



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

10th December 2024

Section 5 referral Reference R24-89 – 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 15th November 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 Stúirthóireacht 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



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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: 84623
Reference Number: R24-89
Date Referral Received: 15th November 2024
Name of Applicant: Vantage Towers Ltd
Location of works in question: Drewsborough Road, Scariff, Co. Clare

Section 5 referral Reference R24-89 – 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) Schedule 2, Part 1, Class 31(f) and Class 31(j) of the Planning and Development Regulations 2001, as amended.
- (d) The works as indicated in submitted documents from the referrer.

AND WHEREAS Clare County Council has concluded:

- (a) The replacement of an existing telecommunications structure with a new telecommunications structure, and (b) the installation of a new telecommunications cabinet at Drewsborough Road, Scariff, Co, Clare constitutes “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 replacement of an existing telecommunications structure with a new telecommunications structure at Drewsborough Road, Scariff, Co. Clare is not exempted development having regard to:
 - a. Schedule 2, Part 1, Class 31(j) (limitation 3(a)) of the Planning and Development Regulations 2001.
 - b. Article 9(1)(a)(viii) of the Planning and Development Regulations 2001

(d)The said installation of a new telecommunications cabinet is exempted development having regard to Schedule 2, Part 1, Class 31(f) of the Planning and Development Regulations 2001.

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 (a) the replacement of an existing telecommunication structure with a new telecommunications structure at Drewsborough Road, Scariff, Co. Clare is **considered development** which is **not exempted development** and (b) the installation of a new telecommunications cabinet at Drewsborough Road, Scariff, Co. Clare is **considered development** and is **exempted development**.

Signed:



GARETH RUANE
SENIOR EXECUTIVE PLANNER 

Date: 10th December 2024

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

Reference No.: R24-89



**Comhairle Contae an Chláir
Clare County Council**

Section 5 referral Reference R24-89

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) Schedule 2, Part 1, Class 31(f) and Class 31(j) of the Planning and Development Regulations 2001, as amended.
- (d) The works as indicated in submitted documents from the referrer.

And whereas Clare County Council has concluded:

- (a) The replacement of an existing telecommunications structure with a new telecommunications structure, and (b) the installation of a new telecommunications cabinet at Drewsborough Road, Scariff, Co. Clare constitutes “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 replacement of an existing telecommunications structure with a new telecommunications structure at Drewsborough Road, Scariff, Co. Clare is not exempted development having regard to:
 - a. Schedule 2, Part 1, Class 31(j) (limitation 3(a)) of the Planning and Development Regulations 2001.
 - b. Article 9(1)(a)(viii) of the Planning and Development Regulations 2001
- (d) The said installation of a new telecommunications cabinet is exempted development having regard to Schedule 2, Part 1, Class 31(f) of the Planning and Development Regulations 2001.

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 (a) the replacement of an existing telecommunication structure with a new telecommunications structure at Drewsborough Road, Scariff, Co. Clare **constitutes development** which is **not exempted development** and (b) the installation of a new telecommunications cabinet at Drewsborough Road, Scariff, 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

10th December 2024

CLARE COUNTY COUNCIL
SECTION 5 DECLARATION OF EXEMPTION APPLICATION

| | |
|----------------------|--|
| FILE REF: | R24-89 |
| APPLICANT(S): | Vantage Towers Ltd. |
| REFERENCE: | Whether (a) the replacement of an existing telecommunications structure with a new telecommunications structure and (b) the installation of a new telecommunications cabinet is or is not development and is or is not exempted development. |
| LOCATION: | Drewsborough Road, Scariff, Co. Clare |
| DUE DATE: | 12 th December 2024 |

Site Location

The subject site is located in the town of Scariff on lands zoned Existing Residential. The site is located to the rear of the former ESB offices on the west side of the R352.

Planning History

P12/567 – Vodafone Ireland granted RETENTION permission for existing 27m high telecommunications support structure carrying associated telecommunications equipment, and associated equipment cabins, within a fenced compound. The development will continue to form part of Vodafone Ireland Ltd's existing GSM and 3G Broadband telecommunications network.

Background to Referral

This Referral under Section 5(3)(a) of the Planning and Development Act 2000 (as amended) has been made by Vantage Towers Ltd. They state that they are the leaseholders of the property, and that the relevant landowner is aware of this referral.

The applicants are seeking a Section 5 Declaration as to whether the replacement of an existing telecommunications structure with a new telecommunications structure, and the installation of a new cabinet, is or is not development and is or is not exempted development.

The proposed works include:

- The removal of one of the two existing equipment cabinets and the erection of a 30m high lattice structure in its place.
- Six antennae and five dishes will be transferred to the new structure from the existing lattice structure on the site.
- The existing lattice tower will then be removed.
- A new cabinet will be installed.

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 & Development Regulations, 2001, as amended

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

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

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

(f)

Cabinets forming part of a telecommunications system

The volume above the ground level of any such cabinet shall not exceed 2 cubic meters measured externally.

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

The carrying out by a statutory undertaker authorised to provide a telecommunications service 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 applicants are seeking a Section 5 Declaration as to whether (a) the replacement of an existing telecommunications structure with a new telecommunications structure, and (b) the installation of a new telecommunications cabinet, is or is not development and is or is not exempted development.

Particulars of the Development

The proposed works include:

- The removal of one of the two existing equipment cabinets and the erection of a 30m high lattice structure in its place.
- Six antennae and five dishes will be transferred to the new structure from the existing lattice structure on the site.
- The existing lattice tower will then be removed.
- A new cabinet will be installed.

Assessment of the following element of the proposed development:

- Replacement of an existing telecommunications structure with a new telecommunications structure.

This element of the development is considered in the context of Schedule 2, Part 1, Class 31(j) of the Planning and Development Regulations.

The carrying out by a statutory undertaker authorised to provide a telecommunications service 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.*

No timeframe for the proposed works has been provided.

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 proposed structure will be located less than 5m from the existing structure.

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

Under application P12/567, a 27m high structure was permitted for retention on the site. The drawings submitted with the application indicate that the existing structure is 29.5m high. The proposed replacement structure is 30m high. The replacement structure is higher than both the permitted and *as constructed* telecommunications structure on the site. This limitation of the exemption is exceeded.

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

The proposed replacement structure does not exceed the width of the existing 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.*

Not applicable. The existing structure is greater than 2m in width.

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

No antenna platform existing or proposed.

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 limitation is not exceeded.

(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).

Not applicable. The existing and proposed antennas exceed 15 metres in height.

(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).

Noted. No intention to increase the number of antennae / dishes on the structure is indicated.

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.*

Noted. No intention to increase the number of antennae / dishes on the structure is indicated.

(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.

These limitations are not exceeded.

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.*

This limitation is noted. No relevant details provided by the applicant.

Assessment of the following element of the proposed development:

- The installation of a new cabinet

This element of the development is considered in the context of Schedule 2, Part 1, Class 31(f) of the Planning and Development Regulations.

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

(f)

Cabinets forming part of a telecommunications system

The volume above the ground level of any such cabinet shall not exceed 2 cubic meters measured externally.

This limitation is not exceeded.

Article 9 of the Planning and Development Regulations 2001, as amended

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

The proposal does not contravene a condition of any previous permission.

(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,

The access to the site is not affected by the current proposal.

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

The proposal does not create a traffic hazard or obstruct road users in the area.

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

The proposal site is not located in a solar safeguard zone.

(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,

Not applicable to the proposal

(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

Not applicable to this proposal

(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.

The proposed development will be visible from the Regional Road that passes through the settlement. The R352 is a designated Scenic Route in this area. The proposed structure will not vary significantly in appearance from that which is present on the site. The proposal will not interfere with the character of the 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,

Not applicable to this proposal

(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,

There are no known archaeological features in the vicinity of the proposal site.

(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,

Having regard to the nature, scale and location of the proposed development, the likely zone of influence is no greater than 1km.

There are no European sites within 1km of the proposed development location.

In the absence of proximity or connectivity to a European Site, no Appropriate Assessment issues arise and I do not consider that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects, on a European Site.

Appropriate assessment is not therefore required.

(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."

