

# Comhairle Contae Chorcaí Cork County Council

Pleanáil agus Forbairt,  
Halla an Chontae,  
Bóthar Charraig Ruacháin,  
Corcaigh T12 R2NC.

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Planning & Development,

County Hall,

Carrigrohane Road, Cork T12 R2NC.

Tel (021) 4276891

Email: [planninginfo@corkcoco.ie](mailto:planninginfo@corkcoco.ie)

Web: [www.corkcoco.ie](http://www.corkcoco.ie)



RTE Transmission Network DAC,  
C/O Diarmuid Nagle,  
2RN, Block B, Cookstown Court,  
Belgard Road,  
Tallaght,  
Dublin 24  
D24 WK28

25<sup>th</sup> March, 2025

REF: D/225/25

LOCATION: Fermoy Transposer Station 2RN, Saint Bernard's Place, Fermoy, Co. Cork.

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

Dear Sir/Madam,

On the basis of the information submitted by you on 27<sup>th</sup> February, 2025 the Planning Authority, having considered the question whether the "proposed replacement of a 36.6m telecom tower in the existing 2RN site **in St. Bernard's Place, Fermoy, Co. Cork** exempted development under Class 31 of Part 1, Schedule 2, Section (J) "antenna support structure in place on an existing antenna support structure", has declared that it is **exempted development**.

### Reason for Decision

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

- The particulars received by the Planning Authority on 27th February 2025,
- Section 2(1) of the Planning and Development Act, 2000, as amended,
- Section 3(1) of the Planning and Development Act, 2000,
- Section 4(1)(a) of the Planning and Development Act, 2000, as amended,
- Article 6(1) and Article 9(1) of the Planning and Development Regulations, 2001, as amended,
- Class 31 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended.

**And Whereas the Planning Authority** hereby concludes that the installation of a replacement telecom antenna of 36.6m and ancillary development constitutes 'works' and 'development' as defined in Sections 2 and 3 of the Planning and Development Act 2000. The development comes within the scope of the exemption for such development by Section J of Class 31 of Part 1 Schedule 2 of the Planning and Development Regulations 2001 (as amended) and complies with the relevant conditions



We are Cork.



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and limitations. It is also considered that these exemptions are not restricted by the terms of Article 9(1)(a) (iii) and (viiB).

**The Planning Authority therefore determines that** the said works involved are development and are **exempted development**.

**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,



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**PIO TREACY,  
A/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>*

## SECTION 5 DECLARATION – PLANNER’S REPORT

<b>Application Ref. No.:</b>	D/225/25
<b>Report From:</b>	Janet Payne (AP)
<b>Report To:</b>	Louise Ahern (SEP)
<b>Question / Description to which Declaration relates:</b>	Is the proposed replacement of a 36.6m telecom tower in the existing 2RN site in St. Bernard’s Place, Fermoy, Co. Cork exempted development under Class 31 of Part 1, Schedule 2, Section (J) “antenna support structure in place on an existing antenna support structure.”?
<b>Location:</b>	Fermoy Transposer Station, St. Bernard’s Place, Fermoy, Co. Cork
<b>Applicant:</b>	RTE Transmission Network DAC (T/A 2RN)
<b>Date:</b>	19 <sup>th</sup> March 2025

### SUMMARY OF RECOMMENDATION

It is concluded that the installation of a replacement telecom antenna of 36.6m and ancillary development constitutes ‘works’ and ‘development’ as defined in Sections 2 and 3 of the Planning and Development Act 2000. The development comes within the scope of the exemption for such development by Section J of Class 31 of Part 1 Schedule 2 of the Planning and Development Regulations 2001 (as amended) and complies with the relevant conditions and limitations. It is also considered that these exemptions are not restricted by the terms of Article 9(1)(a) (iii) and (viiB).

On this basis it is considered that the proposed development is **development and is exempted development.**

#### 1. Introduction

This report relates to an application which has been made under Section 5(4) of the *Planning and Development Act 2000* (as amended) relating to development on lands located at the existing Fermoy Transposer Station, St. Bernard’s Place, Fermoy, Co. Cork. The applicant is seeking a declaration from the Planning Authority as to whether the installation of a replacement antenna of 36.6m and ancillary development is or is not development and/or is or is not exempted development.

