



## **Limerick City and County Council**

### **Planning Department**

#### **Section 5 Application**

#### **DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

Applicant's Name: **Three Ireland (Hutchinson) Limited**

Applicant's Address: **28/29 SIR JOHN ROGERSON'S QUAY, DUBLIN  
2, DUBLIN, D02EY80, IRELAND**

████████ of Agent (if any): **Arnold Matare (Entrust Ltd)**

Address: **Unit 1, First Floor, Oranmore Business Park,  
Oranmore, County Galway, H91 P7X8**

Telephone No. **091 342 511**

Address for Correspondence:

**arnold@entrust-services.com**

Location of Proposed development (Please include EIRCODE):

**PALLASKENRY GARDA STATION, PALLASKENRY, CO. LIMERICK, V94  
C623**

Description of Proposed development:

**Whether the proposed swap out of 3 no. existing antennae with 3 no. proposed  
antennae on an existing 18m high lattice structure at Pallaskenry Garda Station,**

**Pallaskenry, Co. Limerick is development and if so is or is not exempted development**

Section of Exempted Development Regulations and/or section of the Act under which exemption is claimed:

**SI No. 600, 2001-2020, Schedule 2, Part 1, Class 31 (H) for development consisting of the attachment of additional antennae to an existing antenna support structure**

Is this a Protected Structure or within the curtilage of a Protected Structure.

**NO**

Applicant's interest in site: **Leasehold**

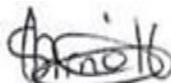
List of plans, drawings, etc. submitted with this application:

- **Cover Letter**
- **ICNIRP Declaration**
- **Declaration of Exempted Development Application Form (This Document)**
- **Drawings indicating the extent of proposed development**

Have any previous extensions/structures been erected at this location **NO**

If Yes please provide floor areas of all existing structures:

**N/A**



Signature of Applicant (or Agent)

**NOTES:** Application must be accompanied by:

- (a) Fee of €80
- (b) Site location map
- (c) Site layout plan
- (d) Dimensioned plans and elevations of the structure and any existing structures.
- (e) Where the declaration is in respect of a farm building, a layout identifying the use of each existing building together with floor area of each building.

\*\*\*\*\*

Application to be forwarded to:

**Planning Department,  
Limerick City & County Council,  
Dooradoyle,**

**Limerick,  
V94 XF67**

**Enquiries:  
Telephone: 061-556556  
E-Mail: [planning@limerick.ie](mailto:planning@limerick.ie)**

\*\*\*\*\*

LIMERICK CITY & COUNTY COUNCIL  
CASH OFFICE  
CIVIC OFFICES  
DOORADOYLE  
CO LIMERICK

15/08/2025 13:09:39

Receipt No./  
Uimhir Admhála : LA25/0/25180030

Entrust Limited  
Unit 1  
First Floor Oranmore Busines Park  
Oranmore  
Co Galway  
Re: Pallaskenry Garda Station

EXEMPTION CERTIFICATES 80.00  
GOODS 80.00  
VAT Exempt/Non-vatable

Total/Iomlán : 80.00 EUR

Tendered/Tairgthe :  
Credit / Debit Card 80.00  
MC  
\*\*\*\*3463  
\*\*\*

Change/Sóinseáil : 0.00



**Three Ireland (Hutchison) Limited**  
**Registered Office:**  
**28/29 Sir John Rogerson's Quay,**  
**Dublin 2, Ireland**  
**t +353 (0) 1 6095000**  
**[www.three.ie](http://www.three.ie)**

26<sup>th</sup> November 2021

To whom it may concern,

All H3G base stations comply with the International Commission on Non-Ionising Radiation Protection (ICNIRP) Guidelines as per the limits specified in:

- ICNIRP, 1994, International Commission on Non-Ionising Radiation Protection, Guidelines on limits of exposure to static magnetic fields
- ICNIRP, International Commission on Non-Ionising Radiation Protection, 1998, Guidelines for limiting exposure to time varying electric, magnetic, and electromagnetic fields (up to 300 GHz), Health Physics 74: 494-522 and 75:442
- ICNIRP, 2001, Review of the epidemiological literature on electromagnetic fields and health Environmental Perspectives, 109 (Supp 6): 911-934

All base stations in Ireland adhere to the guidelines on limits of EMF exposure set by the International Commission on Non-Ionizing Radiation Protection. This commission is an independent scientific body made up of experts from all the different disciplines qualified to assess possible adverse health effects. It is a formally recognised non-governmental organisation and makes representations to the World Health Organisation and the European Union. The mobile Telecoms industry is heavily standardised and policed to ensure that operators always operate within the safety limits and tolerances defined by the regulator. The communications regulator in Ireland does random testing of sites throughout Ireland to ensure that all Base Stations are transmitting below the limits defined by the ICNIRP.

If there are any further details required, please contact us for more information.

Regards,

Conor Ryan

*Senior Radio Engineer*

Network Access Team

Limerick City and County Council  
Planning, Environment and Place-Making  
County Hall  
Dooradoyle  
Limerick  
V94 WV78

Our Ref: Pallaskenry Garda Station

**REGISTERED POST**

14/08/2025

**APPLICATION FOR DECLARATION OF EXEMPT DEVELOPMENT - THREE IRELAND (HUTCHINSON) LIMITED**

**APPLICATION BY THE STATUTORY UNDERTAKER OF A PROPOSED DEVELOPMENT IN ACCORDANCE WITH SECTION 5 OF THE PLANNING & DEVELOPMENT ACT 2000 (AS AMENDED) AND ARTICLE 6 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 (AS AMENDED) TO UTILISE EXEMPT DEVELOPMENT RIGHTS**

**INSTALLATION AT: PALLASKENRY GARDA STATION, PALLASKENRY, CO. LIMERICK. ITM: E 541130 N 654715**

Dear Sir or Madam,

We, Entrust Limited (T/A Entrust Planning & Environmental) on behalf of our client Three Ireland (Hutchinson) Limited are making this submission to seek a Declaration in accordance with Section 5 of the Planning and Development Act, 2000 (as amended), to determine if the proposed swap out of 3 no. existing antennae with 3 no. proposed antennae, relocation of existing dish and the installation of remote radio units (RRU's), GPS and support poles on an existing 18m high lattice structure water to continue providing high-speed wireless data and broadband services at Pallaskenry Garda Station, Pallaskenry, Co. Limerick constitutes 'exempted development'.

We respectfully request Limerick County Council as part of this submission to determine '*Whether the proposed swap out of 3 no. existing antennae with 3 no. proposed antennae on an existing 18m high lattice structure at Pallaskenry Garda Station, Pallaskenry, Co. Limerick is development and if so is or is not exempted development.*

**Proposal**

Three Ireland (Hutchinson) Limited proposes to swap out the existing 3 no. existing antennae with 3 no. proposed antennae upgrades on an existing 18m high lattice structure in order to continue delivering high speed broadband and data services to this part of County Limerick.



**Unit 1, First Floor, Oranmore Business Park, Oranmore, Co. Galway, H91 P7X8**  
**T: +353 91 342511 | E: [contact@entrust-services.com](mailto:contact@entrust-services.com) | W: [entrust-services.com](http://entrust-services.com)**

## Description of Development

- Swap out of 3 no. existing antennae with 3 no. proposed antennae on an existing 18m high lattice structure.
- Relocation of existing 1 no. dish to different section of existing structure
- Ancillary development thereto which includes all RRUs, GPS and support poles.

