Comhairle Contae Chorcaí Cork County Council

Medco Limited, Codrum West, Macroom, Co. Cork. P12 A308 Pleanáil agus Forbairt, Halla an Chontae, Bóthar Charraig Ruacháin, Corcaigh T12 R2NC.

Fón: (021) 4276891 R-phost: planninginfo@corkcoco.ie Suíomh Gréasáin: www.corkcoco.ie Planning & Development,

County Hall, Carrigrohane Road, Cork T12 R2NC.

> Tel (021) 4276891 Email: planninginfo@corkcoco.ie Web: www.corkcoco.ie



12th December 2023

Our Ref.: D/304/23

Re: Declaration of Exempted Development under Section 5 of The Planning and

Development Act 2000 – 2010.

Whether the installation of electronic communications apparatus/development on behalf of the National Broadband Ireland at Medco Limited, Gurteenroe, Macroom, Co. Cork is exempt and is or is not exempted development.

Dear Sirs,

Further to recent correspondence notifying you of a third-party Declaration with regard to the above development I enclose for your information copy of the Planning Authority's decision.

Yours faithfully,

Eveleen Crowley Clerical Officer

Planning Department

Encl.

In order to process your query, it may be necessary for Cork County Council to collect Personal information from you. Such information will be processed in line with our privacy statement which is available to view at https://www.corkcoco.ie/privacy-statement-cork-county-council





Comhairle Contae Chorcaí Cork County Council

National Broadband Ireland, c/o Entrust Planning & Environmental, Unit 1D Deerpark Business Centre, Oranmore, Co. Galway. H91 X599. Pleanáil agus Forbairt,
Halla an Chontae,
Bóthar Charraig Ruacháin,
Corcaigh T12 R2NC.
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Carrigrohane Road, Cork T12 R2NC.

Tel (021) 4276891 Email: planninginfo@corkcoco.ie Web: www.corkcoco.ie



12th December 2023

REF:

D/304/23

LOCATION:

Gurteenroe, Macroom, Co. Cork

RE:

DECLARATION OF EXEMPTED DEVELOPMENT UNDER SECTION 5 OF THE PLANNING & DEVELOPMENT ACT 2000 - 2010.

Dear Sirs,

On the basis of the information submitted by you on 15th November 2023 the Planning Authority, having considered the question whether the installation of electronic communications apparatus/ development on behalf of the National Broadband Ireland is exempt and is or is not exempted development.

The development includes:

- The erection of a 3m * 3m painted green cabinet located on the eastern side of Medco Ltd, on disused open land
- Proposed green mesh fence to replace existing wire and concrete post
- Ducting, cabling, earth pits, cabinets, chamber, mini pillar and all ancillary development
- Access to the site is via a 1m wide steel mesh gate

at Gurteenroe, Macroom, Co. Cork has declared that it is development and is exempted development.

Reason for Decision

We are Cork.

The Planning Authority in considering this referral had particular regard to:

- Sections 1, 2, 3, 4 and 6 of the Planning and Development Act 2000, as amended
- Class 9 of the Planning and Development Regulations 2001, as amended
- Class 11 of the Planning and Development Regulations 2001, as amended
- Class 31, a) e) and f) of the Planning and Development Regulations 2001, as amended and
- The particulars received by the Planning Authority on 15th November 2023

And Whereas Cork County Council has concluded that -

The development of the erection of a 3m * 3m painted green cabinet located on the eastern side of Medco Ltd, on disused open land is deemed to comply with the conditions and limitations of Class 31 (e) of Schedule 2, Part 1 Exempted Development of the Planning and Development Regulations 2001, as amended as the statutory undertaker, National Broadband of Ireland have stated that the cabinet is for the purpose of transmitting, receiving and processing of telecom data for a wired network, the proposed cabin is 3m high x3m wide x 3m long, consent from the landowner is provided to locate the cabinet within 10m of the existing



unit and it is stated that the field strength of the non-ionising radiation emissions from the radio station container will not exceed the limits specified by the Director of Telecommunications Regulation.

The cabinets, chambers, mini pillars are considered to fall within the scope of Class 31 (f) which refers to 'the volume above the ground-level of any such cabinet shall not exceed 2 cubic metres measured externally.' The submitter states that the development falls within this scope.

The ducting, cabling and earth pits are considered to comply with the conditions and limitations Class 31 (a) which refers to the provision of '(a) underground telecommunications structures or other underground telecommunications.

The proposed green mesh fence of 1.2m to replace the existing wire and concrete post is deemed to comply with the conditions/limitations of Class 11 of Schedule 2, Part 1 Exempted Development of the Planning and Development Regulations 2001, as amended which states the replacement fence shall be no greater than 1.2m.

The access gate of 1.2m in the green mesh fence proposed is considered to comply with the conditions and limitations of Class 9 of Schedule 2, Part 1 Exempted *Development of the Planning and Development Regulations 2001, as amended* where the limitation of the exemption which refers to 2m.

The works, as outlined above, constitute 'works' that are 'development' and the works **are development and** are exempted development.

This exemption does NOT itself empower a person to carry out a development unless that person is legally entitled to do so.

Please note that under Section 5 Subsection 3(a) where a declaration is issued under this section, any person issued with a declaration under subsection 2(a) may, on payment to the Board of such fee as may be prescribed, refer a declaration for review by the Board within 4 weeks of the date of the issuing of the declaration.

Yours faithfully,

KEVIN O' REGAN,

SENIOR EXECUTIVE OFFICER,

PLANNING DEPARTMENT.

In order to process your query, it may be necessary for Cork County Council to collect Personal information from you. Such information will be processed in line with our privacy statement which is available to view at https://www.corkcoco.ie/privacy-statement-cork-county-council

D/304/23 - Section 5 Declaration

A Section 5 declaration is sought by Medco Ltd on behalf of National Broadband Ireland, at Gurteenroe, Macroom, Co. Cork for the installation of communication apparatus.

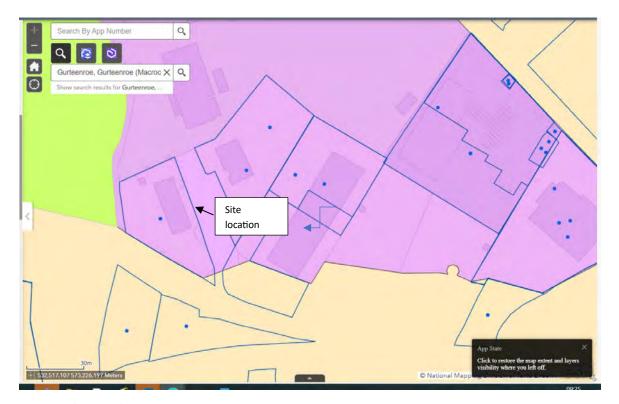


Figure 1 Subject site location



Figure 2 View of the existing warehousing unit on site

Question subject of the Section 5

On the basis of the information submitted the question to be addressed under this request is as follows:

"Whether the installation of electronic communications apparatus/development on behalf of the National Broadband Ireland is exempt and is or is not exempted development.

The development includes:

The erection of a 3m * 3m painted green cabinet located on the eastern side of Medco Ltd, on disused open land.

Proposed green mesh fence to replace existing wire and concrete post.

Ducting, cabling, earth pits, cabinets, chamber, mini pillar and all ancillary development

Access to the site is via a 1m wide steel mesh gate

Recent Planning History

08/54028 Permission granted to Medco Ltd for an Extension to building for use as a store.

1. STATUTORY PROVISIONS

The following statutory provisions are relevant to this referral case;

Planning and Development Act 2000, as amended

Section 2(1) states as follows:-

"In this Act, except where the context otherwise requires – 'development' has the meaning assigned to it by Section 3 ..."

Section 3 (1) states as follows:-

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

Section 4(1) identifies what may be considered as exempted development for the purposes of the Act, and Section 4(2) of the Act provides that the Minister, by regulations, provide for any class of development to be exempted development. The principal regulations made under this provision are the Planning and Development Regulations, 2001.

Planning and Development Regulations, 2001 as amended

Article 6(1) of the Planning & Development Regulations, 2001 as amended states as follows:-

"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."

Article 9(1) of the Planning & Development Regulations, 2001 as amended, provides a number of scenarios whereby development to which article 6 relates shall not be exempted development for the purposes of the Act.

CLASS 9 The construction, erection, renewal or replacement, other than within or bounding the curtilage of a house, of any gate or gateway

The height of any such structure shall not exceed 2 metres.