#### 2. Question

The question which has been presented to the Planning Authority within the submitted application form is as follows:

Is the proposed replacement of a 36.6m telecom tower in the existing 2RN site in St. Bernard’s Place, Fermoy, Co. Cork exempted development under Class 31 of Part 1, Schedule 2, Section (J) “antenna support structure in place on an existing antenna support structure.”?

The application is supported by a comprehensive set of drawings which illustrate the full scope of the works which are the focus of the foregoing question.

#### Site Location and Description

The subject site is located on the northwestern side of Fermoy town within the development boundary on lands zoned as ‘Existing Mixed/General Business/Industrial Uses’ under the Cork County Development Plan 2022.

The subject site lies within the well-established industrial/business park with industrial buildings on all surrounding lands. The northern site boundary comprises mature planting/landscaping with the estate/public road beyond the same. There is an existing 36.3m high telecoms mast and associated cabinets etc. present on the site. There site is surrounded by palisade fencing.

### 3. Planning History

No planning history is noted to be associated with the subject site. The following table outlines the recent valid applications within the surrounding area.

Planning ref. no.	Description	Decision
16/4039	Change of use from light industrial to sorting office and internal alterations (An Post)	Conditional
13/51010	Permission for change of use to sorting office & alterations to facade as well as internally (An Post)	Conditional
08/51006	Permission to construct 1No. light industrial units abutting existing light industrial units (David Ryan)	Conditional
06/51029	Permission to form 2 no light industrial units within existing light industrial building together with permission for retention of mezzanine floors (David Ryan)	Conditional
18/7125	Continuation of Use of existing light industrial building for education purposes (Cork Education and Training Board)	Conditional
16/5891	Permission for change of use of unit no. 2 from light industrial use to warehouse (Davsea Ltd.)	Conditional
16/5890	Alterations to unit no's 3 and 4 (namely removal of internal wall) forming 1 no. unit and change of use from light industrial use to warehouse use (Davsea Ltd.)	Conditional

Table 1: Planning History

### 4. Planning Policy Framework

The subject site lies within the development boundary of Fermoy within lands zoned as 'Existing Mixed/General Business/Industrial Uses' under the *Cork County Development Plan 2022*. The site also lies within a *High Value Landscape* area but is not in close proximity to any scenic route. The site is located outside of any designated flood risk zone and the Fermoy ACA. The closest PS is located over 100m to the northeast.

### 5. Legislative Framework

#### Planning and Development Act 2000 (as amended)

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

**Section 2(1)** of the Act states the following in respect of 'works': "Any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal..."

**Section 4 (2)(a)** of the Act enables certain classes of development to be deemed exempted development by way of regulation.

**Section 4(4)** states that notwithstanding paragraph (a) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment is required.

**Planning and Development Regulations, 2001 as amended.**

**Article 6(3)** states: Subject to Article 9, in areas other than a city, a town or an area specified in section 19 (1) (b) of the Act or the excluded areas as defined in section 9 of the Local Government (Reorganisation) Act, 1985 (No.7 of 1985), development of a class specified in Column 1 of Part 3 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 3 opposite the mention of that class in the said column 1.

**Restrictions on exemption by virtue of Article 9(1)(a) of the Planning and Development Regulations 2001 (as amended)**

Article 9 (1) (a) provides that certain development to which Article 6 relates (i.e. exempted development) shall not be exempted in various circumstances. Article 9(1) states that: Development to which Article 6 relates shall not be exempted development for the purposes of the Act – (a) if the carrying out of such development would:

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

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

Having regard to the specific proposal for which the declaration has been sought, Class 31 of Part 1 of Schedule 2 of the Regulations is relevant, stating that:

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

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

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

1. The replaced structure shall be removed no later than 4 weeks following its decommissioning.
2. Where, for reasons of the integrity of the network or other operational reasons, the structure to be replaced remains in use during the construction of the replacement structure, the replacement structure shall be located as near as possible to the existing structure having regard to construction activity and safety requirements and, in any case, no replacement structure shall be located more than 20 metres from the replaced structure (measured from the base).
3. (a) The height of the replacement structure shall not exceed the height of the replaced structure.  
(b) (i) Subject to sub-paragraph (ii), the width of the replacement structure shall not exceed the width of the replaced structure.