No applicable in this instance

(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,

Based on the submitted drawings, the existing telecommunications structure is not in compliance with permission P12/567. While this article of the Regulations relates to the *extension, alteration, repair or renewal* of an unauthorised structure, I note An Bord Pleanála referral ref. 03.RL.2942 (Clare Co. Co. ref. R11-23) in which it was determined that *replacement* can be taken to have the same meaning as *altering and renewing*.

The current proposal is therefore not exempted development having regard to Article 9(1)(a)(viii) of the Planning and Development Regulations.

(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,

Not applicable in this instance

(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,

Not applicable in this instance

(xi) obstruct any public right of way,

Not applicable in this instance

(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.

The development site is not within an Architectural Conservation Area.

CONCLUSIONS

The following question has been referred to the Planning Authority:

The applicants are seeking a Section 5 Declaration as to whether the replacement of an existing telecommunications structure with a new telecommunications structure at Drewsborough Road, Scariff, Co. Clare is or is not development and is or is not exempted development.

The referral further queries whether the installation of a new telecommunications cabinet at the same address 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) Schedule 2, Part 1, Class 31(f) and Class 31(j) of the Planning and Development Regulations 2001, as amended.
- (d) The works as indicated in submitted documents from the referrer.

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

- (a) the replacement of an existing telecommunications structure with a new telecommunications structure, and (b) the installation of a new telecommunications cabinet at Drewsborough Road, Scariff, Co, Clare constitutes "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 replacement of an existing telecommunications structure with a new telecommunications structure at Drewsborough Road, Scariff, Co. Clare is not exempted development having regard to:
 - a. Schedule 2, Part 1, Class 31(j) (limitation 3(a)) of the Planning and Development Regulations 2001.
 - b. Article 9(1)(a)(viii) of the Planning and Development Regulations 2001
- (d) The said installation of a new telecommunications cabinet is exempted development having regard to Schedule 2, Part 1, Class 31(f) of the Planning and Development Regulations 2001.

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

- (a) The replacement of an existing telecommunication structure with a new telecommunications structure at Drewsborough Road, Scariff, Co. Clare is development and is not exempted development.
- (b) The installation of a new telecommunications cabinet at Drewsborough Road, Scariff, Co. Clare is development and is exempted development.



Name: Caroline Balfe

Executive Planner

Date: 10/12/2024



Name: Garreth Ruane

Senior Executive Planner

Date 10/12/2024

R24-89







COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

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

15/11/2024

Section 5 referral Reference R24-89 – 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 15th November 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



Clare County Council
Aras Contae an Chlair
New Road
Ennis
Co Clare

COMHAIRLE

15/11/2024 10:29:38

Receipt No. : L1CASH/0/371934

***** REPRINT *****

VANTAGE TOWERS LTD
C/O MICHAEL FOODY, CHARTER HOUSE
UNIT 2, HQ
27 MARKET STREET
LISTOWEL
CO. KERRY
R24-89

| | |
|------------------------|-------|
| SECTION 5 REFERENCES | 80.00 |
| GOODS | 80.00 |
| VAT Exempt/Non-vatable | |

Total : 80.00 EUR

Tendered :
CHEQUES 80.00

Change : 0.00

COMHAIRLE

Issued By : L1CASH - DEIRDRE FRENCH
From : MAIN CASH OFFICE LODGEMENT AF
Vat reg No.0033043E

CONTAE

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



Comhairle Contae an Chláir
Clare County Council



R24-89

**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 | ____ Vantage Towers Ltd. _____ Mountainview, Leopardstown, Dublin 18 _____ |
| (b) Telephone No.: | |
| (c) Email Address: | |
| (d) Agent's Name and address: | ____ Charterhouse c/o Michael Foody _____ Unit 2, HQ, 27 Market Street, Listowel. Co. Kerry |

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 remove one of the two existing equipment cabins and to erect a 30 metre high lattice structure in its place. Six antennas and five dishes will then be transferred to it from the existing 30 metre high lattice structure. This will subsequently be removed. A new cabinet will be installed.

In accordance with Class 31 (j), the replacement structure is less than 5 metres away from the existing, the height does not change, the base width of the existing structure is 3.65m and the proposed replacement structure base width is 2.54m. The new structure is a slimmer triangular base while the existing is a square base.

As stated, the existing six antennas will be relocated to new tower. The larger antenna dimension is 2099mm x 369mm x 226mm. The existing dishes comprising four 0.6m dishes and one 0.3m dish will also be relocated.

In accordance with Class 31 (f), the new cabinet, comprising dimensions 1800mm x 800mm x 700mm, results in a volume below the 2m³ permitted.

The existing compound and access will not be changed.

(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 plans is 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>_____</p> <p>Drewsborough Road, Scarriff,</p> <p>_____</p> <p>County Clare</p> <p>_____</p> |
| <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> <p>_____</p> <p>_____</p> |
| <p>(c) Legal interest in the land or structure in question of the person requesting the declaration (Give Details):</p> | <p>__Leasehold / Occupier_____</p> <p>_____</p> |
| <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>_____ Donal Treacy (Drewsborough Road, Scarriff.)</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> | It is noted in a planning report that under UD11-112 a warning letter was sent to Vodafone Ireland Ltd regarding unauthorized placing of additional antennas. It is not clear but assumed that the planning application for retention followed the warning letter. |
| (g) Were there previous planning application/s on this site? <i>If so please supply details:</i> | Planning reference 12567 submitted by Vodafone Ireland Ltd on the 10/09/2012 for retention permission for existing telecommunications support structure carrying associated telecommunications equipment, and associated equipment cabins, within a fenced compound |
| (h) Date on which 'works' in question were completed/are likely to take place: | April / May 2025 |

SIGNED: _____

Michael Feedy

DATE: _____

14/11/24.

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

FOR OFFICE USE ONLY

Date Received:

Fee Paid:

Date Acknowledged:

Reference No.:

Date Declaration made:

CEO No.:

Decision:



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

14th November 2024

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

A Chara

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

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 remove one of the two existing equipment cabins and to erect a 30 metre high lattice structure in its place. Six antennas and five dishes will then be transferred to it from the existing 30 metre high lattice structure. This will subsequently be removed. A new cabinet will be installed.

In accordance with Class 31 (j), the replacement structure is less than 5 metres away from the existing, the height does not change, the base width of the existing structure is 3.65m and the proposed replacement structure base width is 2.54m. The new structure is a slimmer triangular base while the existing is a square base.

As stated, the existing six antennas will be relocated to new tower. The larger antenna dimension is 2099mm x 369mm x 226mm. The existing dishes comprising four 0.6m dishes and one 0.3m dish will also be relocated.

In accordance with Class 31 (f), the new cabinet, comprising dimensions 1800mm x 800mm x 700mm, results in a volume below the 2m³ permitted.

The existing compound and access will not be changed.

Planning History

Planning reference 12567 submitted by Vodafone Ireland Ltd on the 10/09/2012 for retention permission for the existing telecommunications support structure carrying associated telecommunications equipment, and associated equipment cabins, within a fenced compound. The development will continue to form part of Vodafone Ireland Ltd.'s existing GSM and 3G Broadband telecommunications network. The application was granted consent 25/11/2012 subject to three conditions.

To summarise these consist of;

- 1) The development shall be retained in accordance with the drawings and particulars as received by the Planning authority on 10/09/2012.
- 2) When the structures and antennas are no longer required they shall be demolished, removed and the site reinstated.
- 3) To make the mast available to third party operators.

It is noted from the Planning Report of the above consent that under planning reference P8-12953 a grant of consent was given to the ESB (1978 file). It was noted that the site layout plan submitted included for a mast, however elevation drawings were not on file and no conditions were imposed in respect of the mast.

It is also noted in the same planning report that under UD11-112 a warning letter was sent to Vodafone Ireland Ltd regarding unauthorized placing of additional antennas.

It is not clear but assumed that the planning application for retention followed the warning letter.

With regard to the conditions of the grant of consent for planning reference 12567, these have been complied with as follows.

- 1) The development has been retained in accordance with the drawings and particulars as received by the Planning authority on 10/09/2012.
- 2) The structure is still required however it has reached the end of its structural life and must be replaced for health and safety reasons.
- 3) The mast is currently shared by Vodafone, Eir and Enet.