Class 11

CLASS 11 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/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

CLASS 31

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

- (a) underground telecommunications structures or other underground telecommunications works (including the laying of mains and cables and the installation underground of any apparatus or equipment),
- (b) overhead telecommunications including the erection of poles or other support structures or the use of existing poles or other support structures,
- (bb) The attachment to a pole or other support structure referred to in paragraph (b) above of any bracket, clamp or other fixture required for the carrying or support of any cable (including fibre optic cable), wire, tube, pipe, duct or similar thing, or required for the carrying or support of any device containing any such cable, wire, tube, pipe, duct or similar thing, and the attachment to such fixture of— (i) any cable (including fibre optic cable), wire, tube, pipe, duct or similar thing (including its casing or coating) or any device containing any of the foregoing, (ii) any other equipment or apparatus used for telecommunications purposes, which is exempted development for the purposes of Article 6 and this Class, (bbb) the attachment to any cable (including fibre optic cable), wire, tube, pipe, duct or similar thing of any device containing any such cable, wire, tube, pipe, duct or similar thing,
- (c) telephone kiosks or other telephone facilities in a public place not being on, over or along a public road,
- (d) equipment for transmitting or receiving signals from satellites in space,
- (e) permanent telecommunications exchange and radio station containers, including containers for electronic equipment required for transmitting, receiving and processing telecoms data for both wireless or wired networks,

(f) cabinets forming part of a telecommunications system, the attachment of additional antennae to an existing antenna support structure,

- (g) transportable radio installation,
- (h) the attachment of additional antennae to an existing antenna support structure
- (i) antennae for high capacity transmission links by way of attachment to existing high capacity antennae support structures,
- (j) an antenna support structure in place of an existing antenna support structure,
- (k) antennae, including small cell antennae, attached to the following existing structures— (i) public or commercial buildings (other than education facilities, childcare facilities or hospitals) by way of attachment to roofs, facades, chimneys, chimney pots or vent pipes; (ii) electricity pylons; (iii) agricultural storage buildings; (iv) water towers.
- (I) small cell antennae attached to the following existing structures— (i) electricity poles, telegraph poles, lamp posts, lighting structures, flag poles, CCTV poles; (ii) phone kiosks and bus shelters.

Conditions and Limitations referring to 31 a

- 1. Poles or other support structures carrying overhead lines shall not exceed 12 metres in height.
- 2. Poles or other support structures carrying other equipment shall not exceed 12 metres in height and 0.6 metres in diameter measured at the widest point, where "other equipment" means 2 transmitting or receiving dishes (the diameter of which shall not exceed 0.6 metres), or 1 panel antenna (the dimensions of which shall not exceed 0.85 metres in length x 0.65 metres in width x 0.2 metres in depth) used for the provision of a specific telecommunications service and the provision of which would otherwise require an additional pole route carrying overhead wires.
- 3. Where a pole or poles or other support structures carry radio transmitting or receiving apparatus, the field strength of the non-ionising radiation emissions from that installation shall not exceed the limits specified by the Director of Telecommunications Regulation.

Condition/Limitations referring to 31 e

- 1.The equipment housed in the container shall be used exclusively for the purposes of concentrating and re-routing calls or for transmitting, receiving and processing telecoms data for both wireless or wired networks and the container shall not have attached to it or within it, whether visible or not, any antennae for the direct transmission or reception of mobile telephony or other telecommunications signals in such a way that the container would act as an antennae support structure.
- 2. No such container shall exceed 10 metres in length, 3 metres in width or 3 metres in height.
- 3. No such container shall be situated within 10 metres of the curtilage of a house save with the consent in writing of the owner or occupier thereof, or within 10 metres of the window of a workroom of any other structure.
- 4. The field strength of the non-ionising radiation emissions from the radio station container shall not exceed the limits specified by the Director of Telecommunications Regulation.

Condition/Limitations referring to 31 f

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

Assessment

I note the details and drawings submitted as part of the application.

I inspected the site on the 11.12.2023. The site is occupied by a warehouse unit operated by Medco Ltd which supply health uniforms. The proposed telecommunications cabinet is proposed to the east of the warehouse. I note there are two esb poles north east of the boundary fence to be replaced.

No report received from the Area Engineer.

The works proposed are considered 'development' in accordance with Section 3 (1) of the Planning and Development Act, 2000.

The submitted development proposals contend that the works proposed fall under Class 11 and Class 31, (a)(e) and (f) of Schedule 2, Part 1 Exempt Development of the Planning and Development Regulations 2001, as amended.

I have reviewed the development proposals in relation to exemptions as provided in the Planning and Development Regulations 2001, as amended and would contend the following:

- The erection of the cabinet is in accordance with the conditions and limitations of Class 31 (e) as the statutory undertaker, National Broadband of Ireland have stated that the cabinet is for the purpose of transmitting, receiving and processing of telecom data for a wired network, the proposed cabin is 3m high x3m wide x 3m long, consent from the landowner is provided to locate the cabinet within 10m of the existing unit and it is stated that the field strength of the nonionising radiation emissions from the radio station container will not exceed the limits specified by the Director of Telecommunications Regulation.
- The cabinets, chambers, mini pillars are considered to fall within the scope of Class 31 (f) as the
 volume above the ground-level of any such cabinet shall not exceed 2 cubic metres measured
 externally.
- The ducting, cabling and earth pits are considered to comply with Class 31 (a) which refers to the provision of '(a) underground telecommunications structures or other underground telecommunications works (including the laying of mains and cables and the installation underground of any apparatus or equipment). There are no relevant limitations to this exemption.
- The proposed green mesh fence of 1.2m complies with Class 11 which refers to 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., where the limitation of 1.2m for a replacement fence is being complied with.
- The erection of the access gate within the proposed green mesh fencing is considered to comply with Class 9 which refers to the construction, erection, renewal or replacement, other than within or bounding the curtilage of a house, of any gate or gateway. The proposed access gate is to maintain the height of the new fence, at 1.2m so is complaint with the limitation of the exemption which refers to 2m.

Conclusion

WHEREAS a question has arisen as to *Whether the installation of electronic communications* apparatus/development on behalf of the National Broadband Ireland is exempt and is or is not exempted development:

AND WHEREAS Cork County Council, in considering this referral, had regard particularly to —

Sections 1,2, 3, 4 and 6 of the Planning and Development Act, 2000, as amended Class 9 of the Planning and Development Regulations 2001, as amended

Class 11 of the Planning and Development Regulations 2001, as amended

Class 31, a) e) and f) of the Planning and Development Regulations 2001, as amended

The Planning Authority has concluded that:

The development of the erection of a 3m * 3m painted green cabinet located on the eastern side of Medco Ltd, on disused open land is deemed to comply with the conditions and limitations of Class 31 (e) of Schedule 2, Part 1 Exempted Development of the Planning and Development Regulations 2001, as amended as the statutory undertaker, National Broadband of Ireland have stated that the cabinet is for the purpose of transmitting, receiving and processing of telecom data for a wired network, the proposed cabin is 3m high x3m wide x 3m long, consent from the landowner is provided to locate the cabinet within 10m of the existing unit and it is stated that the field strength of the non-ionising radiation emissions from the radio station container will not exceed the limits specified by the Director of Telecommunications Regulation.

The cabinets, chambers, mini pillars are considered to fall within the scope of Class 31 (f) which refers to 'the volume above the ground-level of any such cabinet shall not exceed 2 cubic metres measured externally.' The submitter states that the development falls within this scope.

The ducting, cabling and earth pits are considered to comply with the conditions and limitations Class 31 (a) which refers to the provision of '(a) underground telecommunications structures or other underground telecommunications.

The proposed green mesh fence of 1.2m to replace the existing wire and concrete post is deemed to comply with the conditions/limitations of Class 11 of Schedule 2, Part 1 Exempted Development of the Planning and Development Regulations 2001, as amended which states the replacement fence shall be no greater than 1.2m.

The access gate of 1.2m in the green mesh fence proposed is considered to comply with the conditions and limitations of Class 9 of Schedule 2, Part 1 Exempted *Development of the Planning and Development Regulations 2001, as amended* where the limitation of the exemption which refers to 2m.

Carol Dunne Executive Planner

Cocal Dunne

11.12.2023

Comhairle Contae Chorcaí Cork County Council

Medco Limited, Codrum West, Macroom, Co. Cork. P12 A308 Pleanáil agus Forbairt, Halla an Chontae, Bóthar Charraig Ruacháin, Corcaigh T12 R2NC. Fón: (021) 4276891

R-phost: planninginfo@corkcoco.ie Suíomh Gréasáin: www.corkcoco.ie Planning & Development, County Hall,

Carrigrohane Road, Cork T12 R2NC.

Tel (021) 4276891 Email: planninginfo@corkcoco.ie Web: www.corkcoco.ie



15th November 2023

Our Ref.: D/304/23

Re: Declaration of Exempted Development under Section 5 of The Planning and

Development Act 2000 – 2010.

Whether the installation of a fibre broadband cabin and ancillary development at Medco Limited, Gurteenroe, Macroom, Co. Cork is or is not development or is or is not exempted development

Dear Sirs,

Please be advised that a declaration has been sought with respect to Section 5 of the Planning and Development Act 2000 (as amended) from the Planning Authority by National Broadband Ireland with respect to whether the above description at Gurteenroe, Macroom, Co. Cork constitutes development.

You are being notified as the applicant has indicated that you are the legal owner of the land in question.