## Site Location

The Site is located at Pallaskenry Garda Station in Limerick County Council. The site is located along main street which is gained from local road (Pallas Road). The site is located within Garda Station which provides moderate natural screening in the form of semi mature and mature trees and other vegetation.

The surrounding landscape displays evidence of hybrid land uses including traditional sport, residential dwellings, schools and agricultural practices with an influence of modern tourism. The surrounding landscape is well developed with the nearest cluster of residential dwellings situated approximately 70m northwest with the next nearest cluster approximately 200m southwest.

The Pallaskenry GAA club is located immediately to the east of the site whereas the Pallaskenry National School is situated approximately 100m southwest of the site location, further land uses noted in the area include a church, library and a variety of shops. This proposal will not pose any harm to these land uses as the proposal only seeks to replace the existing antennae with new antennae of similar nature and height and therefore will not pose any new visual and/or landscape impacts.



Figure 1: Site location map and surrounding land uses



## Planning Designations

The site is located approximately 60m east from the closest NIAH, which was used originally used as a school but now in use as a community centre (Reg No: 21901118) and 150m south of another NIAH and RPS (Reg No: 21901117) which is Saint Mary's Catholic Church. The proposal is further located approximately 653 m west from the closest scheduled monuments which are designated as a Church (LI011-030001) and a Graveyard (LI011-030002)

The site location is located within Landscape Character, Shannon Integrated Coastal Zone Management which is defined as *comprising of a large area of northern Limerick and is bounded on one side by the Shannon Estuary, while its southern boundary is defined by the gradually rising ground, which leads onto the agricultural zone and the western hills to the southwest. The presence of the estuary is the defining characteristic of the region. The landscape itself is generally that of an enclosed agricultural type, essentially that of a hedgerow dominant landscape.*

Given the small-scale nature of the proposal in terms of the swapping out of 3 no. existing antennae with 3 no. proposed antennae on an existing 18m high lattice structure, it is considered that the proposal will not have any significant impact on any heritage, ecological or landscape designations due to its small nature. Furthermore, it is believed that the proposal will not impact the visual amenity of the area in a significant way, nor will it impact residents of the nearby dwellings due to the fact that the existing structure is an established part of the landscape and has been for years. Therefore, the proposed development will not have a significant impact on the surrounding area and in particular the landscape character area: *Shannon Integrated Coastal Zone Management*.



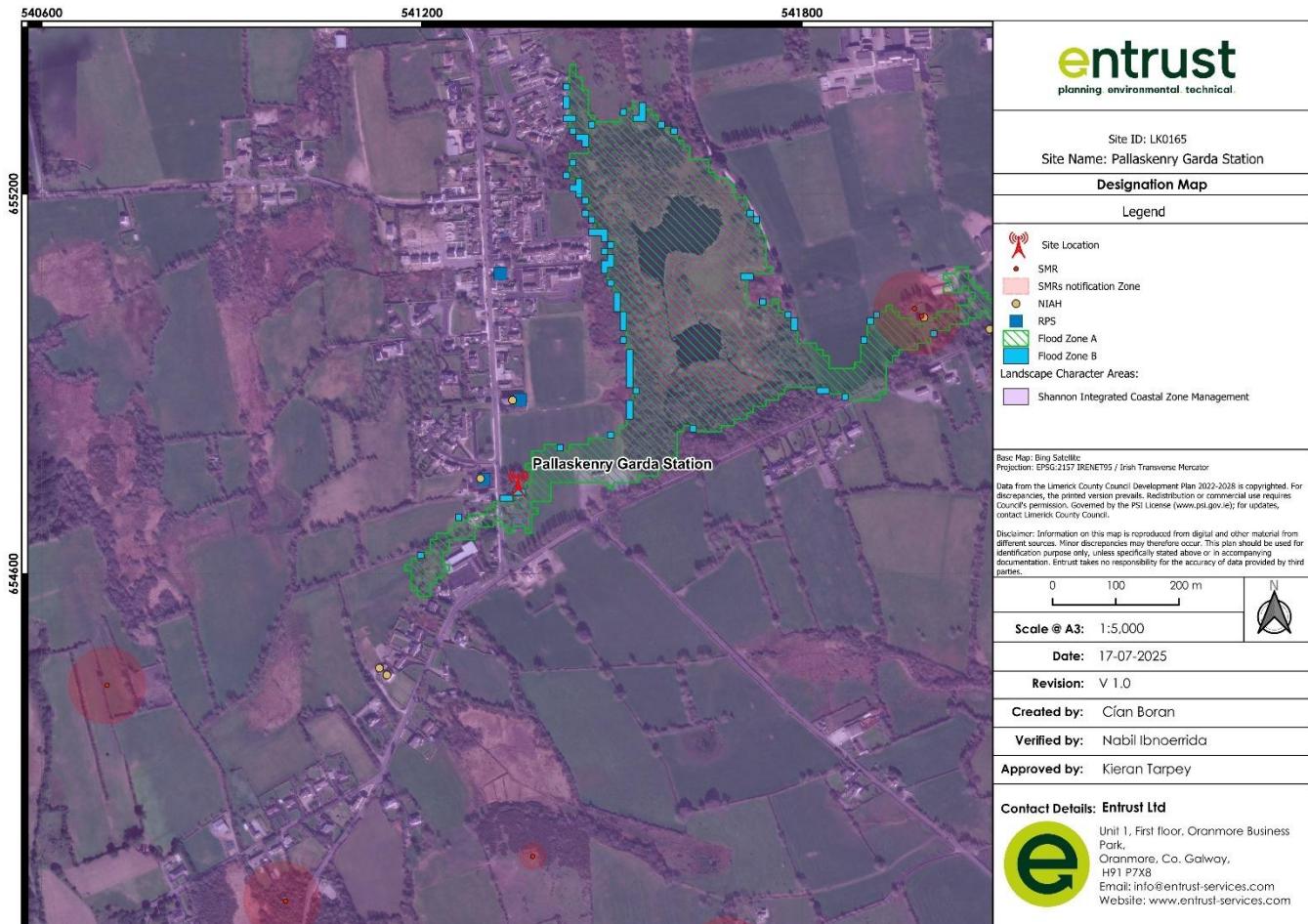


Figure 2: Designation Map

### 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) “the Act”, where Article 6 of the Planning and Development Regulations 2001–2023 (as amended) “the Regulations” provides that:

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

and where Section 2 of the Act defines statutory undertaker as:

“Statutory Undertaker” means a person, for the time being, authorised by or under any enactment or instrument under an enactment to – (a) construct or operate a railway, canal, inland navigation, dock, harbour or airport, (b) provide, or carry out works for the provision of, gas, electricity or telecommunications services, or (c) provide services connected with, or carry out works for the purposes of the carrying on of the activities of, any public undertaking”.



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It is considered that this proposal is exempt development in accordance with the Planning & Development Regulations 2001 (as amended 2001-2020). The tables below demonstrate the proposed development's compliance with SI No. 600, 2001-2020, Schedule 2, Part 1, Class 31 (H) for development consisting of the attachment of additional antennae to an existing antenna support structure.