Planning Framework Used in Our Assessment

The documents assessed in determining the query are as follows:

- Clare County Development Plan
- The Scariff Regeneration Project.
- Past planning applications at ownership lands, specifically planning reference 12567 referred to above.
- 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 general and 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 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.

Development Plan

We have studied the Development plan and associated documents and note the following;

Scenic View;

A scenic view route runs through the centre of Scarriff as shown on plan 14A Landscape Designations of the County Development plan 2023-2029. Following the section headed 14.5 Views and Prospects, it is considered that the views along the scenic route within Scarriff town are not of amenity value or comprise a sensitive area. As a result the proposal does not conflict with the scenic view through the town. It is also noted that the proposal is effectively changing like with like and as such any views will effectively remain unchanged.

Record of Protected Structures.

It is noted that there are no protected structures within close proximity of the proposed development. However, the National Inventory of Architectural Heritage Building identifies a Union Workhouse and record states; 'Group of detached cut-stone sandstone buildings originally part of Scarriff Union Workhouse complex, built c. 1845.'

It is submitted that the proposal will not impact the Union Workhouse.

Scarriff Architectural Conservation Area (ACA)

There isn't a map provided within the Development Plan and as such the exact boundary of the ACA is unclear. The written description states 'The town existed by 1780 when the Grand Jury Map of Clare was being surveyed. The present town comprises one main street rising from the bridge over the River Graney to a triangular town "square". The houses are predominantly two storey gabled structures, built of local rubble sandstone with a lime render finish and sash windows. Many are still roofed with local Killaloe/Portroe slate and most still contain their one over-one late 19th century wooden sliding sash windows.'

From the description it is understood that the proposal is some distance south of the ACA and as such will not impact it.

Zoning

The Shannon Town and Environs Local Area Plan (LAP) 2012 – 2018 sets out the landuse plan for the proper planning and sustainable development of the settlement of Shannon and its environs. On 12th June 2017, the elected members of Clare County Council resolved to defer the making of a new Shannon Town and Environs LAP for a period not exceeding five years, and therefore the 2012 – 2018 LAP remains in effect until a new Plan is made in 2023. It is understood that this still remains in place. Under this plan the existing zoning for the area is classified as 'Enterprise'. This lists Land uses as - light industrial, high end R & D, science and tech. based industry, financial services, call centres, incubator and small/medium manufacturing purposes, corporate offices excl. general retail, retail park outlets, motor sales and heavy Industry.

The proposal does not conflict with the zoned use and in any event does not alter the existing use.

Assessment

The existing structure has been in existence for over 30 years and is today an integral part of the Vodafone and the Eir network. It is also occupied by E-Net. The structure is reaching the end of its structural life and must be replaced. The replacement structure is the same height however comprises a slimmer width base and triangular style compared to the existing larger width square base style. An existing cabin will be removed where the new structure will be located. A new cabinet will be added. Finally the compound area will be cleared of overgrowth and made tidy.

The existing structure complies with the conditions of grant for the planning retention.

The proposal does not conflict with any matters within the County Development Plan or the Scariff Regeneration Project.

The Proposal meets the requirements of the exempted development rules.

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

Appendix 1 Plans of the proposed development.

Appendix 2 is a site visit report

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).

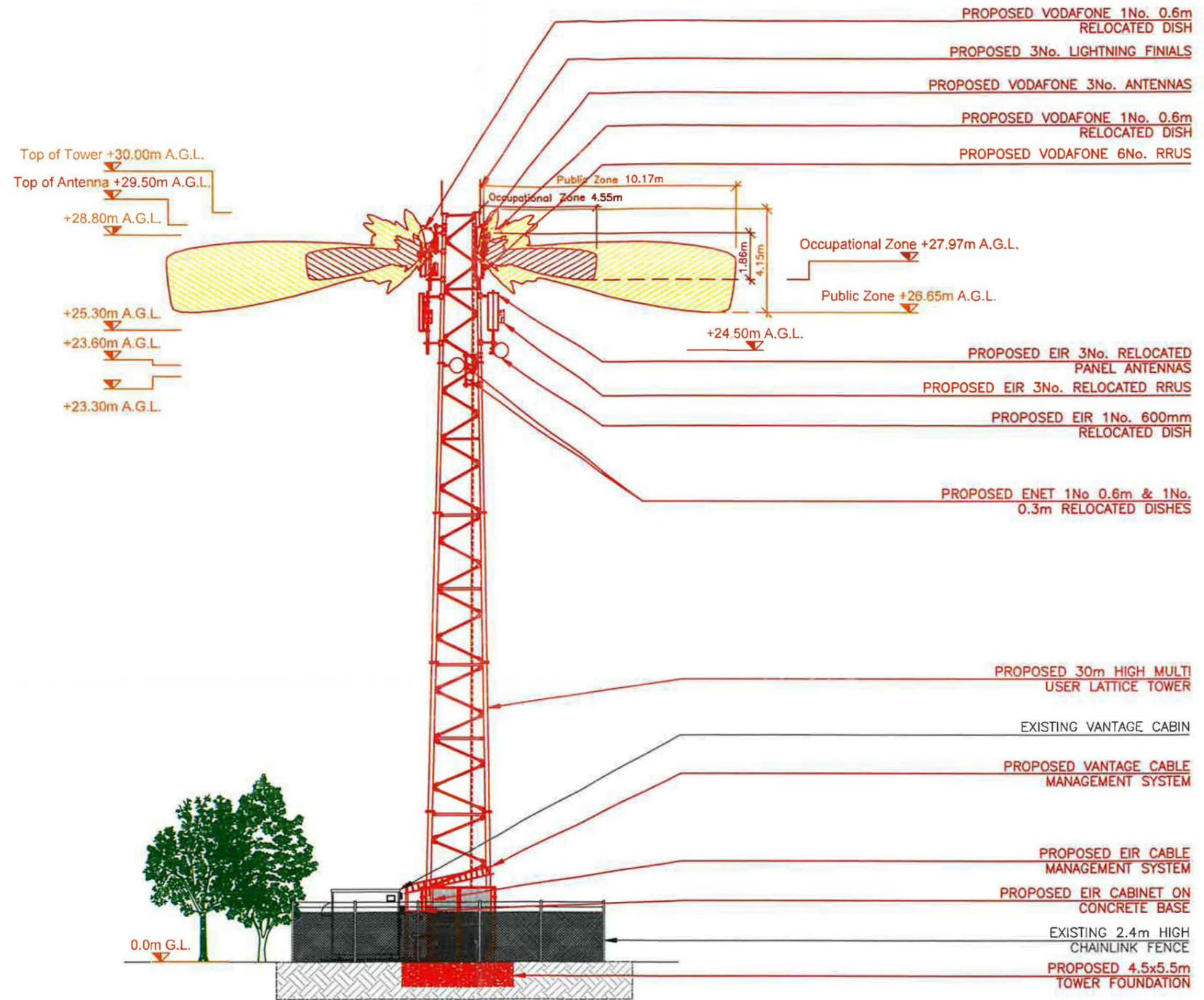
(c) For structures of 15 metres or over in height, an additional 18 antennae for mobile telephony may be attached to the replacement structure, of which not more than 12 of the additional 18 antennae shall be of the dish type (whether shielded or not).