Yours faithfully,

Eveleen Crowley Clerical Officer

Planning Department

In order to process your query, it may be necessary for Cork County Council to collect Personal information from you. Such information will be processed in line with our privacy statement which is available to view at https://www.corkcoco.ie/privacy-statement-cork-county-council







Cork County Council Planning Department County Hall Carrigrohane Road County Cork T12 R2NC

Our Ref: NBI 82111, Carriganimmy

REGISTERED POST

Dear Sir or Madam.

National Broadband Ireland c/o Entrust Planning & Environmental Unit 1D Deerpark Business Centre Oranmore Co. Galway H91 X599

PLANNING DEPARTMENT

15 NOV 2023
CORK LOUNTY COUNCIL
County Hall, Cork

10/11/2023

APPLICATION FOR DECLARATION OF EXEMPT DEVELOPMENT - NATIONAL BROADBAND IRELAND

APPLICATION BY THE STATUTORY UNDERTAKER OF A PROPOSED DEVELOPMENT IN ACCORDANCE WITH THE PLANNING AND DEVELOPMENT REGULATIONS 2001 (AS AMENDED) TO UTILISE EXEMPT DEVELOPMENT RIGHTS.

INSTALLATION AT: MEDCO LIMITED, GURTEENROE, MACROOM, COUNTY CORK (ITM E: 532521, N: 573235).

We write in connection with a proposal to carry out exempt development by NBI Infrastructure DAC T/A National Broadband Ireland (NBI) at the above-named location, for use by NBI. This letter forms part of the request for a Declaration of Exempt Development by NBI Infrastructure DAC T/A National Broadband Ireland (NBI) to utilise exempt development rights to install electronic communications apparatus at this site, which has been chosen as a suitable network point in the design of its fibre broadband network for the area.

National Broadband Ireland

The National Broadband Plan (NBP) is the largest ever telecommunications project undertaken by the Irish State. It aims to radically transform the country's broadband landscape through the delivery of quality, affordable high-speed broadband to all parts of Ireland where such services are not available commercially.

The NBP will ensure that all people and businesses have access to high-speed broadband, no matter here they live or work. Once completed, all parts of Ireland will have access to a modern and reliable broadband network, capable of supporting the communications, information, education and entertainment requirements of current and future generations. It will make its services available to 23% of the population in about approximately 544,000 homes, farms, schools and businesses.

NBI Infrastructure Designated Activity Company, 3009 Lake Drive, Citywest, Dublin 24, B24 H6RR

El contactus@nbi la WWW.NBI TE



Proposal

The proposal is to install electronic communications apparatus/development on behalf of National Broadband Ireland as follows:

Description of Development:

- A cabin to be painted green to be located on the eastern side of the Medco R725 on disused open land.
- The cabin measures 3 m (Length) x 3 m (Width) x 3 m (Height) on concrete plinth.
- Proposed green mesh fence to replace existing wire and concrete post on the eastern side of the proposed.
- Ducting, cabling, earth pits, cabinets, chambers, mini pillar and all ancillary development thereto.
- Access to the site is gained from the proposed 1m wide steel mesh gate.

Planning Designations:

The proposal is located approximately 67 m from the closest scheduled monument (SMR No:CO070-051) Classification: FUFI, in the SW direction. The proposal is located approximately 232 m from the next closest scheduled monument (SMR No: CO070-052) Classification: FUFI, which is located in the N direction.

The proposal is located approximately 593 m from the closest NIAH (Reg No:20852061) Gurteenroe House, in the E direction. Detached double-pile five-bay two-storey house over raised basement, built c.1800, with two-storey hipped roofed projecting central bay to front (south-west). Pitched slate roof with rendered eaves course and chimneystacks. Rendered walls. Square- and round-headed window openings with two-over-two and one-over-one pane timber sliding sash windows, having moulded render hood mouldings to round-headed windows. Round-headed door opening with rendered surround having timber panelled door and fanlight. Located within own grounds.

Given the small-scale nature of the proposal in terms of its footprint at 3 m x 3 m and its height at 3 m, its green colour and the location of the proposal, benefits from existing built screening from the closest Scheduled Monument to the SW direction by way of the existing Medco Ltd building which effectively blocks visibility of the proposed small-scale development. Given the significant distance away from the NIAH building to the east with the intervening vegetation screening, means there will be no visual impact on these heritage assets. Given the existing vegetation screening from the aforementioned heritage assets means there will be no visibility of the proposal from these heritage assets and therefore no visual or other impact resulting from the proposal on the heritage assets. As such it is considered the proposal will have no impact on the Protected Structures and Scheduled Monument in proximity to the proposal whatsoever.

The proposal will not have any impact whatsoever on any heritage, ecological or landscape designations as shown in the map overleaf as it is not within or close to any designated areas.

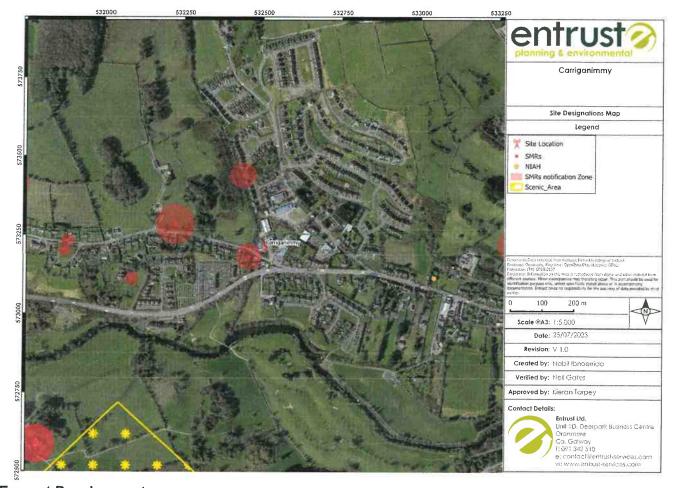
N8) infrastructure Designated Activity Company 3009 Lake Drive: Citywest, Dublin 24, D24 H8RR

E. comectus@nbi.ie WWW.NBI.IE Planning Department

15 NOV 2023

CONCOUNTS FEELAND





Exempt Development

Please accept this submission as a formal application for a Declaration for Exempt Development under Section 5 (1) of the Planning and Development Act 2000 (as amended).

It is considered that this proposal is exempt development in accordance with the Planning & Development Regulations 2001 (as amended). The table below demonstrates the proposed development's compliance with SI No. 600, 2001, Schedule 2, Part 1, Class 31 (E) for development consisting of permanent telecommunications exchange and radio station containers, including containers for electronic equipment required for transmitting, receiving and processing telecoms data for both wireless or wired network.

NBI infrastructure Designated Activity Company 3009 Lake Drive, Citywest, Dublin 24, D24 H6RR

E. contactus@nbi ie WWW_NBI_IE

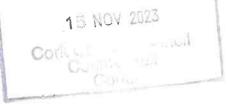




Conditions and Limitations SI No. 31, 2001-2020 (e) permanent telecommunications exchange and radio station containers, including containers for electronic equipment required for transmitting, receiving and processing telecoms data for both wireless or wired networks.	Compliance with Conditions and Limitations SI No. 31, 2001-2020 (e)	
1. The equipment housed in the container shall be used exclusively for the purposes of concentrating and re-routing calls or for transmitting, receiving and processing telecoms data for both wireless or wired networks and the container shall not have attached to it or within it, whether visible or not, any antennae for the direct transmission or reception of mobile telephony or other telecommunications signals in such a way that the container would act as an antennae support structure.	The equipment housed in the NBI cabin shall be used exclusively for the purposes of transmitting, receiving and processing of telecoms data for a wired network. There will be no antennas on or within the proposed NBI cabin.	
2. No such container shall exceed 10 metres in length, 3 metres in width or 3 metres in height.	The proposed NBI cabin will measure 3 m (Length) x 3 m (Width) x 3 m (Height).	
3. No such container shall be situated within 10 metres of the curtilage of a house save with the consent in writing of the owner or occupier thereof, or within 10 metres of the window of a workroom of any other structure.	Consent from the owner is provided to locate container closer than 10 metres of the structure.	
4. The field strength of the non-ionising radiation emissions from the radio station container shall not exceed the limits specified by the Director of Telecommunications Regulation.	The field strength of the non-ionising radiation emissions from the NBI cabin do not exceed the limits specified by the Director of Telecommunications Regulation.	
Class 11, Part 1, Schedule 2 of the Planning and Development Regulations 2001, as amended.	The proposed green mesh fence on three sides is 1.2 m high.	
Class 31 (F) Part 1, Schedule 2 of the Planning and Development Regulations 2001.	The cabinets, chambers, mini pillars come within scope.	
Class 31 (a) Part 1, Schedule 2 of the Planning and Development Regulations 2001, as amended.	The installation of ducting, cabling and earth pits come within scope.	
	- NOV 2003	

NEII infrastructure Designated Activity Company 3009 Leke Drive, Citywest, Dublin 24, D24 HSRR

El contactus@nbi.ie WWW.NBI.IE





Yours Sincerely,

LUNGELO NKOSI BTech, MCRP Entrust Limited for Obelisk Limited

On behalf of NBI

Email: lungelo@entrust-services.com

Tel: 091 342 517

Enclosures:

• Cover Letter (this document).

