIG. 1: PROPOSED SITE ELEVATION



FIG. 2: EXISTING SATELLITE VIEW

Site Code: CE076 Site Name: Lisdoonvarna

Irish Grid New Site Coordinates		Irish Grid Site Coordinates		Irish Grid Site Entrance Coordinates	
East	114232	East	114233	East	114256
North	197550	North	197558	North	197603
GPS Site Coordinates		GPS Site Coordinates		GPS Site Entrance Coordinates	
Latitude	53.0220722	Latitude	53.022139	Latitude	53.022550
Longitude	-9.278860	Longitude	-9.278861	Longitude	-9.278530

21/1/82

Together, we accelerate a sustainably connected Europe

Notes:

- Do not scale.
- All dimensions are in mm otherwise specified.
- Assume all site details are existing unless otherwise specified.

Rev.	Description	By	Date
H			
G			
F			
E			
D			
C			
B	TOWER LOCATION	SS	04/09/24
A	TOWER DIMENSION	JPN	01/08/24
-	SECTION 5 DRAWING	SN	30/07/24
Rev.	Description	By	Date

Cabin/Cabinet Details

Type: RBS 6150
Dims: 2.05x0.88x0.78m
Colour: -

Structure Details
Type: LATTICE TOWER
Height: 30m

Purpose

SECTION 5 DRAWING

Site code	CE076	Survey date	11/07/24	Sheet Size	A3
Scale	As Shown	Drawn	SN	Checked	JPN
		Date	30/07/24	Date	30/07/24
		Approved	IB	Date	30/07/24

Title O.S. Location Map & Photos

Project PROPOSED VANTAGE TOWERS SITE AT LISDOONVARNA
KILFENORA ROAD
Co. CLARE

NOT FOR CONSTRUCTION

Drawing No. CE076 / S5 / 01

Revision B



PUBLIC ROAD
(R476)

EXISTING ACCESS
ROUTE

EXISTING SITE LOCATION

PROPOSED SITE
COMPOUND

Site Name: Lisdoonvarna
Site Code: CE076

OVERALL SITE LAYOUT

**VANTAGE
TOWERS**

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Notes:

1. Do not scale.
2. All dimensions are in mm otherwise specified.
3. Assume all site details are existing unless otherwise specified.

Rev.	Description	By	Date
H			
G			
F			
E			
D			
C			
B	TOWER LOCATION	SS	04/09/24
A	TOWER DIMENSION	JPN	01/08/24
-	SECTION 5 DRAWING	SN	30/07/24