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 1



ICNIRP ELEVATION
SCALE 1:200

Site Name: SCARRIFF
Site Code: CE044

Notes:

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

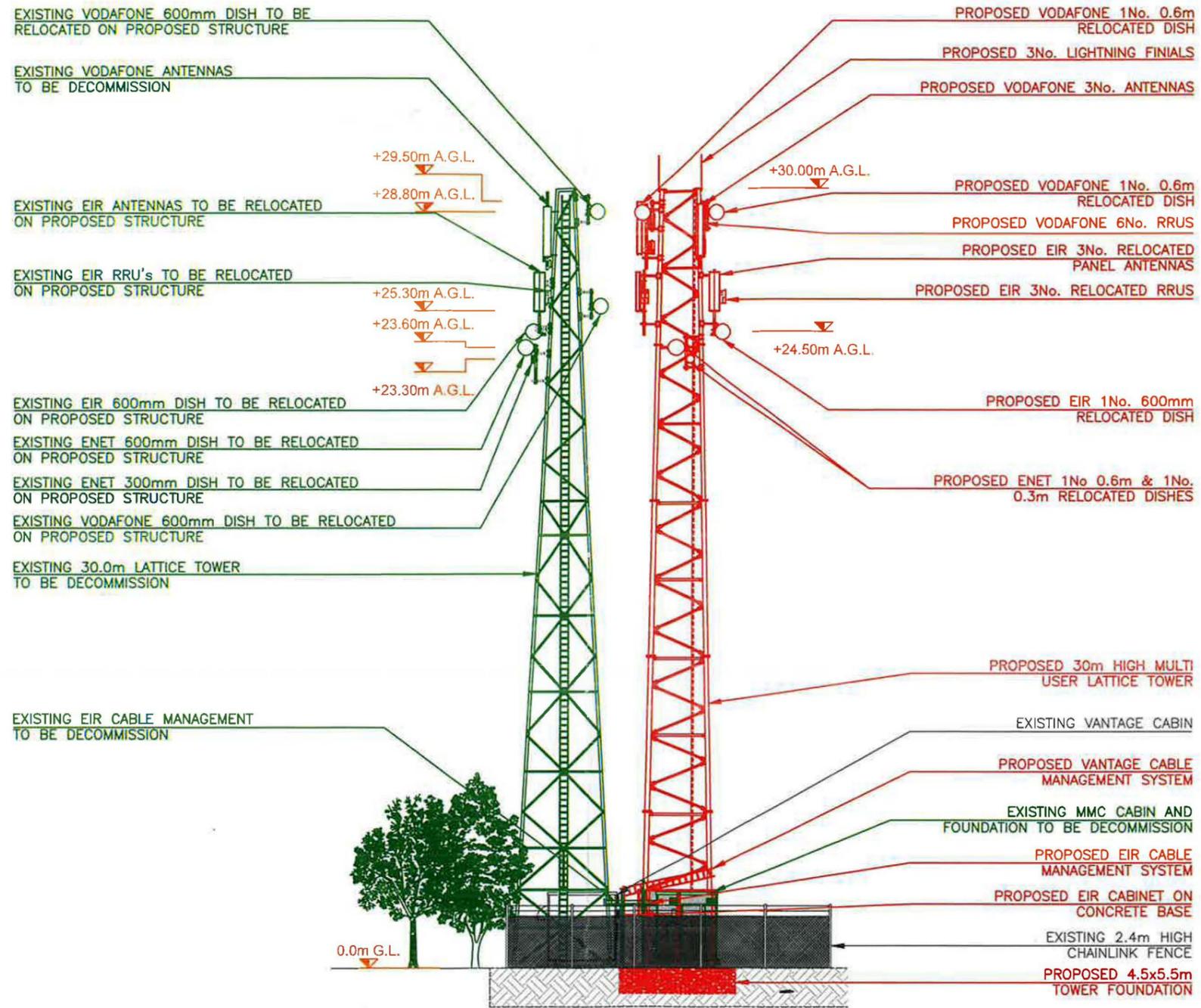
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| G | | | |
| F | | | |
| E | | | |
| D | | | |
| C | | | |
| B | | | |
| A | | | |
| - | | | |
| Rev. | SECTION 5 DRAWING | SN | 13/11/24 |
| | Description | By | Date |

| | |
|-----------------------|-----------------|
| 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 | CE044 | Survey date | 04/09/24 |
| Sheet Size | A3 | Scale | As Shown |
| Drawn | SN | Checked | JPN |
| Date | 13/11/24 | Date | 13/11/24 |
| Approved | IB | Date | 13/11/24 |

| | | | |
|-------------|--|--|--|
| Title | | ICNIRP Elevation | |
| Project | | PROPOSED VANTAGE TOWERS SITE AT SCARRIFF DREWSBOROUGH, SCARRIFF, Co. CLARE | |
| Drawing No. | | CE044 / S5 / 06 | |
| Revision | | - | |

NOT FOR CONSTRUCTION



SOUTH-EAST ELEVATION
SCALE 1:200

Site Name: SCARRIFF
Site Code: CE044

| | | | | | | | | | | | |
|---|--|---|---|-------------------------------------|---|-------------------|--------------------------------|----------------|----------------|---|----------------------|
| 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. | H G F E D C B A - | Cabin/Cabinet Details Type: RBS 6150 Dims: 2.05x0.88x0.78m Colour: | Purpose SECTION 5 DRAWING | Title South-East Elevation | | | | | | |
| | | SECTION 5 DRAWING Description | SN By | Date 13/11/24 | Structure Details Type: LATTICE TOWER Height: 30m | Scale As Shown | Drawn SN | Checked JPN | Approved IB | Project PROPOSED VANTAGE TOWERS SITE AT SCARRIFF DREWSBOROUGH, SCARRIFF, Co. CLARE | NOT FOR CONSTRUCTION |
| | | Rev. | Date | Date 13/11/24 | Date 13/11/24 | Date 13/11/24 | Drawing No. CE044 / S5 / 04 | Revision - | | | |



PROPOSED EIR 1No. 600mm
RELOCATED DISH

PROPOSED VODAFONE 1No. 0.6m DISH

PROPOSED 4.5x5.5m
TOWER FOUNDATION

PROPOSED VODAFONE 3No. ANTENNAS

PROPOSED VODAFONE 3No. RRU'S

PROPOSED 30m HIGH MULTI
USER LATTICE TOWER

EXISTING 2.4m HIGH
CHAINLINK FENCE

EXISTING ACCESS TRACK

EXISTING COMPOUND 4m
WIDE ACCESS GATE

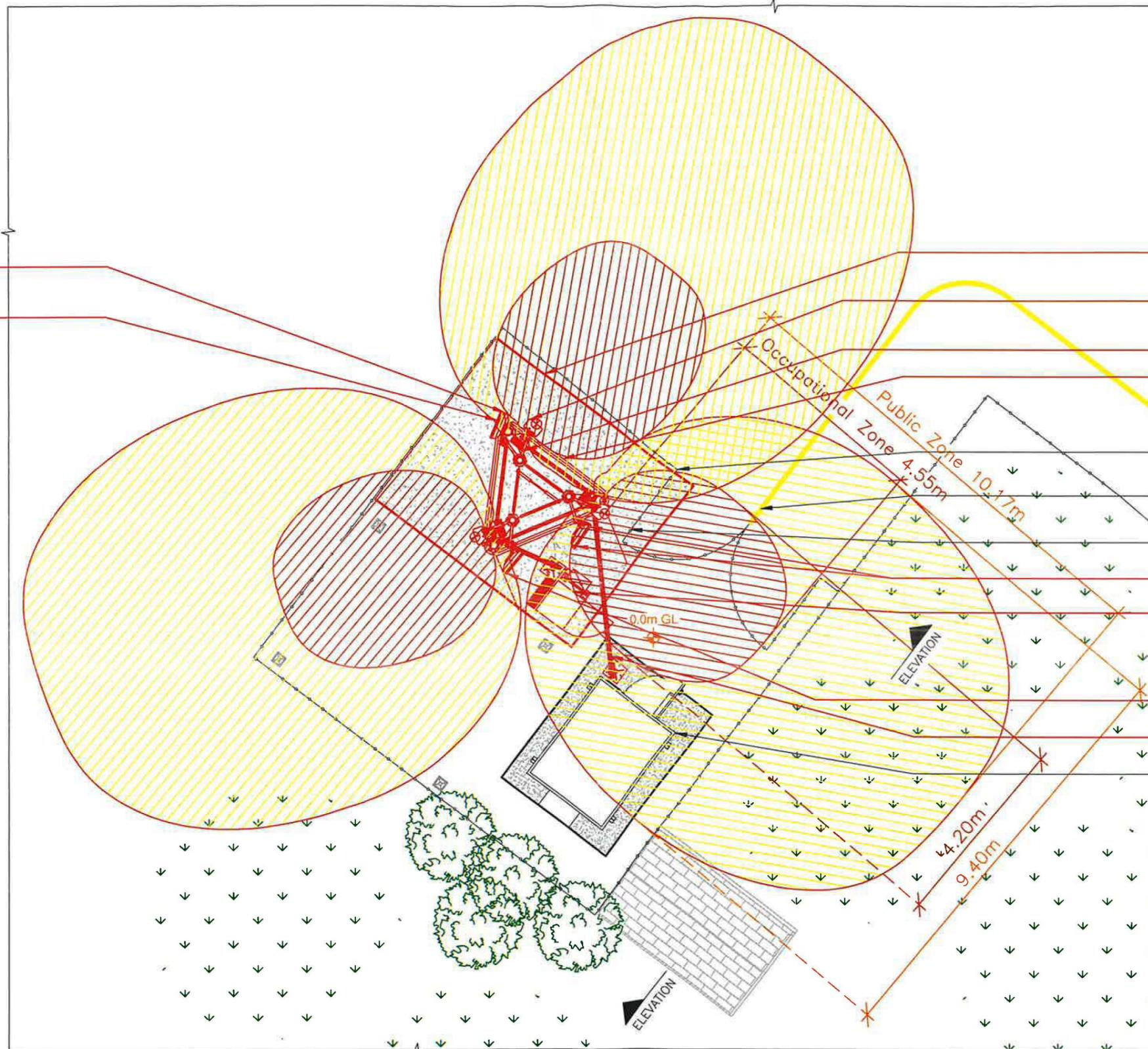
PROPOSED ENET 1No 0.6m & 1No
0.3m RELOCATED DISHES