- Letter of Consent
- Application Form.
- Plans & Drawings.
- Cheque for €80.
- Drawings.

Drawing No.	Drawing Title	Scale
82111/001/00	Location Maps & Photos	1:50 000
82111/001/01	Proposed Site Location Map	1:1 000
82111/001/02	Proposed Site Location Map	1:350
82111/001/03	Proposed Site Layout Plan	1:250
82111/001/04	Proposed Site Layout Plan	1:100
82111/001/05	Proposed Site Elevation	1:25
82111/001/06	Proposed Cabin Setting Out	1:50
82111/001/07	Proposed Earthing Layout	1:50
70000/002/01	Proposed NBI Cabin Layout	1:50

1981 Infrastructure Designated Activity Company 3009 Lake Drive, Citywest, Dubin 24, D24 H6RR







CORK COUNTY COUNCIL APPLICATION FOR SECTION 5 DECLARATION OF EXEMPTION

4 No. Copies of Application Form: 1 No. Copy of Contact Details: 4 No. Copies 6" O.S. Maps: 4 No. Copies 25" O.S. Maps:

4 No. Copies Scaled Drawings of Development:

€80 Application Fee:

APPLICANT CHECKLIST

(Please tick $\sqrt{\ }$)

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FOR OFFICE USE ONLY

4 No. Copies of Site Layout Plan:

Receipt No.	PL20002315		
Cash/Cheque/ Credit Card	Cheque		
Date	15/11/23		
Declaration Ref. No.	D 304 23		

DATE STAMP HERE

You should make sure that you are satisfied that any information/documentation that you submit is appropriate to be viewed by the public. Please do not submit any information that you do not want 3rd parties to view.

In the case of a Declaration of Exemption for Land Reclamation, the following additional information is required:

- A copy of the details submitted to the Council's Environment Department (Inniscarra) for a Waste Licence Permit
- Correspondence from Teagasc (detailing how the land reclamation would benefit the land in question for agricultural purposes) Planning Departs
- Details of existing and proposed levels
- Details of fill material and duration of fill.

DATA PROTECTION

The planning process is an open and public one. In that context, all applications for Declarations of Exemption are made available for public inspection.

Personal information collected by Cork County Council is done so in order for us to process your application for a Section 5 Declaration of Exemption. Legally we can process this information as it is necessary for us to comply with our statutory/legal obligations. The protection of our personal data is a key priority for the Council and your data will be processed in line with our Privacy policy which is available at http://www.corkcoco.ie/Privacy-Policy or hardcopy from our offices at County Hall, Carrigrohane Road, Cork, Ireland. Should you have any questions about our privacy policy or the information we hold about you, please contact us by email to dpo@corkcoco.ie or write to us at Data Protection Officer, Cork County Council, County Hall, Carrigrohane Road, Cork, Ireland.

POSTAL ADDRESS OF LAND OR STRUCTURE FOR WHICH DECLARATION OF EXEMPTION IS SOUGHT: Bedoo Limited, Gurteenroe, Macroom, Co. Cork Course State the specific question for which a Declaration of Exemption is sought the confly works listed and described under this section will be assessed under the Section 5 Declaration of Exemption or Broadband Cabin and ancillary development as proposal is to install electronic communications apparatus/development on behalf of National Broadband Ireland 2826 see attached cover letter for description of development	NBI Infrastructure DAC T/A National Broadband Ireland	
B. QUESTION/DECLARATION DETAILS: case state the specific question for which a Declaration of Exemption is sought ne: Only works listed and described under this section will be assessed under the Section 5 Declaration of Exemption the Broadband Cabin and ancillary development the proposal is to install electronic communications apparatus/development on behalf of National Broadband Ireland case see attached cover letter for description of development	2. POSTAL ADDRESS OF LAND OF EXEMPTION IS SOUGHT:	R STRUCTURE FOR WHICH DECLARATION OF
ease state the specific question for which a Declaration of Exemption is sought only works listed and described under this section will be assessed under the Section 5 Declaration of Exemption of the Broadband Cabin and ancillary development on behalf of National Broadband Ireland on the proposal is to install electronic communications apparatus/development on behalf of National Broadband Ireland on the proposal sease see attached cover letter for description of development on the proposal sease see attached cover letter for description of development on the proposal sease see attached cover letter for description of development on the proposal sease see attached cover letter for description of development on the proposal sease see attached cover letter for description of development on the proposal sease see attached cover letter for description of development on the proposal sease see attached cover letter for description of development on the proposal sease see attached cover letter for description of development on the proposal sease see attached cover letter for description of development on the proposal sease see attached cover letter for description of development on the proposal sease see attached cover letter for description of development on the proposal sease see attached cover letter for description of development on the proposal sease see attached cover letter for description of development on the proposal sease see attached cover letter for description of development on the proposal sease see attached cover letter for description of development on the proposal sease see attached cover letter for description of development on the proposal sease see attached cover letter for description of development on the proposal sease see attached cover letter for description of development on the proposal sease see attached cover letter for description of development on the proposal sease see attached cover letter for description of development on the proposal sease see attached cover letter for description of	ledco Limited, Gurteenroe, Macroom, Co. Cork	
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15 No. 12 No. 1		- NOV 2023
		45 MOV

NAME OF APPLICANT: (ADDRESS TO BE SUPPLIED AT QUESTION A – CONTACT DETAILS)

1	A DDT	ICATION	DETAILS:
4.	APPL	ILAIIUN	DETAILS:

Answer the following if applicable. Note: Floor areas are measured from the inside of the external walls and should be indicated in square metres (m^2)

(a) Floor area of existing/proposed structure(s):	28 m²
(b) If a domestic extension is proposed, have any previous extensions/structures been erected at this location after 1 st October, 1964 (including those for which planning permission has been obtained):	Yes No No In If yes, please provide floor areas (m²) and previous planning reference(s) where applicable:
(c) If a change of use of land and/or building(s is proposed, please state the following:	
Existing/previous use Disused Land	Proposed use Fibre Broadband Cabin and Ancillary Development
(d) Are you aware of any enforcement proceedings connected to this site?	Yes No V If yes, please state relevant reference number(s):
LEGAL INTEREST OF APPLICANT IN Please tick appropriate box to show applicant's	THE LAND/STRUCTURE: A. Owner B. Other
legal interest in the land or structure: Where legal interest is "Other", please state your interest in the land/structure:	easehold
If you are not the local errors along the the	ledco Limited
PROTECTED STRUCTURE DETAILS / A	ARCHITECTURAL CONSERVATION AREA:
Is this a Protected Structure/Proposed Protected Structure: Yes No	ructure or within the curtilage of a Protected
If yes, has a Declaration under Section 57 of the Pl or issued for the property by the Planning Authority	anning & Development Act 2000 been requested y: Yes No
If yes, please state relevant reference No. N/A	in a Department
Is this site located within an Architectural Conserva Development Plan? Yes	ation Area (ACA), as designated in the County
APPROPRIATE ASSESSMENT: Yould the proposed development require an approave a significant effect on the integrity of a Europ	opriate assessment because it would be likely to ean site (SAC, SPA etc)? Yes No

8. DATA PROTECTION DECLARATION:

In order for the Planning Authority to process the personal data you have provided, your consent is required. By ticking the box below, you consent to the Planning Authority processing the personal data provided by you in line with the terms of Cork County Council's Privacy Policy available at http://www.corkcoco.ie/privacy-statement-cork-county-council or in hardcopy from any Council office; and to having your information processed for the following purposes:

Processing of your Declaration of Exemption application by the Planning Authority

✓ I give permission fo	or my personal information to be processed for the purpose stated above
Signed (By Applicant Only)	Lingels Moss
Date	10/11/2023

GDPR Special Categories of data / Sensitive Personal data - Explicit Consent

Where Special Categories of personal data / sensitive personal data are provided as part of / in support of a declaration application, **explicit consent** to the processing of the special categories of data must be given by the person to whom the data refers, namely the Data Subject.