Existing 18m lattice structure	
Conditions and Limitations SI No. 31, 2001-2020 (H) the attachment of additional antennae to an existing antenna support structure	Compliance with Conditions and Limitations SI No. 31, 2001-2020 (h)
1. (a) For structures under 15 metres antennae to an existing in height, the total number of antenna support structure, such antennae shall not exceed 12, of which not more than 8 antennae shall be dish type (whether shielded or not).  (b) For structures 15 metres or over in height, the total number of antennae shall not exceed 18, of which not more than 12 antennae shall be dish type (whether shielded or not).	(a) Not applicable  (b) The total number of antennae do not exceed 18 and therefore the proposal is <b>complaint</b> with this section of the regulation.
2. (a) The dimensions of any such antenna provided shall not exceed the greatest length, width or depth of any antenna for mobile telephony of corresponding type already attached to the structure.  (b) In any other case, the dimensions of any such 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	The proposed replacement antennae will be panel type antennae and will be <b>compliant</b> with this section of the regulation.
3. The attachment of such antennae shall not result in the field strength of the nonionizing radiation emissions from the antennae do not exceed the limits specified by the Commission for Communications Regulation and therefore the	The field strength of the non- ionising radiation emissions from the antennae do not exceed the limits specified by the Commission for Communications Regulation and therefore the



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Commission for Communications Regulation	proposal is <b>compliant</b> with this section of the regulation. Please find attached ICNIRP certificate.
4. The attachment of such antennae may be carried out by way of a platform only where the antenna support structure already incorporates a platform	Not applicable.
5. The height of the existing structure (including any antenna thereon) shall not be exceeded	There is an existing support pole that is 2.5m above the existing top of structure. The proposed replacement antennae, at their highest point, will not exceed this height and therefore considered to be <b>compliant</b> with this section of the regulation.

### Information Submitted

In support of this Section 5 Application for a Declaration of Exempt Development, the following information is hereby provided;

#### 1. APPLICANT NAME

Three [Three Ireland (Hutchinson) Limited]

#### 2. AGENT NAME AND ADDRESS FOR ALL CORRESPONDENCE

Entrust Limited, Unit 1, First Floor, Oranmore Business Park, Oranmore, Co. Galway H91 P7X8

#### 3. AGENT CONTACT NAME, PHONE AND EMAIL

Arnold Matare, PH: 091 342 511, [arnold@entrust-services.com](mailto:arnold@entrust-services.com)

#### 4. RELEVANT FEE

Cheque in the sum of €80.00 enclosed

**Appendix 1:** Cover Letter (This Document)

**Appendix 2:** ICNIRP Declaration

**Appendix 3:** Declaration of Exempted Development Application Form

**Appendix 4:** Drawings indicating the extent of proposed development

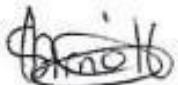
We trust all necessary information has been provided to enable the Planning Authority to determine this Application for a Declaration of Exempt Development. If, during the Planning Authority's consideration of



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this application, any further assistance or information is required, please advise us and we would be more than happy to provide any assistance we can.

Yours Faithfully,



**Arnold Matare**  
Entrust Limited  
for Three Mobile [Three Ireland (Hutchinson) Limited]  
Email: [arnold@entrust-services.com](mailto:arnold@entrust-services.com)  
Tel: 091 342 511



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ROLLOUT 2025

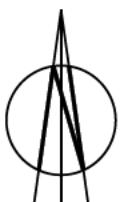


Fig 1. Elevation



Fig 2. Existing Location of 3 Ireland Equipment Cabin

SITE PHOTOGRAPHS

SITE COORDINATES

LATITUDE:	52° 38' 26.093" N	EASTING:	141,375
LONGITUDE:	08° 52' 0.282" W	NORTHING:	154,683

SITE ENTRANCE GPS COORDINATES

LATITUDE:	52° 38' 26.1" N	EASTING:	141,375
LONGITUDE:	08° 52' 0.03" W	NORTHING:	154,683

H	TOP OF ANTENNAS MOVED TO +20.0m	17.06.25	AT	TD
G	TX UPDATE, STEELWORK UPDATE	18.03.25	TT	TMA
F	ROLLOUT 2025-LICENSE DRAWINGS	05.03.25	TT	TMA
E	FIBRE NO & EL. INFO UPDATED	12/05/17	GR	GR
D	DISH LAYOUT CORRECTED	24/03/17	WT	WT
C	ANTENNA CHANGED	07/12/16	CM	NOB
B	ELECTRICAL TILTS ADDED	20/10/16	WT	WT
A	NOTE ADDED FOR ELECTRICAL TILTS	16/10/16	TD	YC
-	FINAL ISSUE	28/09/16	TD	WT
No.	Revision	Date	By	Ckd