PROPOSED EIR CABINET ON
CONCRETE BASE

PROPOSED VODAFONE 1No. 0.6m
RELOCATED DISH

PROPOSED VANTAGE CABLE
MANAGEMENT SYSTEM

EXISTING VANTAGE CABIN



ICNIRP SITE LAYOUT PLAN
SCALE 1:100

Site Name: SCARRIFF
Site Code: CE044

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.

| | | | |
|------|-------------------|----|----------|
| H | | | |
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| E | | | |
| D | | | |
| C | | | |
| B | | | |
| A | | | |
| Rev. | SECTION 5 DRAWING | SN | 13/11/24 |
| | 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 | CE044 | Survey date | 04/09/24 |
| Sheet Size | A3 | Scale | As Shown |
| Drawn | SN | Checked | JPN |
| Date | 13/11/24 | Date | 13/11/24 |
| Approved | IB | Date | 13/11/24 |

| | | | |
|-------------|--|--|--|
| Title | | ICNIRP Site Layout Plan | |
| Project | | PROPOSED VANTAGE TOWERS SITE AT SCARRIFF DREWSBOROUGH, SCARRIFF, Co. CLARE | |
| Drawing No. | | CE044 / S5 / 05 | |
| Revision | | | |

NOT FOR
CONSTRUCTION

Appendix 2

Site Survey Report (MSV)

| | | | |
|--------------|-------------|-------------|----------------------|
| Site Name: | Scarriff | Site ID: | CE044 |
| Project: | Vantage MSV | Lat / Long: | 52.905003, -8.537695 |
| Survey Date: | 04/09/2024 | Surveyor: | Jarek Frankiewicz |

Site Photo



General Observations & Comments

Existing Vantage site in Scarriff, Co. Clare.

Existing compound located in the middle of the Scarriff town and is accessed via SP's premises (SP: Donal Treacy - 061-921107).

There is excessive overgrowth in the compound, which need to be addressed.

Access to the antennae should be done by MEWP as there is no ladder and the harness attachment points do not look safe.

30m Lattice tower.

For access VF Kaba and Abloy keys required.

Brief Description of Proposal

Existing 2no. Operators on site. Vodafone and Eir.

Vodafone equipment:

1no. cabin

3no. sectors on the tower – each consist of: Kathrein 880010634v01 antenna and DTMA. Bottom of antennas S1/S3 – 27.5m, S2-27.4m AGL. Azimuths: 40/165/300 degrees.

2no. SIAE links.

0.6m SIAE 1+0 TY093 Tountinna SDH @ 130 deg. 28.8m to bottom.

0.6m SIAE 1+1 CE177 Feakle Cellnex @ 292 deg. 25.5m to bottom

Eir equipment:

1no. cabin

1no. GPS installed on existing GP.

3no. sectors on the tower – each consist of: Huawei antenna (model unknown) 1no. RRU 5509t and 1no. RRU 5501. Bottom of antennas S1-23.7m, S2-25.3m, S3-25.8m AGL. Azimuths 20/190/320 degrees.

1no. Huawei dish.

CE_2424 RTE Maghera @ 300deg. 24.5m to bottom.

There are 2no. Enet's links

0.3m Ceragon ENB07991 Tuamgraney NS @ 185 deg. 23.3m to bottom.

0.6m Ceragon ENB07992 ESB Tountina @ 125 deg. 23.6m to bottom.

Enet's indoor equipment inside Vodafone's cabin.

1.0 Site Access Details (Provide additional information where applicable)

| | |
|---|--|
| Site Address | Scarriff, Co. Clare. |
| Client Contact Name for Access | TBA |
| Client Contact Phone no. | TBA |
| Site Provider Contact Name for Access (if applicable) | Donal Treacy |
| Site Provider Contact Phone no. | 061-921107 |
| Directions To Site (from nearest main road) | Access to site at 52.904812, -8.536746 from R352 Road in Scarriff. |

Access Details
(brief description of access to site and for delivery)

Access to be arranged in advance with site provider.





| | |
|---|------------|
| <p>Site Sensitivity (Circle as appropriate) Low / High <i>i.e.: adjacent to school/community hall etc.</i></p> | <p>Low</p> |
|---|------------|

2.0 Structure Details (Provide additional information where applicable)

| | |
|--|--|
| <p>Structure Type (i.e.: Rooftop, Tower, Monopole, Silo, Wooden Pole, Birdcage)</p> | <p>Lattice Tower - Existing</p> |
| <p>Height (m)</p> | <p>30m</p> |
| <p>Existing Structure identity if any (i.e.: manufacturer's tag)</p> | <p>N/A</p> |
| <p>General Structure Condition & Observations (i.e.: Rusting, bent bracing, loose bolts)</p> | <p>Some rectification works noticed on the Tower.</p> |
| <p>Is there an existing FAS? Is it certified? (i.e.: Railok, Metreel, Latchway, HACA, Guardrail, Horizontal latchway)</p> | <p>No FAS and no access ladder. Climbing pegs. MEWP recommended.</p> |

Additional Information if required:

Empty space for providing additional information.

3.0 Existing Equipment Details

| <u>Operator</u> | <u>RBS Type and number of units</u> | <u>Ancillary Equipment</u> |
|-----------------|-------------------------------------|---|
| Vodafone | 1no. cabin | RBS 6201 – DUG20, 3no. RUS02B8, DUW30, DUS31, BB6630 TX rack – 2no. SIAE IDUs Eltek – with 5no. rectifiers 3no. wall mounted RRU2217 Enet RBS |
| Eir | 1no. cabin – door lock broken | Eltek and RBS |
| Enet | RBS located inside VF cabin | RBS |

Future proposal to be obtained from the Client.

Additional Information if required:

4.0 RF Antennas-Existing.

Existing antennas details:

| No. | Operator | Model | Model No. | Bearing | Height of equipment (bottom) |
|-----|----------|----------|-------------|---------|------------------------------|
| 1 | Vodafone | Kathrein | 80010634v01 | 40° | 27.5m |
| 2 | Vodafone | Kathrein | 80010634v01 | 165° | 27.4m |
| 3 | Vodafone | Kathrein | 80010634v01 | 300° | 27.5m |
| 4 | ಒಇ | Huawei | Unknown | 20° | 23.7m |
| 5 | ಒಇ | Huawei | Unknown | 190° | 25.3m |
| 6 | ಒಇ | Huawei | Unknown | 320° | 25.8m |
| 7 | | | | | |
| 8 | | | | | |
| 9 | | | | | |
| 10 | | | | | |
| 11 | | | | | |

RRU details:

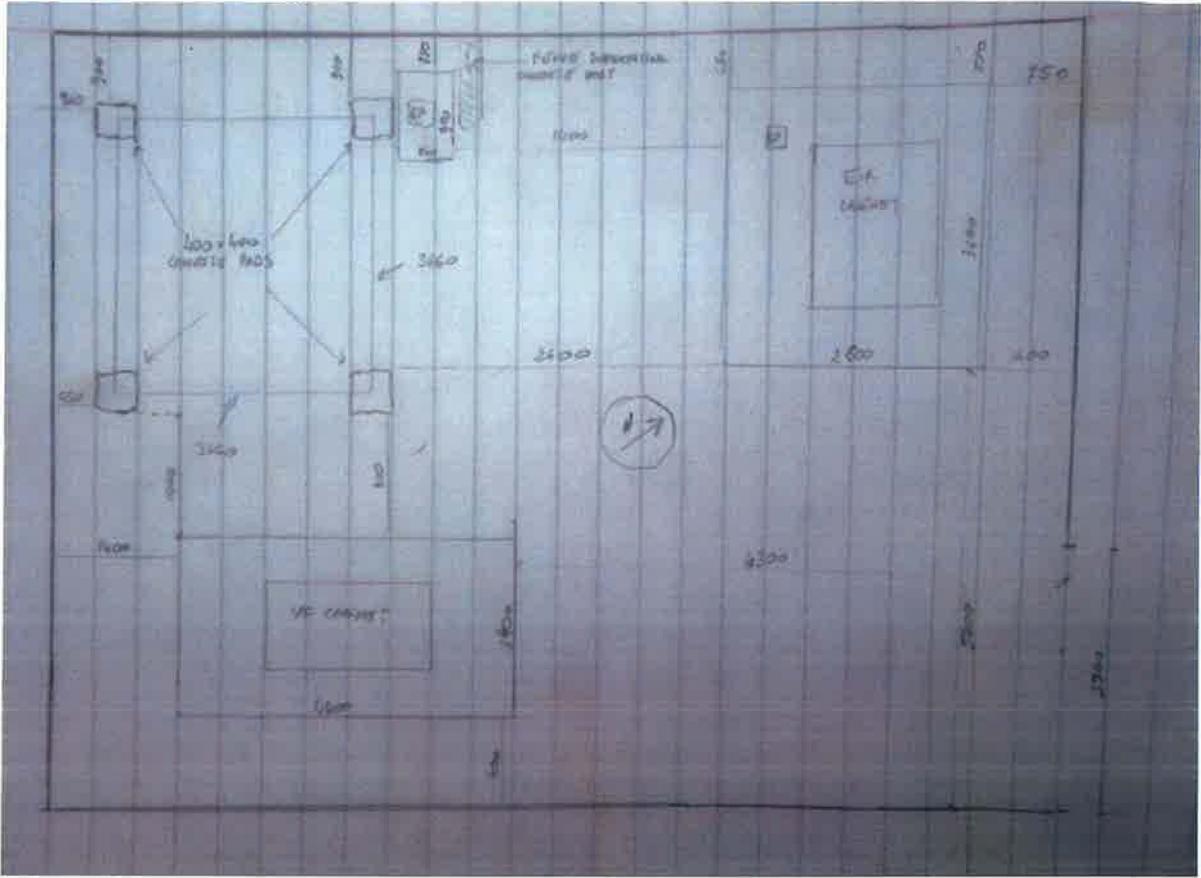
| No. | Operator | Model | Model No. | Bearing | Height of equipment (bottom) |
|-----|----------|-----------|----------------|---------|------------------------------|
| 1 | Vodafone | Commscope | DTMA | N/A | 27.1m |
| 2 | Vodafone | Commscope | DTMA | N/A | 27m |
| 3 | Vodafone | Commscope | DTMA | N/A | 27.1m |
| 4 | ಒಇ | Huawei | 5509t and 5501 | N/A | 23.9m |
| 5 | ಒಇ | Huawei | 5509t and 5501 | N/A | 25.6m |
| 6 | ಒಇ | Huawei | 5509t and 5501 | N/A | 25.9m |

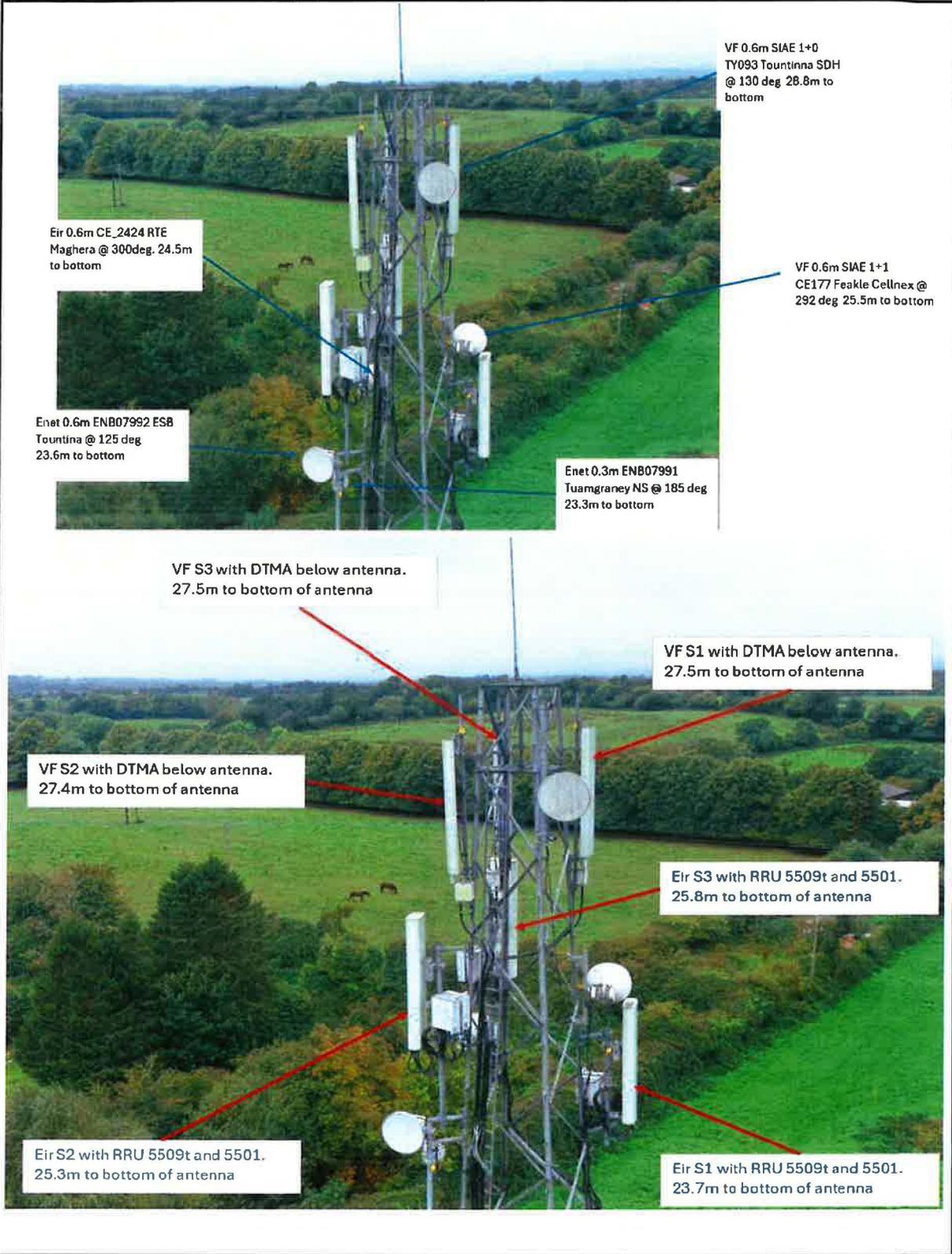
5.0 TX Details

Existing dishes details:

| No. | Operator | Model | Bearing | Dish size | Height of equipment (bottom) |
|-----|----------|---------|---------|-----------|------------------------------|
| 1 | ಒಇ | Huawei | 300° | 0.6m | 24.5m |
| 2 | Enet | Ceragon | 125° | 0.6m | 23.6m |
| 3 | Enet | Ceragon | 185° | 0.3m | 23.3m |
| 4 | Vodafone | SIAE | 130° | 0.6m | 28.8m |
| 5 | Vodafone | SIAE | 292° | 0.6m | 25.5m |