Special Categories of data / Sensitive Personal data include:

- Race
- Ethnic origin
- Political opinions
- Religion
- Philosophical beliefs
- Trade union membership
- Genetic data
- Biometric data
- Health data
- Concerning a natural person's sex life
- Sexual orientation

In order for the Planning Authority to process the sensitive personal data you have provided, your consent is required. By ticking the box below, you consent to the Planning Authority processing the personal data provided by you in line with the terms of Cork County Council's Privacy Policy available at https://www.corkcoco.ie/privacy-statement-cork-county-council or in hardcopy from any Council office; and to having your information processed for the following purposes:

Sensitive personal data being submitted in support of Declaration of Exemption Application

\checkmark I give permission for my se	ensitive personal data submitted to the Planning Authority to be processed
for the purpose stated above.	
Signed	Lingelo Mas
Date	10/11/2023

You have the right to withdraw your consent by contacting the Planning Department, Ground Floor, County Hall, Carrigrohane Road, Cork. Tel: (021) 4276891 Email: planninginfo@corkcoco.ie or by contacting the Planning Department, Norton House, Cork Road, Skibbereen, Co. Cork. Tel: (028) 40340 Email: westcorkplanninginfo@corkcoco.ie However if consent to the use of personal data is withdrawn during the declaration of exemption decision-making process this information cannot be considered as part of the decision making process. Once a decision has been made, an applicant is not entitled to withdraw consent, as the right of erasure does not apply to a situation where processing is required for compliance with a legal obligation or for the performance of a task carried out in the public interest.

Please note that all information / supporting documentation submitted will be available publicly to view at the Planning Authority offices.



ADVISORY NOTES:

The application must be accompanied by the required fee of €80

The application must be accompanied by a site location map which is based on the Ordnance Survey map for the area, is a scale not less than 1:1000 and it shall clearly identify the site in question.

Sufficient information should be submitted to enable the Planning Authority to make a decision. If applicable, any plans submitted should be to scale and based on an accurate survey of the lands/structure in question.

The application should be sent to the following address:

The Planning Department, Cork County Council, Floor 2, Co. Hall, Carrigrohane Road, Cork, T12 R2NC; or for applications related to the Western Division, The Planning Department, Cork County Council, Norton House, Cork Road, Skibbereen, Co. Cork, P81 AT28.

- The Planning Authority may require further information to be submitted to enable the authority to issue a decision on the Declaration of Exemption application.
- The Planning Authority may request other person(s), other than the applicant; to submit information on the question which has arisen and on which the Declaration of Exemption is sought.
- Any person issued with a Declaration of Exemption may on payment to An Bord Pleanála refer a Declaration of
 Exemption for review by the Board within 4 weeks of the date of the issuing of the Declaration of Exemption
 decision.
- In the event that no Declaration of Exemption is issued by the Planning Authority, any person who made a request may on payment to the Board of such a fee as may be prescribed, refer the question for decision to the Board within 4 weeks of the date that a Declaration of Exemption was due to be issued by the Planning Authority.

The application form and advisory notes are non-statutory documents prepared by Cork County Council for the purpose of advising the type of information which is normally required to enable the Planning Authority to issue a Declaration of Exemption under Section 5. This document does not purport to be a legal interpretation of the statutory legislation nor does it state to be a legal requirement under the Planning and Development Act 2000 as amended, or Planning and Development Regulations, 2001, as amended.

9. I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct, accurate and fully compliant with the <u>Planning and Development Acts 2000</u>, as <u>amended</u> and the Regulations made thereunder:

Signed (Applicant or Agent as appropriate)	Junyelo Moss
Date	10/11/2023





20 th October 2023

Re: Proposed installation of fibre broadband cabin and ancillary development by NBI Infrastructure DAC.

To Whom It May Concern,

As owners of folio CK80528F, we acknowledge the submission made by National Broadband Ireland for the proposed installation of a fibre broadband cabin and ancillary development on this property.

The cabin is known as an equipment access module (EAM) and it houses the active optical equipment that provides connectivity to premises.

The cabin is $3m \times 3m$ and will be located 1 metre from the building that houses the factory. The location has been confirmed as per the drawings prepared and agreed by both parties. Please refer to the drawing pack attached.

Should you require any further clarification from us as owners of folio CK80528F, please do not hesitate to contact us.

Your sincerely,

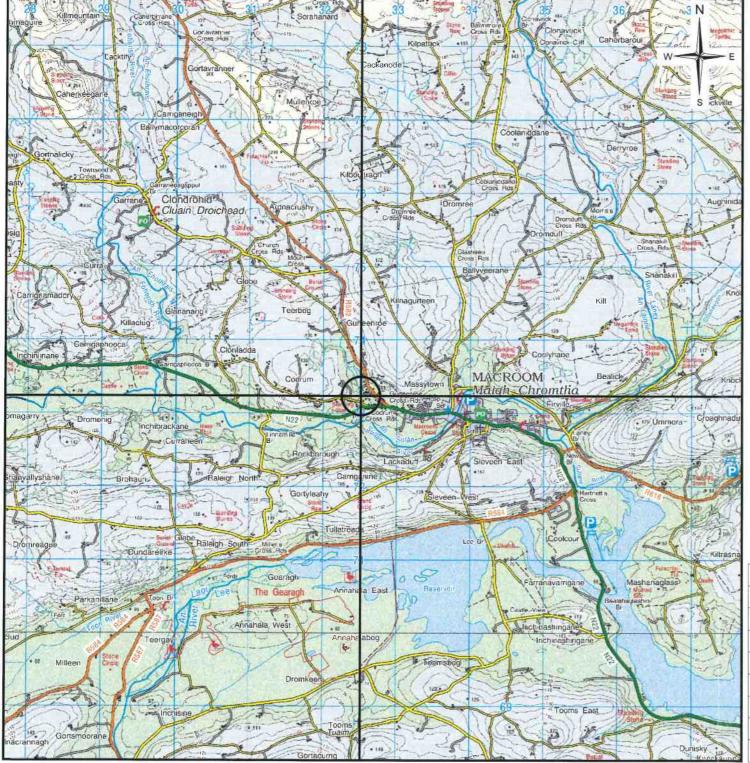
Mark Roche

For and on behalf of Medco Limited.

M. Roche



Ordnance Survey Map Scale 1:50000



Drawing No.	Drawing Title
82111/001/00	Location Map & Photos
82111/001/01	Site Location Map
82111/001/02	Site Location Map 1:350
82111/001/03	Site Layout Plan 1:250
82111/001/04	Site Layout Plan 1:100
82111/001/05	Proposed Elevation
82111/001/06	Prop. Cabin Setting Out
82111/001/07	Proposed Earthing Layout

Reproduced from the OS Discovery Maps, 1:50000 with the permission of

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Site Photographs



FIG. 1: ELEVATION



FIG. 2: PROPOSED SITE LOCATION



FIG. 3: PROPOSED RFE CABINET LOCATION

15 NOV 2023

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Do not scale	G			
	F			
All dimensions are in mm unless	E			
otherwise specified	D			
	С			
Assume all site details are existing unless otherwise specified	В			
outerwise specifica	Α	Initial Issue	GOF	06.07
	Iss.	Description	By	Date

DIVI	A ALL A O LAIL CI	NOTEL	OI ILD,	DOI LIO
	Cabin/Cabinet Details		Site Coordinates	
	Cabinet Type:- Dimensions: Colour:	NB! CABIN 3m x 3m x 3m	Latitude: Longitude!	51,907121 -8,980671
2 07 22			Grid Reference Easting: 532,523	

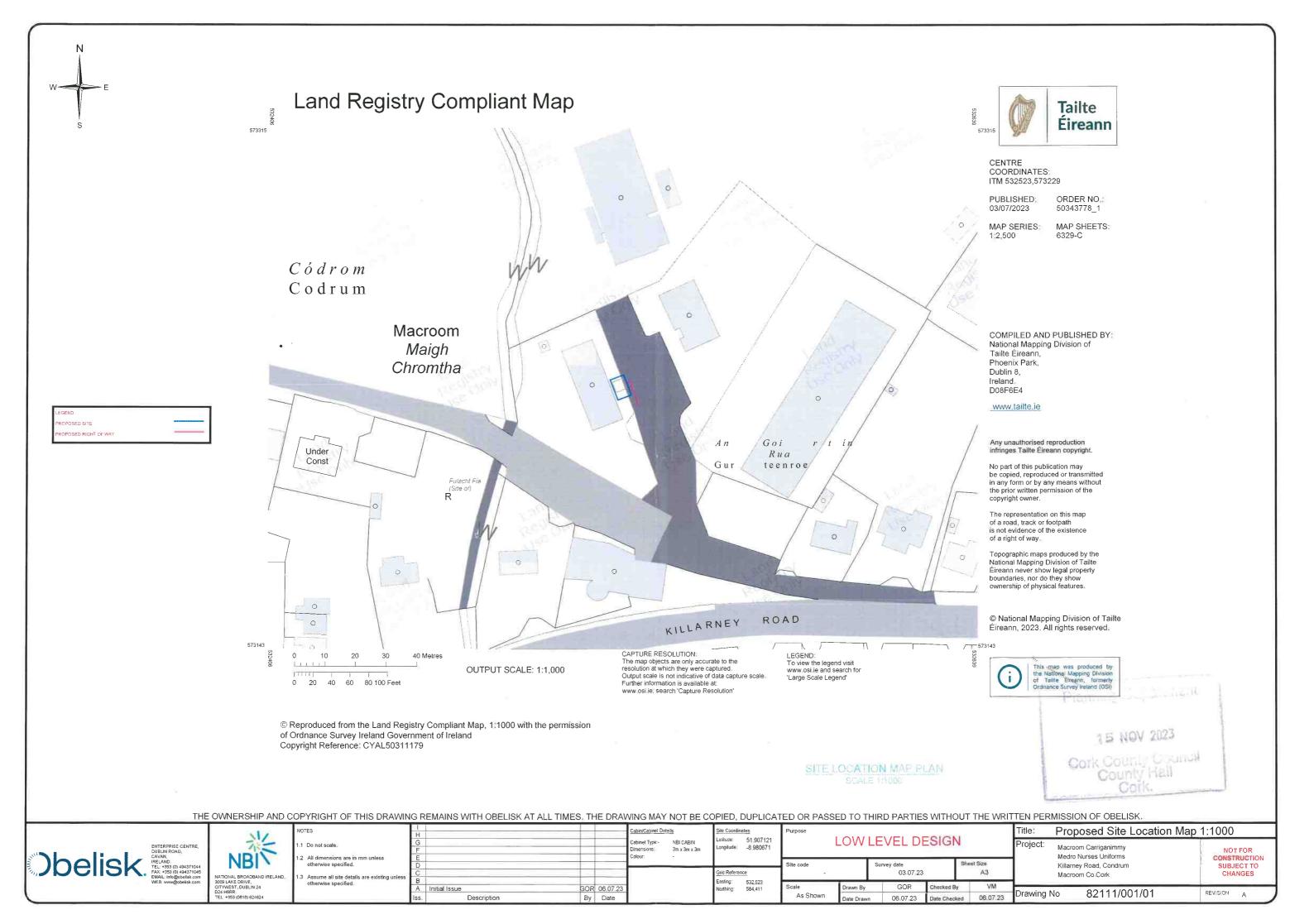
LOW LEVEL DESIGN Survey date 03.07.23 GOR 06.07.23