3 IRELAND Services(Hutchinson) Limited  
28/29 Sir John Rogerson's Quay  
Dublin 2  
Ireland



Optimum  
UTILITIES AND CIVILS

LICENSE

Site No. LK0165

Original No. Host LK0165

Original No. Guest 1

Original No. Guest 2

Host Operator 3 IRELAND

Site Name  
PALLASKENRY GARD A STATION  
PALLASKENRY,  
CO. LIMERICK  
OPW CODE: P2806

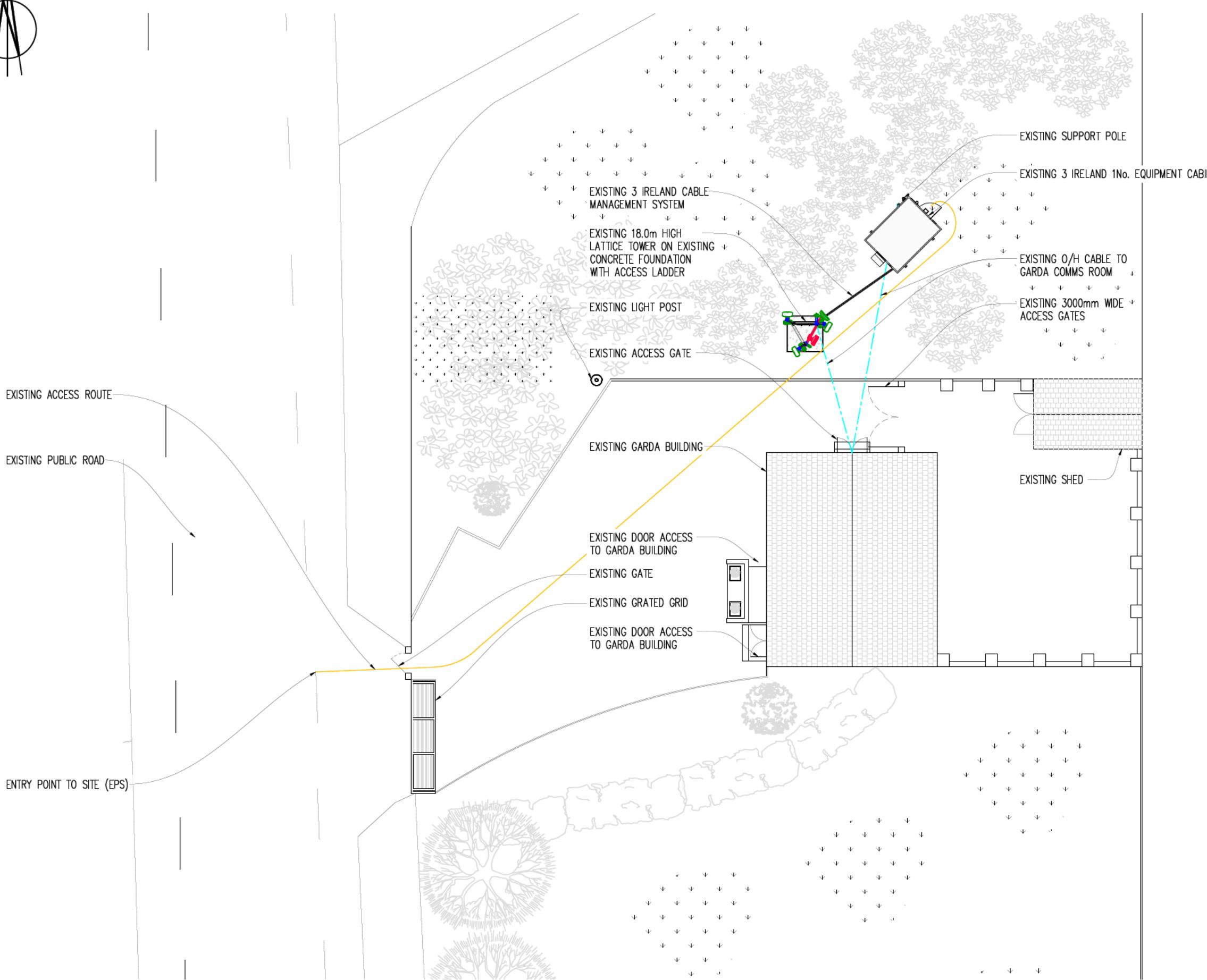
Title  
MOBILE TELECOMMUNICATIONS  
INSTALLATION  
LOCATION MAP AND PHOTOGRAPHS

Designed WT Date 28.09.2016

Drawn TD Scale AS SHOWN Rev. H

Dwg No. LK0165-L 01

ROLLOUT 2025



GENERAL LAYOUT PLAN

SCALE 1:200

H	TOP OF ANTENNAS MOVED TO +20.0m	17.06.25	AT	TD
G	TX UPDATE, STEELWORK UPDATE	18.03.25	TT	TMA
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 28/29 Sir John Rogerson's Quay  
 Dublin 2  
 Ireland  
  
 Three.ie

 Optimum  
 UTILITIES AND CIVILS

LICENSE

Site No.	LK0165
Original No. Host	LK0165
Original No. Guest 1	
Original No. Guest 2	
Host Operator	3 IRELAND
Site Name	PALLASKENRY GARDA STATION PALLASKENRY, CO. LIMERICK OPW CODE: P2806
Title	MOBILE TELECOMMUNICATIONS INSTALLATION GENERAL LAYOUT PLAN
Designed WT	Date 28.09.2016
Drawn TD	Scale AS SHOWN Rev. H
Dwg No.	LK0165-L 02

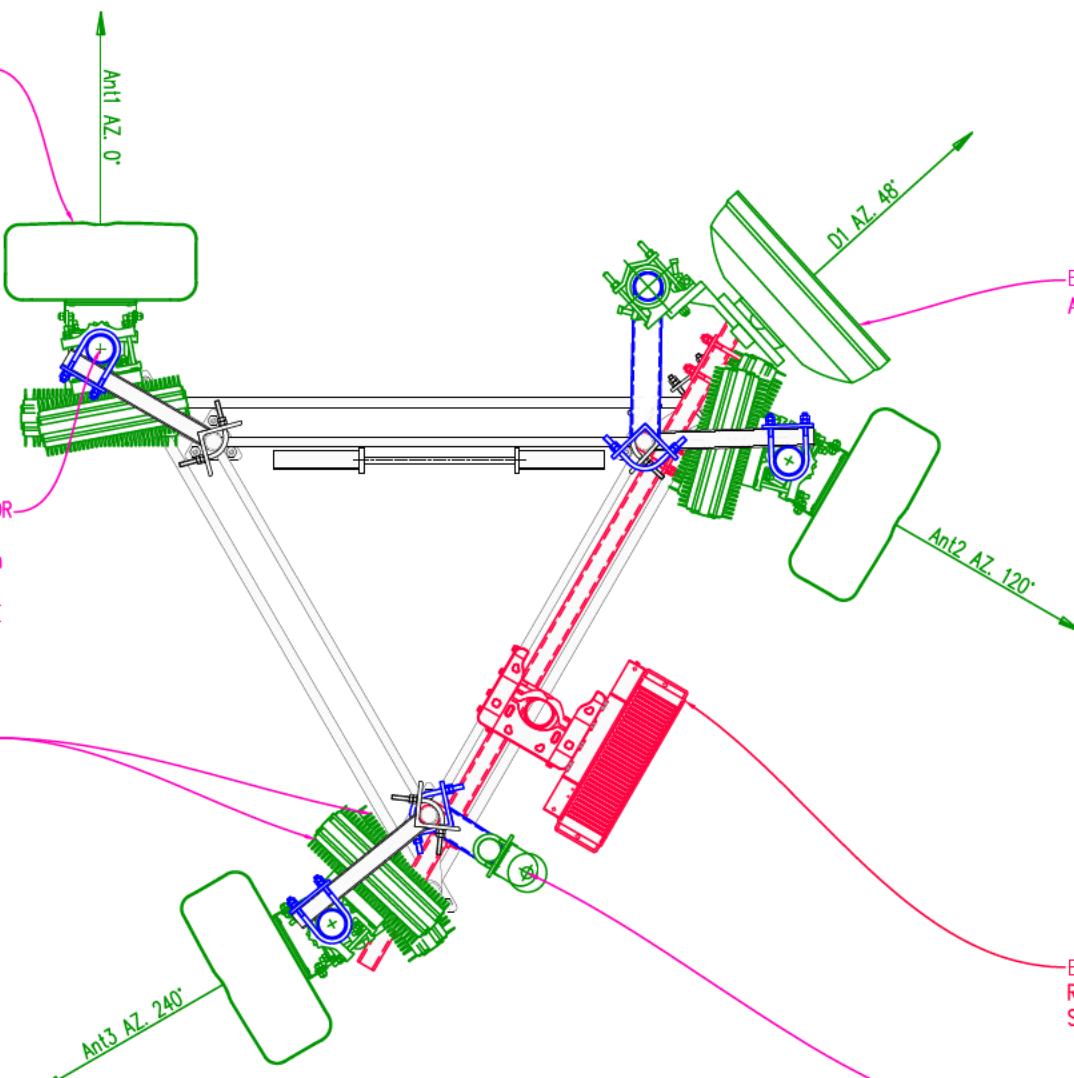


ROLLOUT 2025

EXISTING 3 IRELAND 3No. 1.3m HIGH KATHREIN 80010697 ANTENNAS TO BE SWAPPED OUT FOR 3No. 2.769m LONG COMMSCOPE RRZZ-65D-R4N43VI ANTENNAS AND TO BE INSTALLED ON PROPOSED SUPPORT POLES (Ant1, Ant2 & Ant3)

EXISTING 1No. SUPPORT POLE TO BE SWAPPED OUT FOR PROPOSED 1No. 3.0m LONG CHS Ø76x5mm SUPPORT POLE AND TO BE INSTALLED ON EXISTING 2No. 400mm LONG CIRCULAR LEG STANDOFF'S. EXISTING STANDOFFS TO MOVE UP TO SUIT NEW ANTENNA & SUPPORT POLE HEIGHT (FOR EACH Ant1, Ant2 & Ant3)