6.0 Site Plan Drawing





Eir 0.6m CE_2424 RTE
Maghera @ 300deg. 24.5m
to bottom

Einet 0.6m ENB07992 ES8
Tountina @ 125 deg
23.6m to bottom

Einet 0.3m ENB07991
Tuamgraney NS @ 185 deg
23.3m to bottom

VF 0.6m SIAE 1+0
TY093 Tountinna SDH
@ 130 deg 28.8m to
bottom

VF 0.6m SIAE 1+1
CE177 Feakle Cellnex @
292 deg 25.5m to bottom

VF S3 with DTMA below antenna.
27.5m to bottom of antenna

VF S1 with DTMA below antenna.
27.5m to bottom of antenna

VF S2 with DTMA below antenna.
27.4m to bottom of antenna

Eir S3 with RRU 5509t and 5501.
25.8m to bottom of antenna

Eir S2 with RRU 5509t and 5501.
25.3m to bottom of antenna

Eir S1 with RRU 5509t and 5501.
23.7m to bottom of antenna

Compound overgrowth



8.0 Health and Safety

| | |
|---|--------------------------------|
| Is there safe access to the compound? (Circle as appropriate) | Yes |
| Are there any H&S issues on site? (Circle as appropriate) | Compound is heavily overgrown. |
| Is there safe access to the Antenna/Dish location? (Circle as appropriate) | No. |

9.0 Earthing/Lightning Protection

| | |
|--|------|
| Is there existing installation on site? (Circle as appropriate) Yes / No <u>If No, then outline works required.</u> | Yes. |
| Is the existing structure earthed? Are there any earth pits? (Circle as appropriate) Yes / No <u>If No, then outline works required.</u> | Yes. |
| Can proposed equipment connect to existing earthing? Yes / No (Circle as appropriate) <u>If No, then outline works required.</u> | N/A |
| Does steelwork need lightning finials? Yes / No (Circle as appropriate) <u>If Yes, then outline works required.</u> | N/A |

10.0 Electrical Supply

| | |
|--|--|
| <p>Is ESB Mains Supply currently on site? Is it Single Phase or Three Phase? Yes / No (Circle as appropriate)</p> | <p>Each Operator has it's own supply. Vodafone Single Phase supply</p>  <p>Eir Single Phase supply</p>  |
| <p>Has On Site ESB Mains Supply Cable route been identified. (include ESB pole location on sketch) Yes / No (Circle as appropriate)</p> | <p>N/A</p> |
| <p>Would a portable generator be suited to this site? Yes / No (Circle as appropriate) If Yes - state location of generator.</p> | <p>N/A</p> |

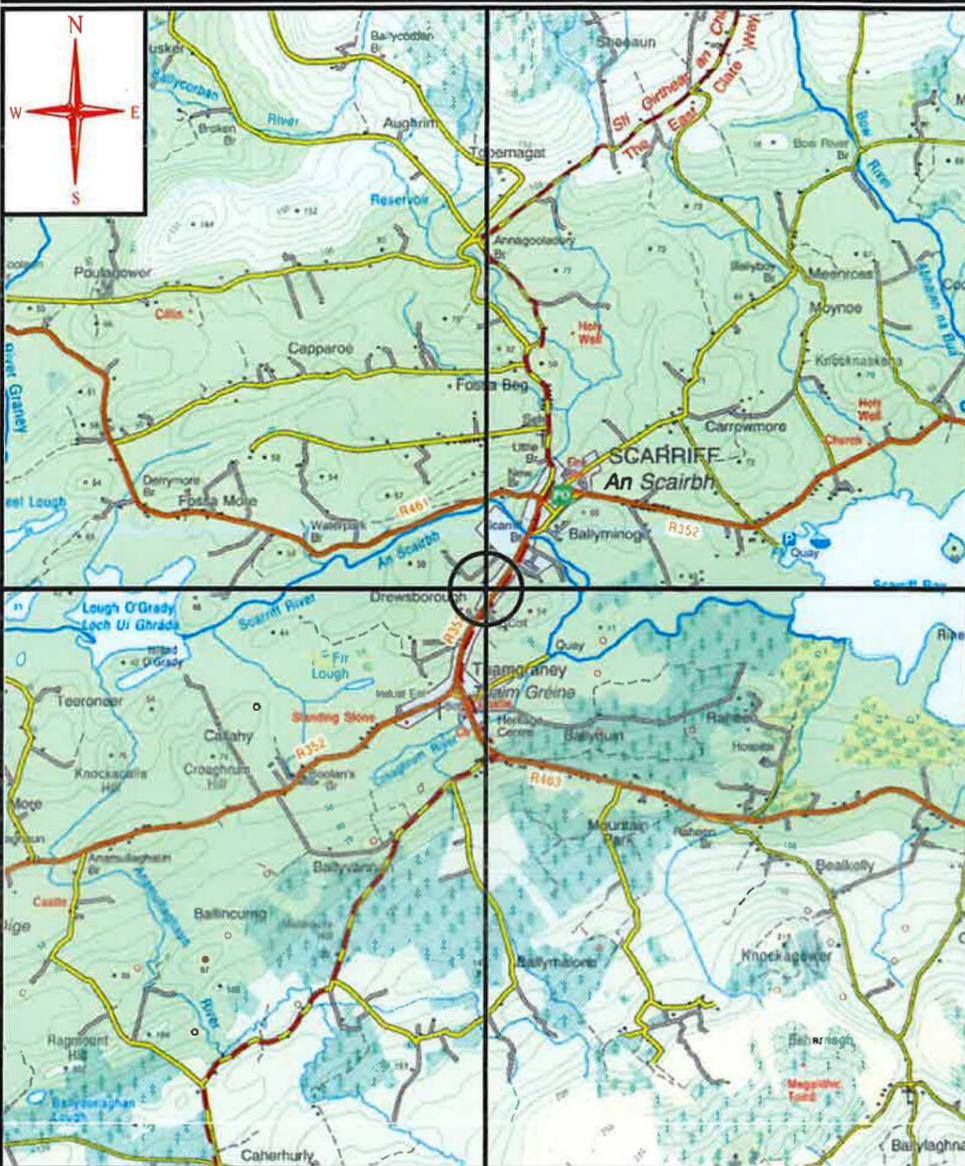


Attendants

Sign Off and Approval

| | Name | Signature |
|--------------------------------|-------------------|-----------|
| Construction Controller | | |
| Site Acquisition | | |
| Planning | | |
| Radio Engineer | | |
| Transmission Engineer | | |
| Site Provider | | |
| Indigo Engineer | Jarek Frankiewicz | |
| ASP | | |
| Drawings Requested from Client | | |

Ordnance Survey Map Scale 1:50000



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| Drawing No. | Drawing Title |
|-----------------|----------------------------|
| CE044 / S5 / 01 | O.S. Location Map & Photos |
| CE044 / S5 / 02 | Overall Site Layout |
| CE044 / S5 / 03 | Site Layout Plan |
| CE044 / S5 / 04 | South-East Elevation |
| CE044 / S5 / 05 | ICNIRP Site Layout Plan |
| CE044 / S5 / 06 | ICNIRP Elevation |

Site Photographs



FIG. 1: EXISTING ACCESS



FIG. 2: EXISTING SITE ELEVATION



FIG. 3: EXISTING SATELLITE VIEW

| Irish Grid New Site Coordinates | | Irish Grid Site Coordinates | | Irish Grid Site Entrance Coordinates | |
|---------------------------------|-----------|-----------------------------|-----------|--------------------------------------|-----------|
| East | 163872 | East | 163873 | East | 163927 |
| North | 183898 | North | 183894 | North | 183866 |
| GPS Site Coordinates | | GPS Site Coordinates | | GPS Site Entrance Coordinates | |
| Latitude | 52.905056 | Latitude | 52.905020 | Latitude | 52.904772 |
| Longitude | -8.537667 | Longitude | -8.537646 | Longitude | -8.536841 |

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 | SN | Date |
|------|-------------------|----|----------|
| - | SECTION 5 DRAWING | SN | 13/11/24 |

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

| SECTION 5 DRAWING | | | |
|-------------------|----------|-------------|----------|
| Site code | CE044 | Survey date | 04/09/24 |
| Sheet Size | A3 | Drawn | SN |
| Checked | JPN | Date | 13/11/24 |
| Approved | IB | Date | 13/11/24 |
| Scale | As Shown | Date | 13/11/24 |

| Title | |
|--|-----------------|
| O.S. Location Map & Photos | |
| Project | |
| PROPOSED VANTAGE TOWERS SITE AT SCARRIFF DREWSBOROUGH, SCARRIFF, Co. CLARE | |
| Drawing No. | CE044 / S5 / 01 |