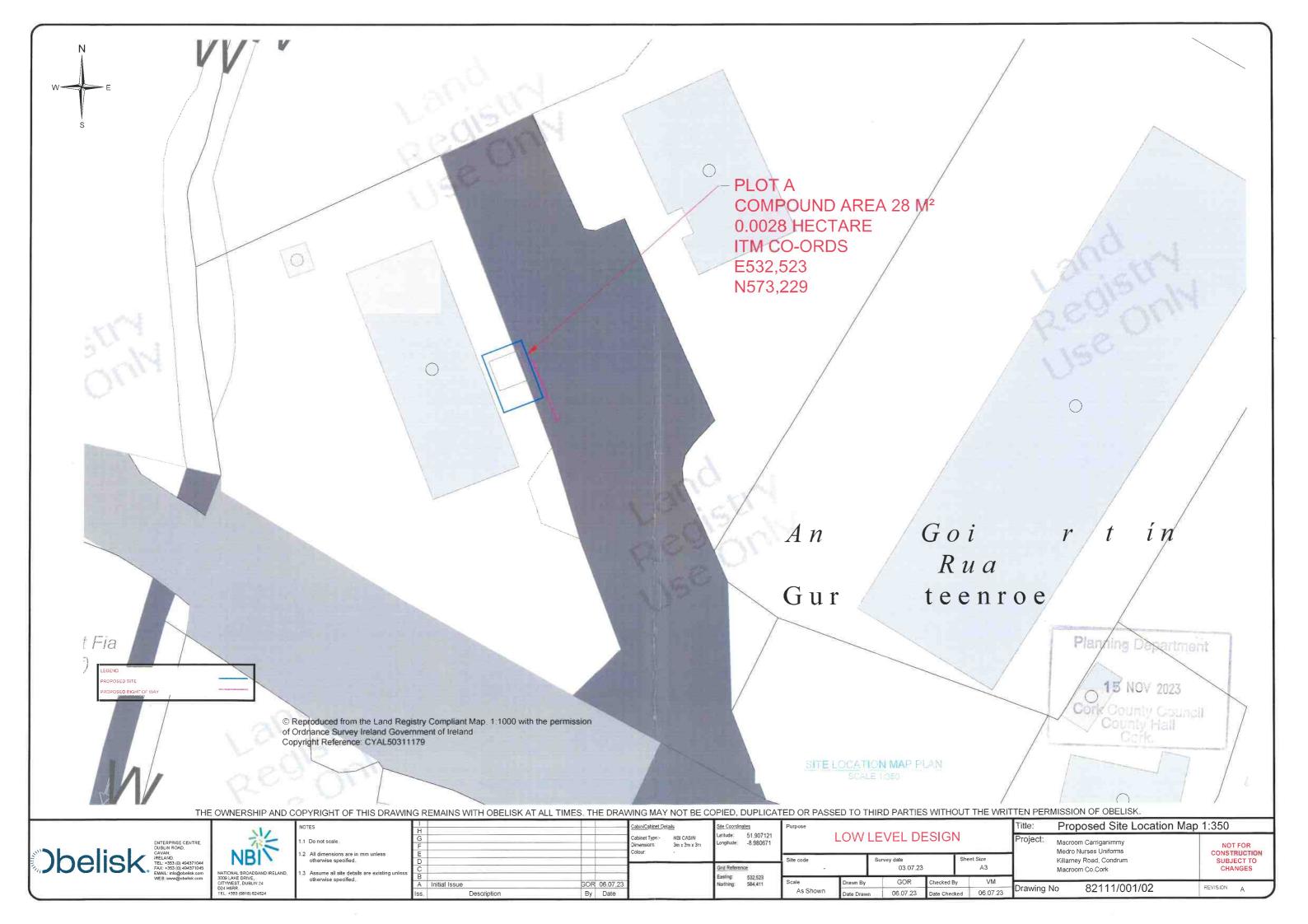
Location Map & Photographs Macroom Carriganimmy Medro Nurses Uniforms Killarney Road, Condrum Macroom Co Cork