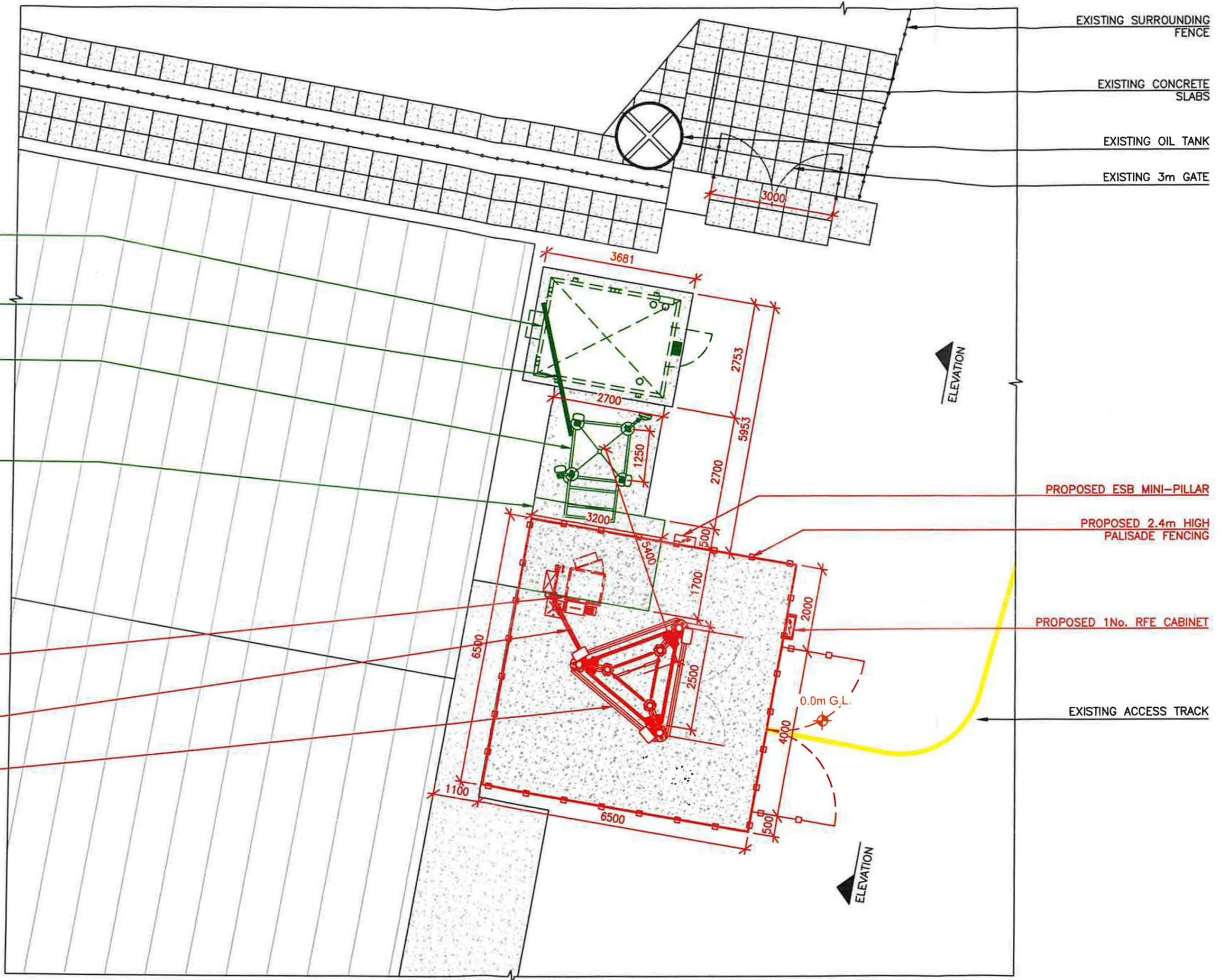
Cabin/Cabinet Details	
Type:	RBS 6150
Dim:	2.05x0.88x0.78m
Colour:	

Structure Details	
Type:	LATTICE TOWER
Height:	30m

Purpose			
SECTION 5 DRAWING			
Site code	CE076	Survey date	11/07/24
Sheet Size	A3	Scale	As Shown
Drawn	SN	Checked	JPN
Date	30/07/24	Date	30/07/24
Approved	IB	Date	30/07/24

Title	
Overall Site Layout	
Project	PROPOSED VANTAGE TOWERS SITE AT LISDOONVARNA KILFENORA ROAD Co. CLARE
Drawing No.	CE076 / S5 / 02
Revision	B

**NOT FOR
CONSTRUCTION**



SITE LAYOUT PLAN
SCALE 1:100

EXISTING VODAFONE CABIN ON CONCRETE PLINTH TO BE DECOMMISSIONED

EXISTING CABLE LADDER TO BE DECOMMISSIONED

EXISTING TOWER ON CONCRETE PLINTH TO BE DECOMMISSIONED

EXISTING CONCRETE PLINTH TO BE DECOMMISSIONED

PROPOSED VODAFONE OPERATOR OUTDOOR CABINET ON CONCRETE BASE

PROPOSED VODAFONE OPERATOR CABLE MANAGEMENT SYSTEM

PROPOSED 30m MULTI USER LATTICE TOWER

EXISTING SURROUNDING FENCE

EXISTING CONCRETE SLABS

EXISTING OIL TANK

EXISTING 3m GATE

PROPOSED ESB MINI-PILLAR

PROPOSED 2.4m HIGH PALISADE FENCING

PROPOSED 1No. RFE CABINET

EXISTING ACCESS TRACK

VANTAGE TOWERS

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Notes:

- Do not scale.
- All dimensions are in mm otherwise specified.
- Assume all site details are existing unless otherwise specified.