NOT FOR CONSTRUCTION



EXISTING ACCESS ROUTE

PROPOSED SITE COMPOUND

EXISTING SITE LOCATION

PUBLIC ROAD (R352)

Scariff Union Workhouse

OVERALL SITE LAYOUT

Site Name: SCARRIFF
Site Code: CE044

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 |
|------|-------------------|----|----------|
| - | SECTION 5 DRAWING | SN | 13/11/24 |

| | |
|-----------------------|-----------------|
| 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 | Survey date | Sheet Size | |
| CE044 | 04/09/24 | A3 | |
| Scale | Drawn | Checked | Approved |
| As Shown | SN | JPN | IB |
| Date | Date | Date | Date |
| 13/11/24 | 13/11/24 | 13/11/24 | 13/11/24 |

| | |
|--|----------|
| Title | |
| Overall Site Layout | |
| Project | |
| PROPOSED VANTAGE TOWERS SITE AT SCARRIFF DREWSBOROUGH, SCARRIFF, Co. CLARE | |
| Drawing No. | Revision |
| CE044 / S5 / 02 | - |

NOT FOR CONSTRUCTION



EXISTING MMC CABIN AND FOUNDATION
TO BE DECOMMISSION

PROPOSED EIR 1No. 600mm
RELOCATED DISH

PROPOSED VODAFONE 1No. 0.6m DISH

EXISTING CONCRETE PLINTH
TO BE DECOMMISSIONED

EXISTING EIR CABLE MANAGEMENT
TO BE DECOMMISSION

EXISTING 30.0m LATTICE TOWER
TO BE DECOMMISSIONED

EXISTING VODAFONE 600mm DISH TO BE
RELOCATED ON PROPOSED STRUCTURE

EXISTING VODAFONE ANTENNAS
TO BE DECOMMISSION

EXISTING VODAFONE DTMA's
TO BE DECOMMISSION

EXISTING EIR 600mm DISH TO BE
RELOCATED ON PROPOSED STRUCTURE

EXISTING VODAFONE 600mm DISH TO BE
RELOCATED ON PROPOSED STRUCTURE

EXISTING ENET 300mm DISH TO BE
RELOCATED ON PROPOSED STRUCTURE

EXISTING ENET 600mm DISH TO BE
RELOCATED ON PROPOSED STRUCTURE

EXISTING VANTAGE CABLE MANAGEMENT
TO BE DECOMMISSIONED

PROPOSED 4.5x5.5m
TOWER FOUNDATION

PROPOSED VODAFONE 3No. ANTENNAS

PROPOSED VODAFONE 3No. RRU'S

PROPOSED 30m HIGH MULTI
USER LATTICE TOWER

EXISTING 2.4m HIGH
CHAINLINK FENCE

EXISTING ACCESS TRACK

EXISTING COMPOUND 4m
WIDE ACCESS GATE

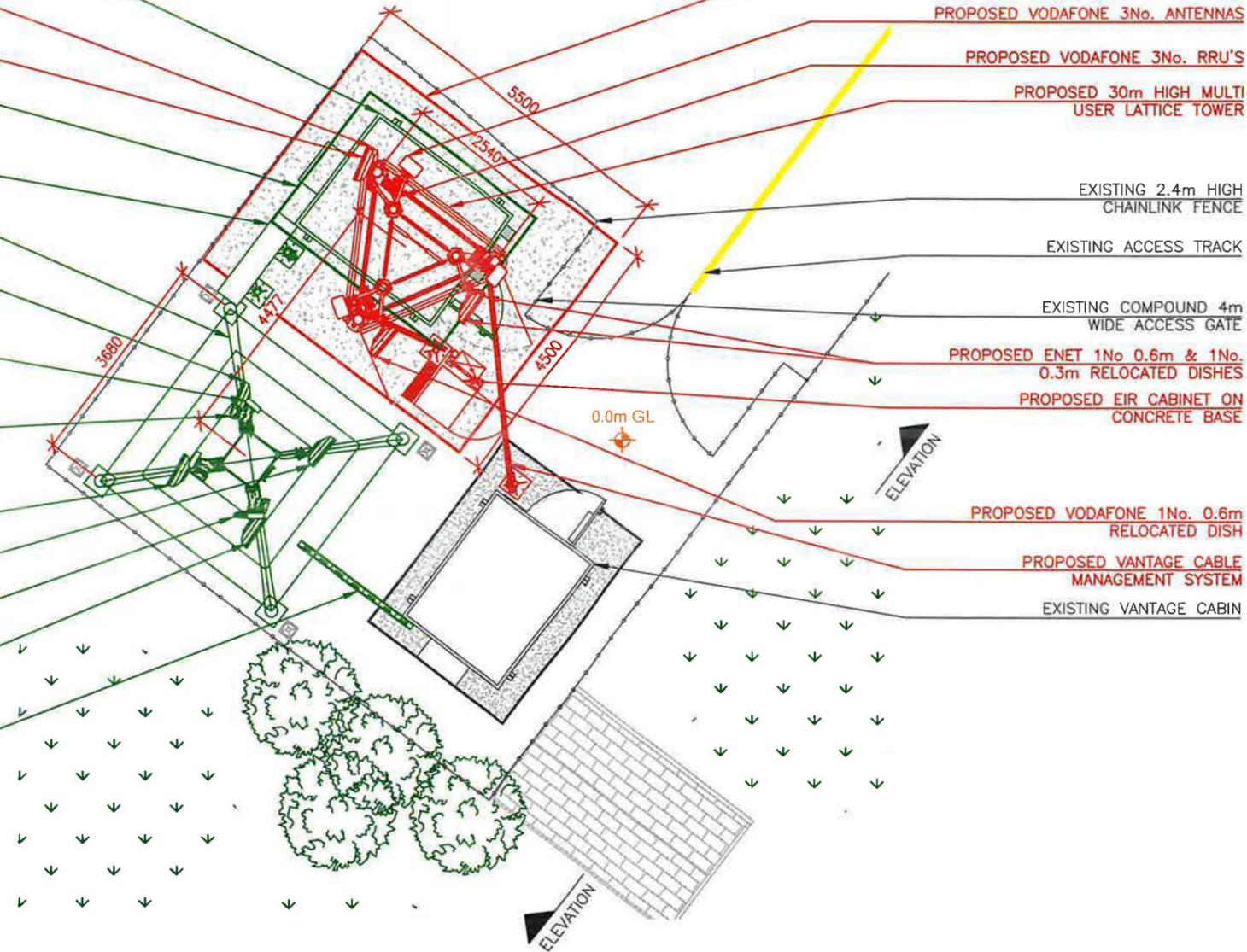
PROPOSED ENET 1No 0.6m & 1No.
0.3m RELOCATED DISHES

PROPOSED EIR CABINET ON
CONCRETE BASE

PROPOSED VODAFONE 1No. 0.6m
RELOCATED DISH

PROPOSED VANTAGE CABLE
MANAGEMENT SYSTEM

EXISTING VANTAGE CABIN



SITE LAYOUT PLAN
SCALE 1:100

Site Name: SCARRIFF
Site Code: CE044

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 |
|------|-------------------|----|----------|
| - | SECTION 5 DRAWING | SN | 13/11/24 |

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

| SECTION 5 DRAWING | | | |
|-------------------|-------------|------------|----------|
| Site code | Survey date | Sheet Size | |
| CE044 | 04/09/24 | A3 | |
| Scale | Drawn | Checked | Approved |
| As Shown | SN | JPN | IB |
| Date | Date | Date | Date |
| 13/11/24 | 13/11/24 | 13/11/24 | 13/11/24 |

| Title | |
|--|--|
| Site Layout Plan | |
| Project | |
| PROPOSED VANTAGE TOWERS SITE AT SCARRIFF DREWSBOROUGH, SCARRIFF, Co. CLARE | |
| Drawing No. | |
| CE044 / S5 / 03 | |

NOT FOR
CONSTRUCTION
Revision -