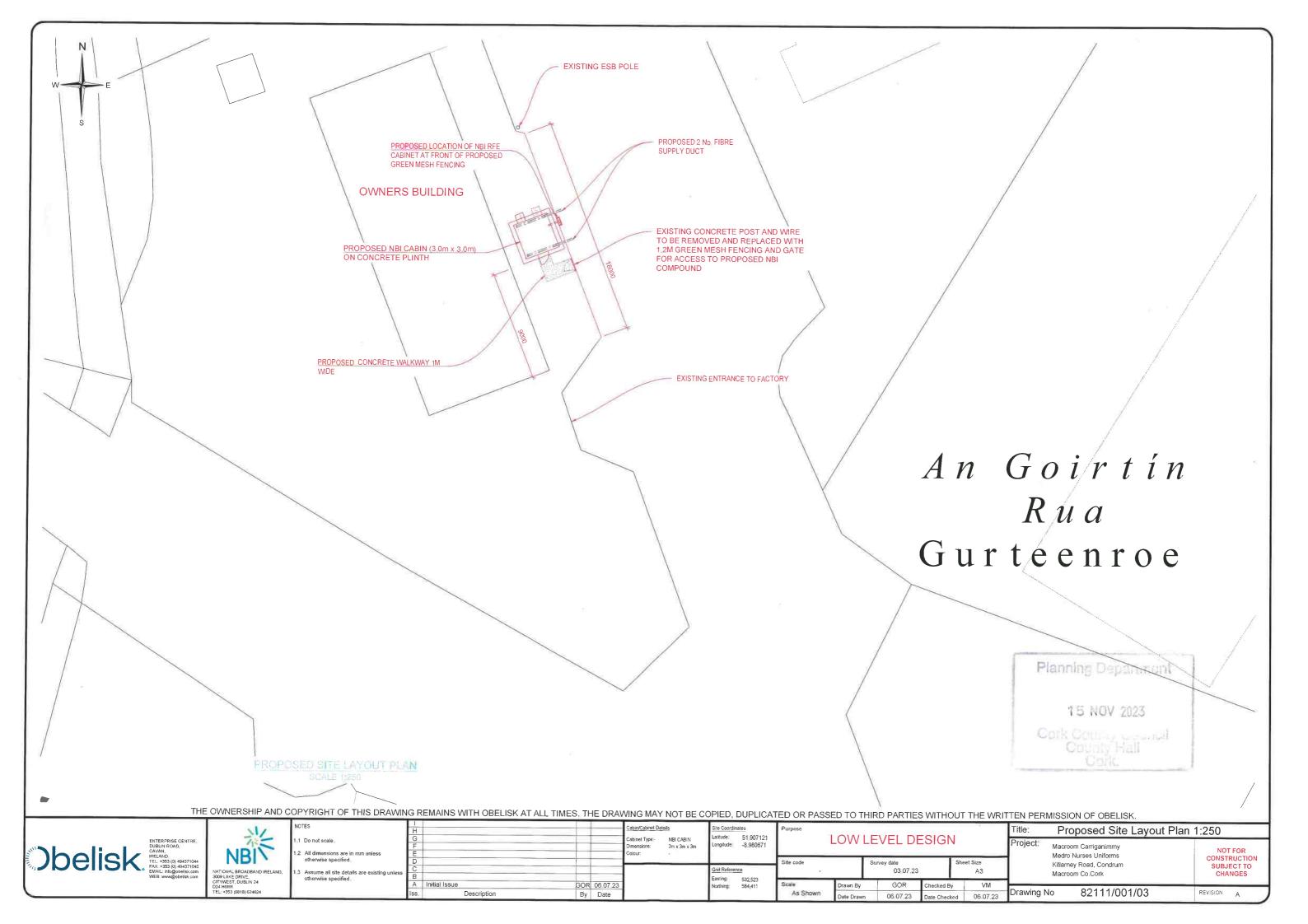
NOT FOR CONSTRUCTION SUBJECT TO CHANGES

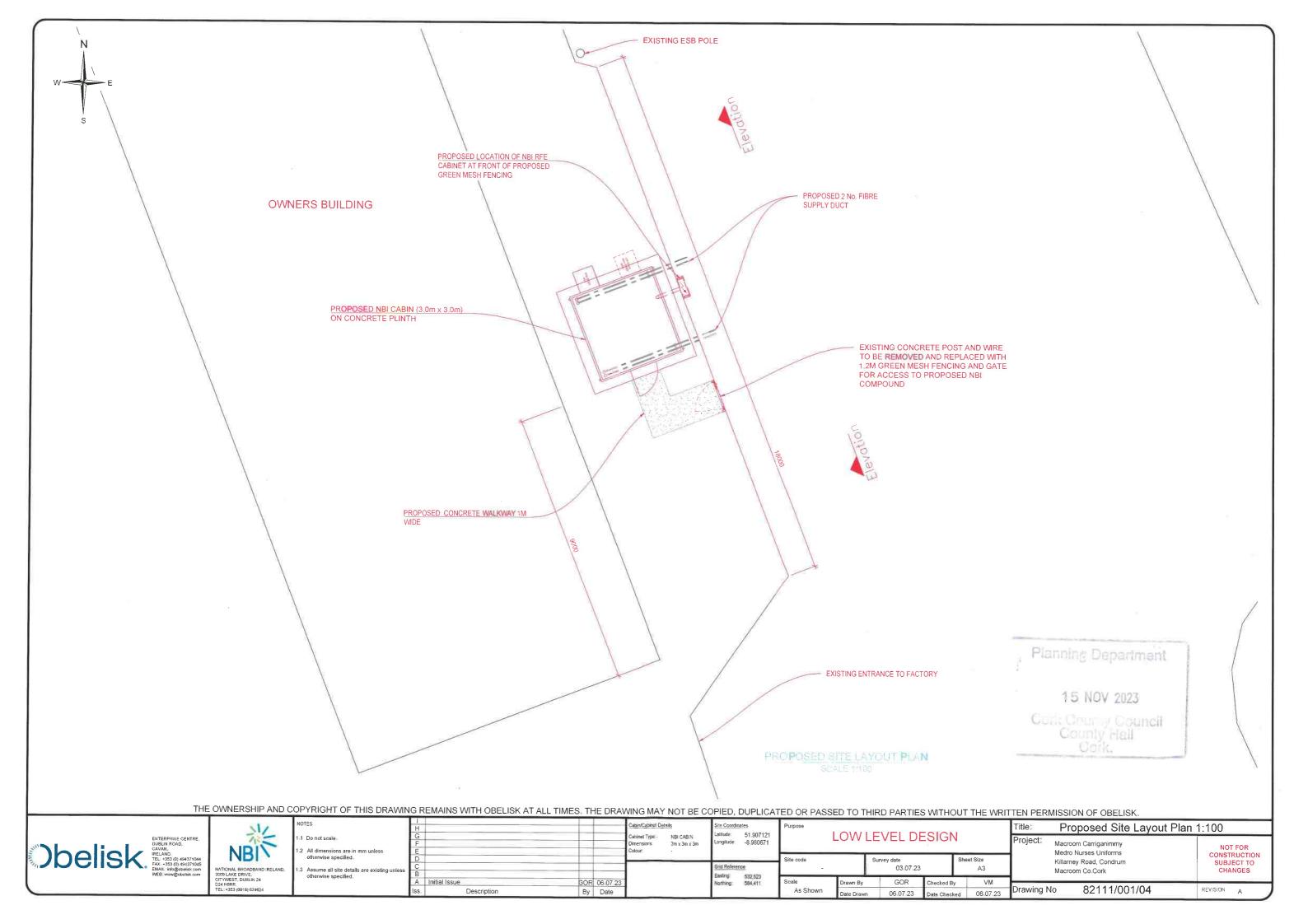
REVISION

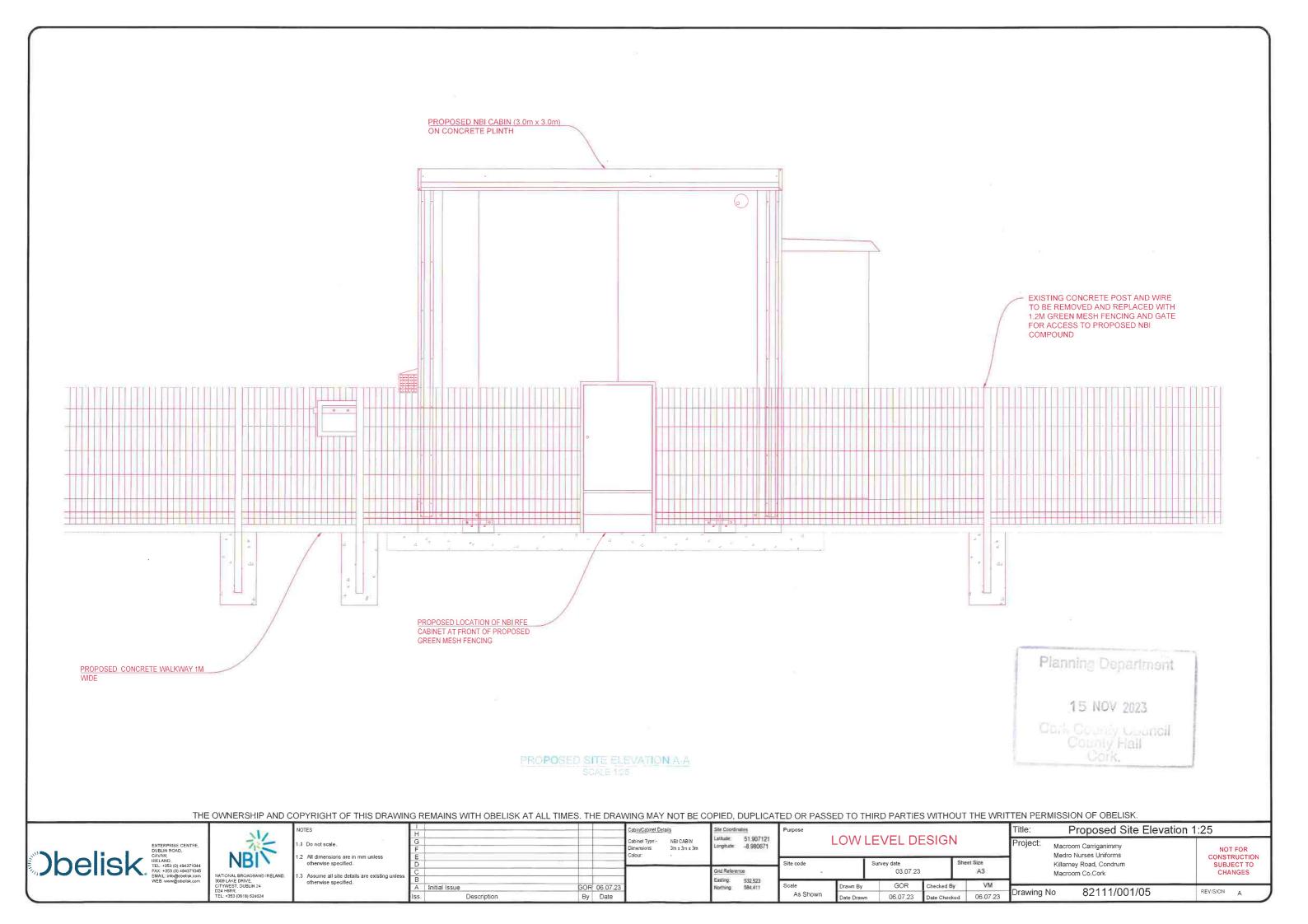
82111/001/00

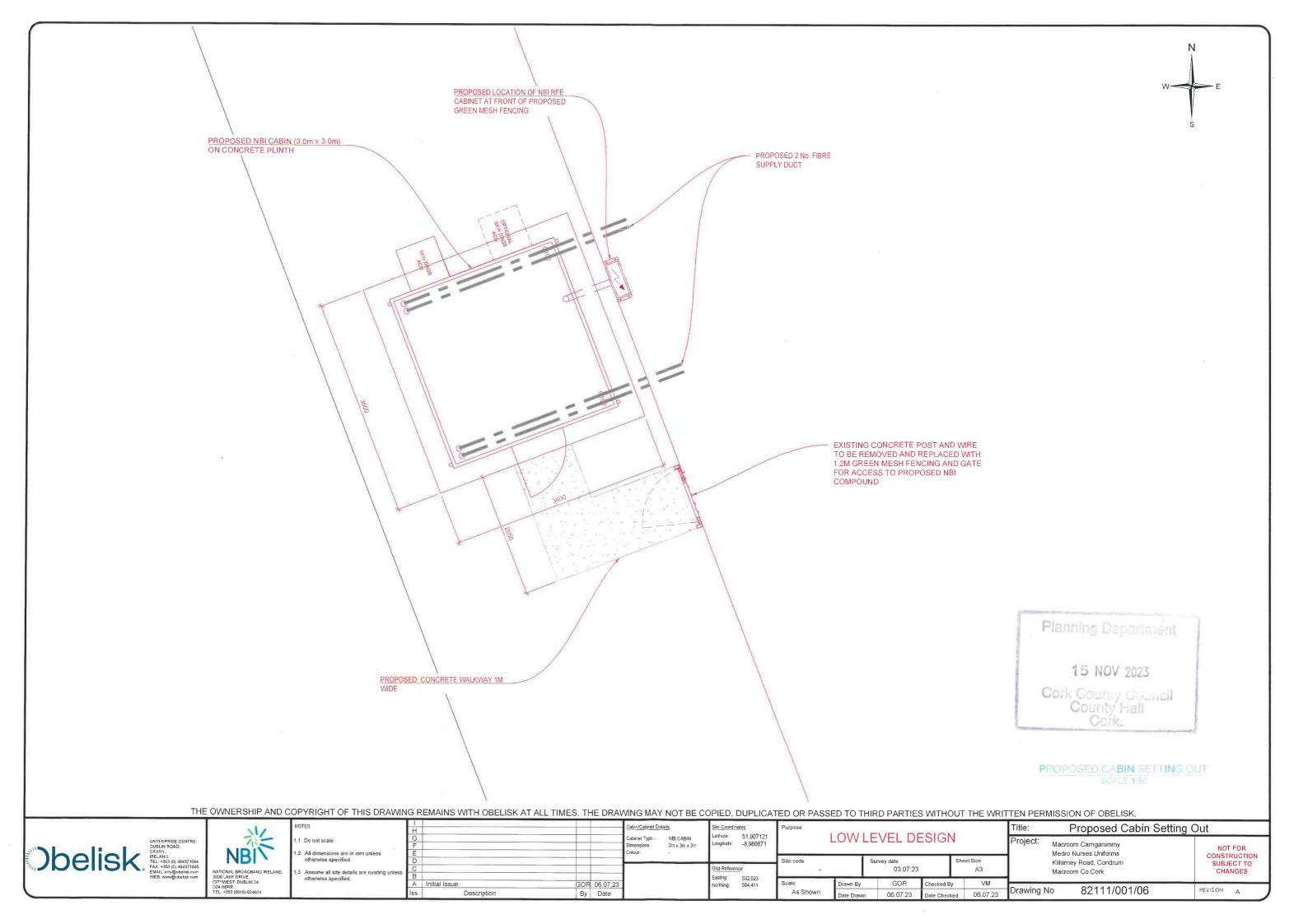




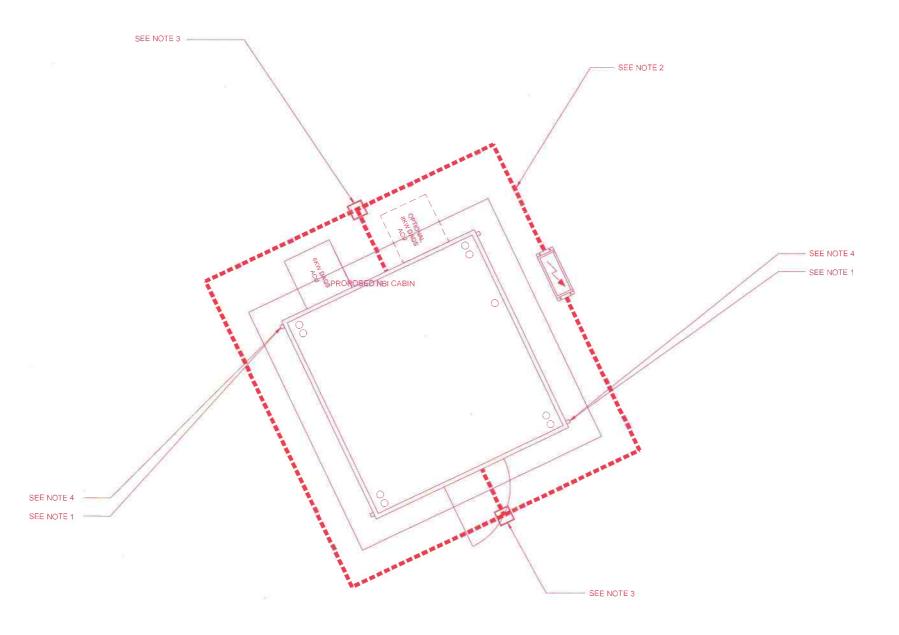












NOTES:

- PROPOSED CABIN CONNECTED TO INNER EARTH RING AT DESIGNATED POINTS ON CABINS. (INDICATED BY CIRCLE). FOR DETAILS THE CABIN EARTH POINTS PLEASE REFER TO MANUFACTURERS SPECIFICATION.
 ALUMINIUM TAPE OR CABLE TAIL TO BE LEFT FOR CONNECTION TO CABIN. OVERGROUND EARTH CONNECTION TO BE INSULATED.
- 2. LINE OF EARTH RING. EARTH SYSTEM TO CONSIST OF CABLE OR BARE COPPER TAPE 50 SQ LAID INTO TRENCH.
- 3. POSITION OF EARTH PIT AND EARTH RODS. BI-METALLIC CONNECTORS TO BE LOCATED IN EARTH PITS. GROUND TO BE CLEAR OF ANY UNDERGROUND CABLES IN VICINITY OF EARTH PITS AND BI-METALLIC CONNECTORS. No. OF CONNECTORS RELATES TO GROUND CONDITIONS. CONDITION OF GROUND TO BE CHECKED ON SITE BEFORE COMMENCEMENT.
- 4. 50mm DUCT IN BASE SLAB FOR EARTH TO CONNECT TO CABIN EARTH POINT TO BE SEALED WITH EXPANDING FOAM

Planning Department

15 NOV 2023

Cork County Council
County Hall
Cork.

82111/001/07

PROPOSED EARTHING LAYOUT

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NOTES