PROPOSED 3 IRELAND 3No. L7-8/GU9 RRU'S 2460 & 3No. L18/21 RRU'S 4490 TO BE INSTALLED ON PROPOSED SUPPORT POLES BEHIND ANTENNAS (FOR Ant1, Ant2 & Ant3)



ANTENNA LAYOUT PLAN

SCALE 1:20

SCHEDULE OF RT DISHES					
DISH ID.	HEIGHT	BEARING	DISH DIA.	FAR END LINK	STATUS
D1	17700	45°	600	2082 WOODCOCK HILL SDH	EXISTING
D2					
D3					

SCHEDULE OF SECTOR ANTENNAS			FEEDERS	
AERIAL ID.	HEIGHT	BEARING	ANTENNA TYPE	STATUS
Ant1	18616	0°	COMMSCOPE RRZZ-65D-R4N43VI	PROPOSED
Ant2	18616	120°	COMMSCOPE RRZZ-65D-R4N43VI	PROPOSED
Ant3	18616	240°	COMMSCOPE RRZZ-65D-R4N43VI	PROPOSED

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A	NOTE ADDED FOR ELECTRICAL TILTS	16/10/16	TD	YC
-	FINAL ISSUE	28/09/16	TD	WT
No.	Revision	Date	By	Ckd

3 IRELAND Services(Hutchinson)Limited  
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Three.ie  
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LICENSE

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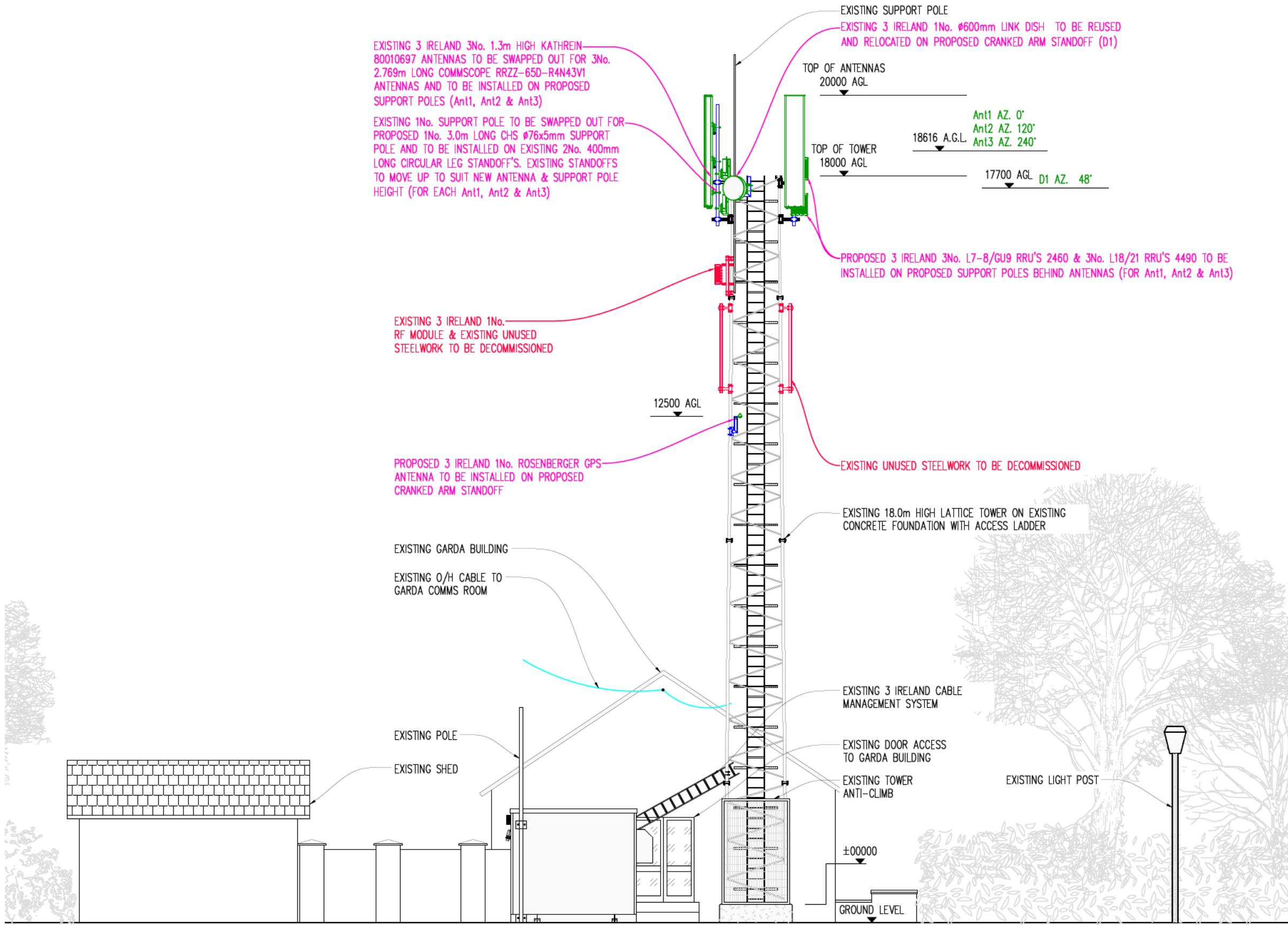
Title  
MOBILE TELECOMMUNICATIONS  
INSTALLATION  
ANTENNA LAYOUT PLAN

Designed WT Date 28.09.2016

Drawn TD Scale AS SHOWN Rev. H

Dwg No. LK0165-L 03

ROLLOUT 2025



NORTH ELEVATION

SCALE 1:100

H	TOP OF ANTENNAS MOVED TO +20.0m	17.06.25	AT	TD
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MOBILE TELECOMMUNICATIONS INSTALLATION ELEVATION	
Designed WT	Date 28.09.2016
Drawn TD	Scale AS SHOWN Rev. H
Dwg No. LK0165-L 04	

ROLLOUT 2025



ICNIRP EXCLUSION ZONES – PLAN

SCALE 1:150

EXCLUSION ZONE LIMIT STANDARD	ICNIRP
RED ZONE	AREAS ABOVE ICNIRP OCCUPATIONAL LIMITS – NO ACCESS WITHOUT CONFERMED POWER REDUCTION OR TRANSMITTER SHUTDOWN
YELLOW ZONE	AREAS ABOVE ICNIRP PUBLIC LIMITS – LIMITED ACCESS TO SPECIALLY TRAINED PERSONNEL (RF WORKERS)