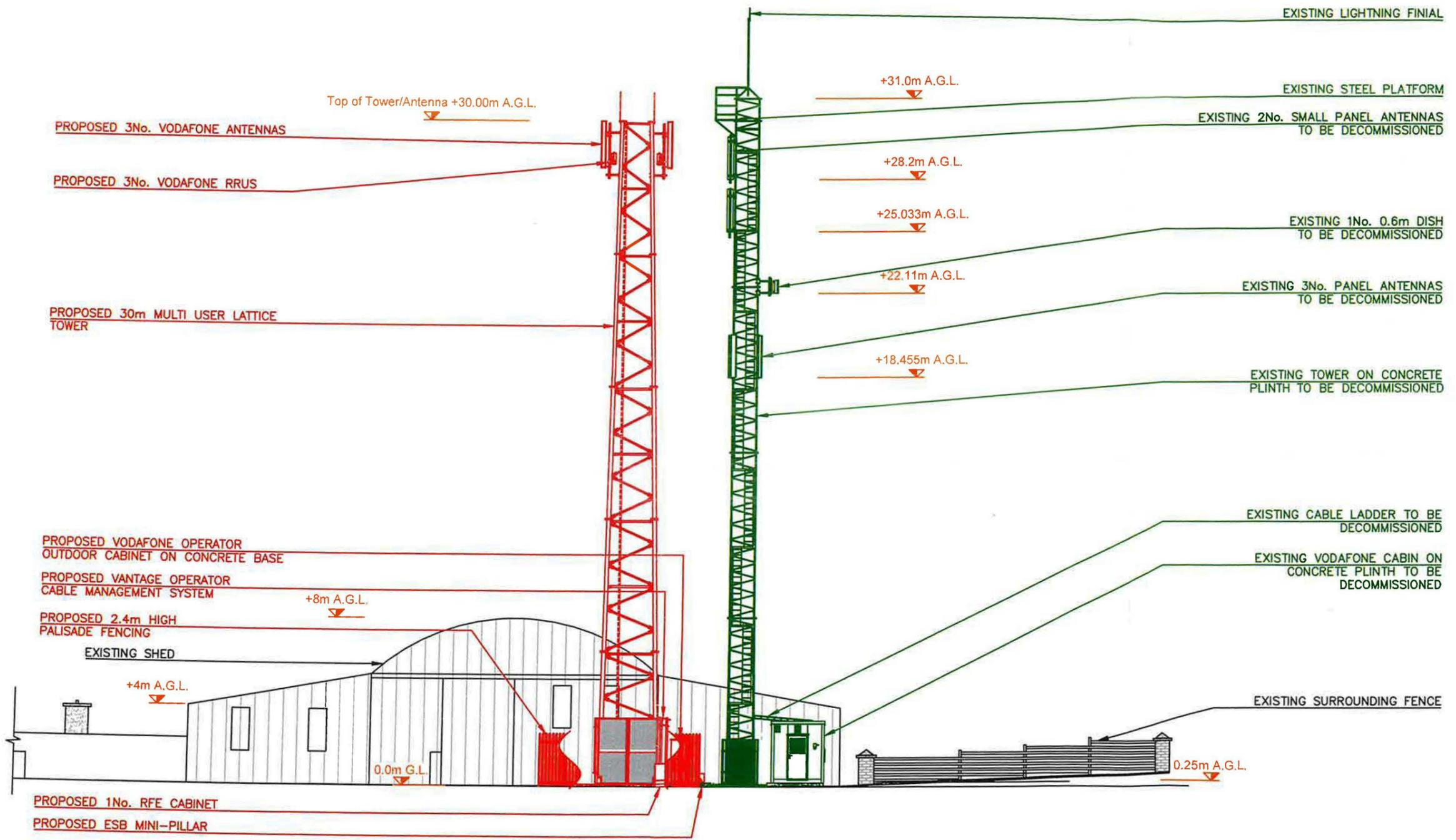
Rev.	Description	By	Date
H			
G			
F			
E			
D			
C			
B	TOWER LOCATION	SS	04/09/24
A	TOWER DIMENSION	JPN	01/08/24
-	SECTION 5 DRAWING	SN	30/07/24

SECTION 5 DRAWING			
Site code	CE076	Survey date	11/07/24
Sheet Size	A3	Scale	As Shown
Drawn	SN	Checked	JPN
Date	30/07/24	Date	30/07/24
Approved	IB	Date	30/07/24