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

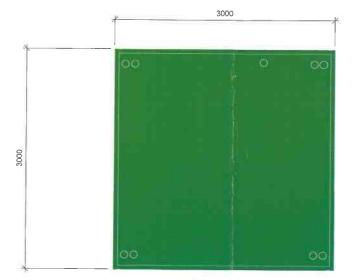


Description

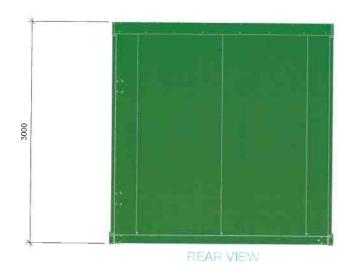
51,907121 -8,980671 Site code 532,523 584,411 Scale Project: Proposed Earthing Layout
Project: Macroom Carriganimmy
Medro Nurses Uniforms
Killarney Road, Condrum
Macroom Co.Cork

NOT FOR CONSTRUCTION SUBJECT TO CHANGES

REVISION A



PLAN VIEW







RIGHT VIEW

NOTES

- CABIN IS ENTIRELY DOUBLE SKINNED
 INSULATED WITH EXTRA FIRE RETARDANT POLYSTYRENE
 CABIN IS 1P55 RATED
 INTERNAL DIMENSIONS: 2787mm LONG x 2787mm WIDE x 2700mm HIGH



.15 NOV 2023 Cork County Council County Hall Cork.

Planning Department

PROPOSED NEL CABIN DETAILS
SCALE 1:50

70000/002/01

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NOTES 1.2 All dimensions are in mm unless otherwise specified

Assume all site details are existing unless otherwise specified.

A Initial Issue GOR 01.06.21 By Date Description

Latitude: -Longitude: -

Grid Reference

Site code N/A

As Shown

PLANNING Sheet Size Survey date XX.XX.XX АЗ GOR Drawn By Checked By

01,06.21

Project: VM Drawing No

01.06.21

Title:

Proposed NBI Cabin Layout NOT FOR CONSTRUCTION SUBJECT TO CHANGES NBI ROLLOUT

REVISION A