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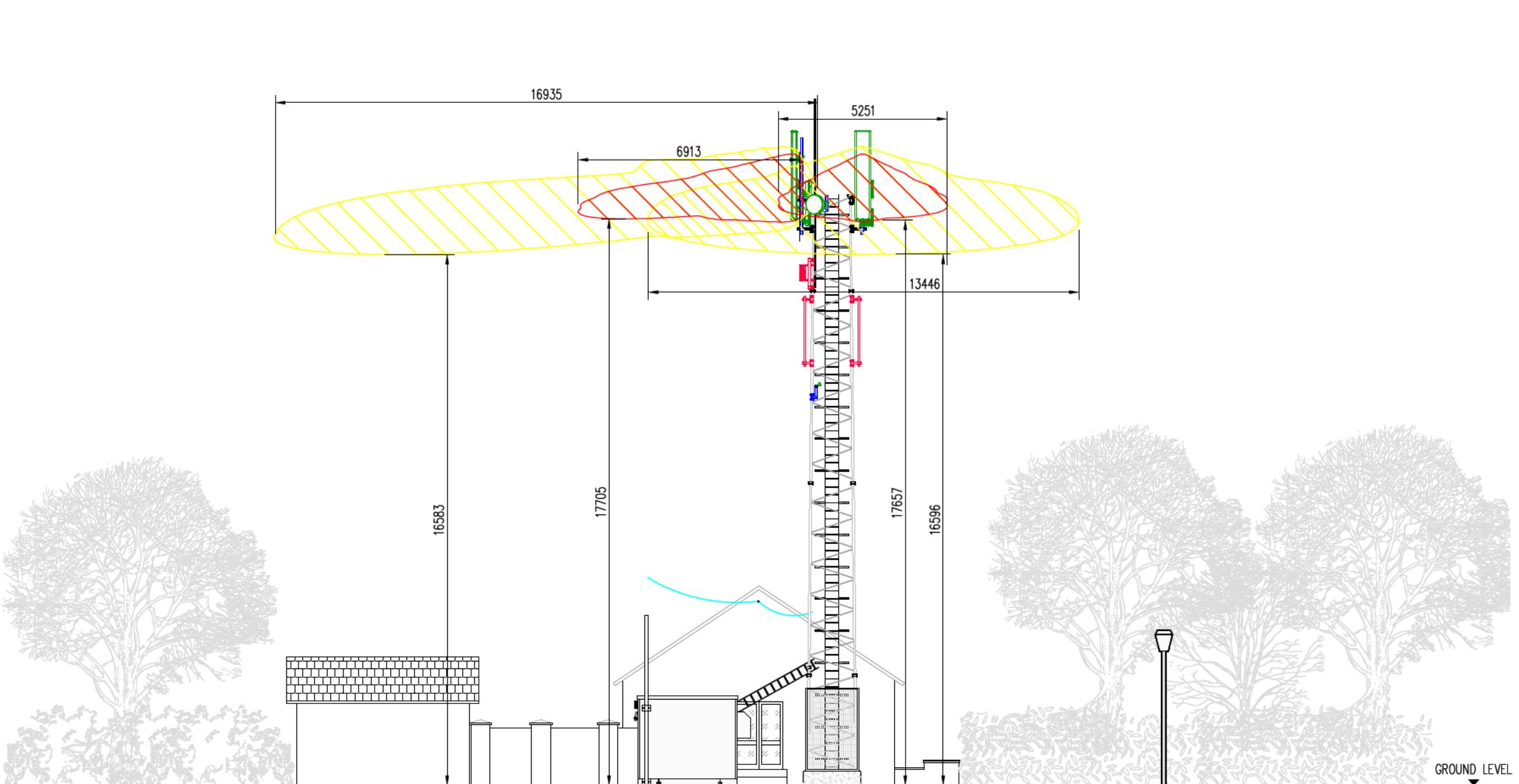
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 INSTALLATION  
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Designed WT Date 28.09.2016

Drawn TD Scale AS SHOWN Rev. H

Dwg No. LK0165-L 05

ROLLOUT 2025



EXCLUSION ZONE LIMIT STANDARD	ICNIRP
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RED ZONE	AREAS ABOVE ICNIRP OCCUPATIONAL LIMITS – NO ACCESS WITHOUT CONFINED POWER REDUCTION OR TRANSMITTER SHUTDOWN
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YELLOW ZONE	AREAS ABOVE ICNIRP PUBLIC LIMITS – LIMITED ACCESS TO SPECIALLY TRAINED PERSONNEL (RF WORKERS)
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H	TOP OF ANTENNAS MOVED TO +20.0m	17.06.25	AT	TD
G	TX UPDATE, STEELWORK UPDATE	18.03.25	TT	TMA
F	ROLLOUT 2025-LICENSE DRAWINGS	05.03.25	TT	TMA
E	FIBRE NO & EL. INFO UPDATED	12/05/17	GR	GR
D	DISH LAYOUT CORRECTED	24/03/17	WT	WT
C	ANTENNA CHANGED	07/12/16	CM	NOB
B	ELECTRICAL TILTS ADDED	20/10/16	WT	WT
A	NOTE ADDED FOR ELECTRICAL TILTS	16/10/16	TD	YC
–	FINAL ISSUE	28/09/16	TD	WT
No.	Revision	Date	By	Ckd

3 IRELAND Services(Hutchinson) Limited  
28/29 Sir John Rogerson's Quay  
Dublin 2  
Ireland



Three.ie  
 Optimum  
UTILITIES AND CIVILS

LICENSE

Site No. LK0165

Original No. Host LK0165

Original No. Guest 1

Original No. Guest 2

Host Operator 3 IRELAND

Site Name  
PALLASKENRY GARDAS STATION  
PALLASKENRY,  
CO. LIMERICK  
OPW CODE: P2806

Title  
MOBILE TELECOMMUNICATIONS  
INSTALLATION  
CABIN LAYOUT PLAN

Designed WT Date 28.09.2016

Drawn TD Scale AS SHOWN Rev. H

Dwg No. LK0165-L 06



Comhairle Cathrach  
& Contae **Luimnigh**  
**Limerick City**  
**& County Council**

**Report on application under Section 5 of the Planning and Development  
Act 2000 (as amended)**

<b>File Reference number</b>	EC-182-25
<b>Applicant</b>	Three Ireland (Hutchinson) Limited
<b>Location</b>	[REDACTED]

**PALLASKENRY GARDA STATION**

**1.0 Description of Site and Surroundings:**

The site is located at Pallaskenry Garda Station circa 500m south of Pallaskenry village centre along Main Street (L-1201). Pallaskenry is a Level 4 Settlement: Large Village - as defined by the Limerick Development Plan 2022 – 2028. The site is abounded by a playground to the south and Pallaskenry GAA club to the north and east.

**2.0 Proposal:**

This is an application requesting a Section 5 Declaration on whether the following works are or are not development or are or not exempted development:

- Whether the proposed swap out of 3 no. of existing antennae with 3 no. proposed antennae and the repositioning of an existing dish, on an existing 18m high lattice structure at Pallaskenry Garda Station, Pallaskenry is development and if so is or is not exempted development.

This Section 5 declaration includes the following:

- Cover letter
- Site location map
- Drawings indicating the extent of proposed development
- ICNIRP Declaration

**3.0 Planning History:**

None

**3.1 Enforcement History**

None

**4.0 Relevant An Bord Pleanála referrals**

None

## **5.0 Assessment**

Consideration as to whether a development constitutes exempted development or not is governed by Sections 4 and 5 of the Planning and Development Act 2000 (as amended) and Articles 5, 6, 7, 8, 9, 10 and 11 of the Planning and Development Regulations 2001 (as amended).

### **5.1 Is the proposal development?**

**Section 2(1)** in this Act, except where otherwise requires –

‘works’ includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal.

‘structure’ as any building, structure, excavation, or other thing constructed or made on, in or under any land, or part of a structure so defined, and –

(a) Where the context so admits, includes the land on, in or under which the structure is situated.