Title	Site Layout Plan
Project	PROPOSED VANTAGE TOWERS SITE AT LISDOONVARNA KILFENORA ROAD Co. CLARE
Revision	B
Reference	CE076 / S5 / 03

Site Name: Lisdoonvarna
Site Code: CE076

NOT FOR CONSTRUCTION



SOUTH-EAST ELEVATION
SCALE 1:200

Site Name: Lisdoonvarna
Site Code: CE076

VANTAGE TOWERS

Together, we accelerate a sustainably connected Europe

Notes: 1. Do not scale. 2. All dimensions are in mm otherwise specified. 3. Assume all site details are existing unless otherwise specified.		<table border="1"> <tr><td>H</td><td></td><td></td><td></td></tr> <tr><td>G</td><td></td><td></td><td></td></tr> <tr><td>F</td><td></td><td></td><td></td></tr> <tr><td>E</td><td></td><td></td><td></td></tr> <tr><td>D</td><td></td><td></td><td></td></tr> <tr><td>C</td><td></td><td></td><td></td></tr> <tr><td>B</td><td></td><td></td><td></td></tr> <tr><td>A</td><td></td><td></td><td></td></tr> <tr><td>-</td><td></td><td></td><td></td></tr> <tr><td>Rev.</td><td>Description</td><td>By</td><td>Date</td></tr> </table>	H				G				F				E				D				C				B				A				-				Rev.	Description	By	Date	<table border="1"> <tr><td colspan="2">Tower Location</td><td>SS</td><td>04/09/24</td></tr> <tr><td colspan="2">Tower Dimension</td><td>JPN</td><td>01/08/24</td></tr> <tr><td colspan="2">SECTION 5 DRAWING</td><td>SN</td><td>30/07/24</td></tr> </table>	Tower Location		SS	04/09/24	Tower Dimension		JPN	01/08/24	SECTION 5 DRAWING		SN	30/07/24	<table border="1"> <tr><td colspan="2">Cabin/Cabinet Details</td></tr> <tr><td>Type:</td><td>RBS 6150</td></tr> <tr><td>Dim:</td><td>2.05x0.88x0.78m</td></tr> <tr><td>Colour:</td><td></td></tr> <tr><td colspan="2">Structure Details</td></tr> <tr><td>Type:</td><td>LATTICE TOWER</td></tr> <tr><td>Height:</td><td>30m</td></tr> </table>	Cabin/Cabinet Details		Type:	RBS 6150	Dim:	2.05x0.88x0.78m	Colour:		Structure Details		Type:	LATTICE TOWER	Height:	30m	<table border="1"> <tr><td colspan="4">Purpose</td></tr> <tr><td colspan="4" style="text-align: center;">SECTION 5 DRAWING</td></tr> <tr><td>Site code</td><td>CE076</td><td>Survey date</td><td>11/07/24</td></tr> <tr><td>Sheet Size</td><td>A3</td><td>Drawn</td><td>SN</td></tr> <tr><td>Checked</td><td>JPN</td><td>Approved</td><td>IB</td></tr> <tr><td>Scale</td><td>As Shown</td><td>Date</td><td>30/07/24</td></tr> <tr><td>Date</td><td>30/07/24</td><td>Date</td><td>30/07/24</td></tr> <tr><td>Date</td><td>30/07/24</td><td>Date</td><td>30/07/24</td></tr> </table>	Purpose				SECTION 5 DRAWING				Site code	CE076	Survey date	11/07/24	Sheet Size	A3	Drawn	SN	Checked	JPN	Approved	IB	Scale	As Shown	Date	30/07/24	<table border="1"> <tr><td colspan="2">Title</td><td colspan="2">South-East Elevation</td></tr> <tr><td colspan="2">Project</td><td colspan="2">PROPOSED VANTAGE TOWERS SITE AT LISDOONVARNA KILFENORA ROAD Co. CLARE</td></tr> <tr><td colspan="2">Drawing No.</td><td colspan="2">CE076 / S5 / 04</td></tr> <tr><td colspan="2">Revision</td><td colspan="2">B</td></tr> </table>	Title		South-East Elevation		Project		PROPOSED VANTAGE TOWERS SITE AT LISDOONVARNA KILFENORA ROAD Co. CLARE		Drawing No.		CE076 / S5 / 04		Revision		B		<p style="text-align: center;">NOT FOR CONSTRUCTION</p>								
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