**Section 3(1)** defines ‘development’ as ‘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’.

The proposed development on site, comprising the proposed swap out of 3 no. of existing antennae with 3 no. proposed antennae on an existing 18m high lattice structure at Pallaskenry Garda Station constitutes ‘works’ and ‘development’.

### **5.2 Is the proposal exempted development?**

The proposed swap out of 3 no. of existing antennae with 3 no. proposed antennae and the repositioning of an existing dish, on an existing 18m high lattice structure at Pallaskenry Garda Station, Pallaskenry will be assessed under Class 31 (h) of Part 1 of schedule 2 of the Planning and Development Regulations 2001 (as amended).

The exemption as provided by part (h), above, is accompanied by the following conditions and limitations:

*1. (a) For structures under 15 metres antennae to an existing in height, the total number of antenna support structure, such antennae shall not exceed 12, of which not more than 8 antennae shall be dish type (whether shielded or not).*

This section is not applicable as the structure is over 15 metres in height.

*(b) For structures 15 metres or over in height, the total number of antennae shall not exceed 18, of which not more than 12 antennae shall be dish type (whether shielded or not).*

The structure is over 15metres in height. The total number of antennae would not exceed 18 and the total number of dish type would not exceed 12 in this case.

*2. (a) The dimensions of any such antenna provided shall not exceed the greatest length, width or depth of any antenna for mobile telephony of corresponding type already attached to the structure.*

The additional antenna provided would not exceed the greatest length, width or depth of any antenna for mobile telephony of corresponding type already attached to the structure.

- (b) In any other case, the dimensions of any such 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.*

The dimensions of the additional antenna would not exceed the above and are a like for like replacement of the existing antennae.

- 3. The attachment of such antennae shall not result in the field strength of the nonionising radiation emissions from the site exceeding limits specified by the Commission for Communications Regulation.*

ICNIRP Certificate provided to show compliance with the above.

- 4. The attachment of such antennae may be carried out by way of a platform only where the antenna support structure already incorporates a platform.*

Not applicable.

- 5. The height of the existing structure (including any antenna thereon) shall not be exceeded*

There would be no increase in height of the existing structure.

Having regard to the above the Planning Authority is satisfied the proposal would come within the conditions and limitations of Schedule 2, Part 1, Class 31 (Exempted Development – General) of the Planning and Development Regulations, 2001-2023 and would be deemed exempted development.

## **6.0 Article 9 Restrictions**

The proposed development is not restricted by any of the restrictions in Article 9 of the Planning and Development Regulations 2001 (as amended).

## **7.0 Appropriate Assessment**

Having regard to the nature and scale of the proposed development and the absence of proximity or connectivity to a Natura 2000 European Site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects, on a European Site. An appropriate assessment screening report and determination is attached to this report.

## **8.0 Environmental Impact Assessment**

Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations it has been concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

### **9.0 Conclusion/Recommendation**

The proposed works detailed on the application and plans submitted is considered to be within the scope of Class 31(h) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Regard has been had to –

- (a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- (b) Class 31(h) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- (c) The plans & particulars submitted with the application received on 4<sup>th</sup> September 2025.

It is therefore considered that the said works are development and exempted development under Class 31(h) of the Planning and Development Regulations 2001 (as amended)

<b>Assistant Planner</b>	<b>Eithne O'Brien</b>	<b>Date:</b>
<b>Signature:</b>		<b>18/09/2025</b>
<b>A/Senior Planner</b>	<b>Barry Henn</b>	
<b>Signature</b>		<b>30/09/2025</b>

### **Appendix 1: AA PN01 Screening Form**

<b>STEP 1: Description of the project/proposal and local site characteristics:</b>	
<b>(a) File Reference No:</b>	EC-182-25
<b>(b) Brief description of the project or plan:</b>	Replacement of 3 no. of existing antennae with 3 no. proposed antennae on an existing 18m high lattice structure at Pallaskenry Garda Station
<b>(c) Brief description of site characteristics:</b>	Brownfield – upgrading works
<b>(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW</b>	N/A
<b>(e) Response to consultation:</b>	N/A

**STEP 2: Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.**

European Site (code)	List of Qualifying Interest/Specia l Conservation Interest <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source-Pathway-Receptors)	Considered further in screening Y/N
002165 - Lower River Shannon SAC	<a href="https://www.npws.ie/protected-sites/sac/002165">https://www.npws.ie/protected-sites/sac/002165</a>	c2.84km	None	N
002279 - Askeaton Fen Complex SAC	<a href="https://www.npws.ie/protected-sites/sac/002279">https://www.npws.ie/protected-sites/sac/002279</a>	c2.20km	None	N
000174 - Curraghchase Woods SAC	<a href="https://www.npws.ie/protected-sites/sac/000174">https://www.npws.ie/protected-sites/sac/000174</a>	c2.54km	None	N
004077 - River Shannon and River Fergus Estuaries SPA	<a href="https://www.npws.ie/protected-sites/spa/004077">https://www.npws.ie/protected-sites/spa/004077</a>	c2.75km	None	N

**STEP 3: Assessment of Likely Significant Effects**

- (a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:

Impacts:	Possible Significance of Impacts: (duration/Magnitude etc)
<b>Construction phase e.g.</b> <ul style="list-style-type: none"> <li>- Vegetation clearance</li> <li>- Demolition</li> <li>- Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</li> <li>- Dust, noise, vibration</li> <li>- Lighting disturbance</li> <li>- Impact on groundwater/dewatering</li> <li>- Storage of excavated/construction materials</li> <li>- Access to site</li> <li>- Pests</li> </ul>	None. Works are minimal and will involve temporary construction works; therefore, no likely significant impact on the conservation objectives of the above-named site.
<b>Operation phase e.g.</b> <ul style="list-style-type: none"> <li>- Direct emission to air and water</li> <li>- Surface water runoff containing contaminant or sediment</li> <li>- Lighting disturbance</li> </ul>	None. Works are minimal and will involve temporary construction works; therefore, no likely significant impact on the conservation objectives of the above-named site.

<ul style="list-style-type: none"> <li>- Noise/vibration</li> <li>- Changes to water/groundwater due to drainage or abstraction</li> <li>- Presence of people, vehicles and activities</li> <li>- Physical presence of structures (e.g collision risk)</li> <li>- Potential for accidents or incidents</li> </ul>	
<b>In-combination/Other</b>	None given type of development proposed.

<b>(b) Describe any likely changes to the European site:</b>	
Examples of the type of changes to give consideration to include: <ul style="list-style-type: none"> <li>- Reduction or fragmentation of habitat area</li> <li>- Disturbance to QI species</li> <li>- Habitat or species fragmentation</li> <li>- Reduction or fragmentation in species density</li> <li>- Changes in key indicators of conservation status value (water or air quality etc)</li> <li>- Changes to areas of sensitivity or threats to QI</li> <li>- Interference with the key relationships that define the structure or ecological function of the site</li> </ul>	None. Works are minimal and will involve temporary construction works; therefore, no likely significant impact on the conservation objectives of the above-named site.
	None. Works are minimal and will involve temporary construction works; therefore, no likely significant impact on the conservation objectives of the above-named site.

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

<b>STEP 4: Screening Determination Statement</b>
<b>The assessment of significance of effects:</b> Describe how the proposed development (alone or in-combination is/is not likely to have significant effects on European site (s) in view of its conservation objectives
On the basis of the information submitted, which is considered adequate to undertake a screening determination and having regard to: <ul style="list-style-type: none"> <li>• the nature and scale of the proposed development,</li> <li>• the intervening land uses and distance from European sites,</li> <li>• the lack of direct connections with regard to the Source-Pathway-Receptor model,</li> </ul>

it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

**Conclusion:** An appropriate assessment is not required.

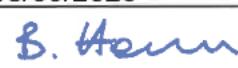
	Tick as appropriate:	Recommendation:
(i) It is clear that there <b>is no likelihood</b> of significant effects on a European Site	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate Assessment not required.
(ii) It is <b>uncertain</b> whether the proposal will have a significant effect on a European Site	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) <b>Significant effects are likely</b>	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
<b>Signature and Date of Recommending Officer:</b>	 Eithne O'Brien, Assistant Planner 18/09/2025	
<b>Signature and Date of the Decision Maker:</b>	 Barry Henn, A/Senior Planner 30/09/2025	

#### Appendix 2: EIA Screening

Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	EC-182-25

Development Summary:	Whether the proposed swap out of 3 no. of existing antennae with 3 no. proposed antennae and the repositioning of an existing dish, on an existing 18m high lattice structure at Pallaskenry Garda Station, Pallaskenry is development and if so is or is not exempted development.	
Was a Screening Determination carried out under Section 176A-C?	<input checked="" type="checkbox"/> Yes. no further action required <input type="checkbox"/> No. Proceed to <b>Part A</b>	
<b>A. Schedule 5 Part 1</b> - Does the development comprise a project listed in Schedule 5, Part 1, of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)		
<input type="checkbox"/> Yes. specify class: [insert here] __		<b>EIA is mandatory</b>  <b>No Screening required</b>
<input checked="" type="checkbox"/> No		Proceed to <b>Part B</b>
<b>B. Schedule 5 Part 2</b> - Does the development comprise a project listed in Schedule 5, Part 2, of the Planning and Development Regulations 2001 (as amended) <b>and</b> does it meet/exceed the thresholds? (Tick as appropriate)		
<input checked="" type="checkbox"/> No. the development is not a project listed in Schedule 5, Part 2		<b>No Screening required</b>
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 <b>and</b> meets/exceeds the threshold, specify class (including threshold): [specify class & threshold here] __		<b>EIA is mandatory</b>  <b>No Screening required</b>
<input type="checkbox"/> Yes the project is of a type listed <b>but is sub-threshold</b> : [insert here] __		Proceed to <b>Part C</b>
<b>c. If Yes, has Schedule 7A information/screening report been submitted?</b>		
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant		<b>Screening Determination required</b>
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant		<b>Preliminary Examination required</b>

**Signature and Date of  
Recommending Officer:**

	 Eithne O'Brien, Assistant Planner 18/09/2025
<b>Signature and Date of the Decision Maker:</b>	 Barry Henn, A/Senior Planner 30/09/2025



Comhairle Cathrach  
& Contae Luimnígh  
**Limerick City**  
& County Council

Pleanáil, agus Cruthú Áite  
Comhairle Cathrach agus Contae Luimnígh  
Bothar Thuar an Daill  
Tuar an Daill, Luimneach  
V94 WV78

Planning and Place-Making  
Limerick City and County Council  
Dooradoyle Road  
Dooradoyle, Limerick  
V94 WV78

## PLANNING & PLACE-MAKING

### REG POST:

**Three Ireland (Hutchinson) Limited,**  
c/o Arnold Matare (Entrust Ltd)  
Unit 1,  
First Floor,  
Oranmore Business Park,  
Oranmore,  
Co. Galway.  
H91 P7X8

**EC/182/25**

30 September 2025

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### Re: Declaration under Section 5

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Dear Sir/Madam,

I refer to the above application for Section 5 Declaration on Development and Exempted Development.

Please find herewith a copy of Council's decision on same.

Yours faithfully,

**(for) Senior Planner,  
Development Management**

Tuar an Daill, Luimneach  
Dooradoyle, Limerick

customerservices@limerick.ie  
www.limerick.ie  
@LimerickCouncil  
061 - 556 000

**LIMERICK CITY & COUNTY COUNCIL**

**APPROVED OFFICER'S ORDER**

**SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

**No. AOO/DC/2025/1056**

**File Ref No. EC/182/25**

**SUBJECT:** Declaration under Section 5.  
Planning and Development Act 2000 as amended  
Planning and Development Regulations 2001 as amended

**RE:** A proposed swap out of 3 no. of existing antennae with 3 no. proposed antennae and the repositioning of an existing dish at Pallaskenry Garda Station, Pallaskenry, Co. Limerick

**ORDER:** Whereas by Director General's Order No. DG/2024/129 dated 15<sup>th</sup> September 2025, Dr. Pat Daly, Director General, Limerick City & County Council did, pursuant to the powers conferred on him by Section 154 of the Local Government Act, 2001, (as amended by the Local Government Reform Act, 2014 and the Local Government (Mayor of Limerick) and Miscellaneous Provisions Act, 2024), delegate unto Barry Henn, A/Senior Planner the functions as defined in the Local Government Acts, 1925 to 2024.

Now therefore pursuant to the delegation of the functions aforesaid, I, Barry Henn, A/Senior Planner, having considered the report and recommendation of Eithne O'Brien, Assistant Planner dated 18/09/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Three Ireland (Hutchinson) Limited, c/o Arnold Matare (Entrust Ltd), Unit 1, First Floor, Oranmore Business Park, Oranmore, Co. Galway to state that the works as described above is

**Development and is Exempt Development.**

Signed

*B. Henn*

A/SENIOR PLANNER, PLANNING & PLACE-MAKING

Date

*30/09/2025*

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/182 dated *30/09/2025*, pursuant to Section 151(7) of the Local Government Act 2001

Signed:

*B. Henn*

A/SENIOR PLANNER, PLANNING & PLACE-MAKING



## **SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

**DECLARATION NO.**

**EC/182/25**

**Name and Address of Applicant:** Three Ireland (Hutchinson) Limited, 28/29 Sir John Rogerson's Quay, Dublin 2, Dublin.

**Agent:** Arnold Matare (Entrust Ltd), Unit 1, First Floor, Oranmore Business Park, Oranmore, Co. Galway

**Whether** the proposed swap out of 3 no. of existing antennae with 3 no. proposed antennae and the repositioning of an existing dish at Pallaskenry Garda Station, Pallaskenry, Co. Limeick is or is not Development or is or is not Exempted Development. The works as described on the plans submitted with the application on the 4<sup>th</sup> of September 2025.

**AND WHEREAS** the Planning Authority has concluded that the proposed swap out of 3 no. of existing antennae with 3 no. proposed antennae and the repositioning of an existing dish at Pallaskenry Garda Station, Pallaskenry, Co. Limeick **DOES** come within the scope of exempted development under Class 31(h) of the Planning and Development Regulations 2001 (as amended). See Report attached.

**NOW THEREFORE** the Planning Authority in exercise of the powers conferred on it by Section 5(2) (a) of the Planning and Development Act 2000 (as amended) hereby decides that the said development as described above is **Development and is Exempt Development**.

Signed on behalf of the said Council



\_\_\_\_\_  
Date: 30/09/2025

**NOTE:** A Declaration on Development or Exemption issued by Limerick City & County Council may be referred to An Bord Pleanála on payment of €220 for review within 4 weeks after the issuing of the declaration.