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

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

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

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

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

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

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

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

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

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

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

## **1. Other Considerations**

### Appropriate Assessment

The site is within the Blackwater River SAC and River Blackwater Callows SPA Screening Zones. The proposed site is approximately 700m north of the main Blackwater channel, which forms part of the Blackwater River (Cork/Waterford) SAC and River Blackwater Callows SPA. The requirement for Appropriate Assessment can be screened out for the proposed development having regard to the minor scale and nature of the proposal and lack of physical or hydrological connection between the development site and any European Site.

### Environmental Impact Assessment

Having regard to the nature and scale of the proposed development, and to the nature of the receiving environment, there is no real likelihood of significant effects on the environment arising from the

proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## 2. Assessment

### **Is or is not development?**

Development is defined, under Section 3(1) of the Planning and Development Act, 2000 (as amended), as “the carrying out of works on, in, over or under land...” Works are defined, under Section 2(1) of this Act, as including “any act or operation of construction, excavation, demolition, extension.

It is evident, from the details submitted with the application, that the current proposal includes works (i.e. the installation of a 36.25m high telecommunications tower and ancillary development) Therefore, I am satisfied that the proposal, as currently presented, consists of the carrying out of ‘works’ and therefore constitute ‘**development**’, as defined in Section 3 of the Planning and Development Act 2000, as amended.

### **Is or is not Exempted Development?**

Class 31(j) of Part 1 of Schedule 2 provides a specific exemption for an antenna support structure in place of an existing antenna support structure. From the details provided with the application, I am satisfied that the proposed replacement antenna support structure is consistent with the type of development which is intended to benefit from the exemption as provided by Class 31(j).

Consideration must be given to the conditions and limitations of Class 31(j) and to the de-exemptions of Article 9.

In terms of the various conditions and limitations, I note the following:

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

2. Where, for reasons of the integrity of the network or other operational reasons, the structure to be replaced remains in use during the construction of the replacement structure, the replacement structure shall be located as near as possible to the existing structure having regard to construction activity and safety requirements and, in any case, no replacement structure shall be located more than 20 metres from the replaced structure (measured from the base). **The new structure will be located approx. 10m from the existing tower.**

3. (a) The height of the replacement structure shall not exceed the height of the replaced structure. **The height of the replacement structure (36.25m) is slightly lower than the height of the existing structure to be replaced (36.3m).**

(b) (i) Subject to sub-paragraph (ii), the width of the replacement structure shall not exceed the width of the replaced structure. **The width of the replacement structure (2.54m) does not exceed the width the existing tower to be replaced (2.762m).**

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

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

4. (a) Subject to sub-paragraphs (b) and (c), the antennae to be attached to the replacement structure shall not exceed the number of antennae on the replaced structure. **The submitted drawings show the same number of antennae on the new structure.**

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

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

5. (a) The dimensions of any additional antenna for mobile telephony shall not exceed the greatest length, width or depth of any antenna for mobile telephony of corresponding type on the replaced structure. **The submitted drawings show the same number, layout and size of antennae on the new structure.**

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

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

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

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

**The dimensions of the antenna's have not been stated but the submitted drawings show the same number, layout and size of antennae on the new structure.**

6. The replacement of an antenna support structure together with any replaced or additional antenna shall not result in the field strength of the non-ionising radiation emissions from the radio installations on the site exceeding the limits specified by the Commission for Communications Regulation. **Noted. The submitted drawings show the same number, layout and size of antennae on the new structure.**

Regard must also be given to the de-exemptions of Article 9.

As regards Appropriate Assessment Section 4(4) of the Planning and Development Act restricts exemption where development needs an appropriate assessment. In view of the scale and the nature and extent of the development, together with the separation and hydrological distances from the nearest European sites, it is considered that no appropriate assessment issues arise. It is considered that the development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site. Appropriate Assessment is not therefore required, and the provisions of Section 4(4) of the Planning and Development Act 2000 (as amended) are not relevant.

### 3. Conclusion and Recommendation

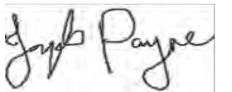


Having regard to:

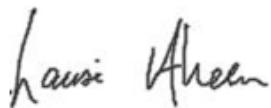
- the particulars received by the Planning Authority on 27<sup>th</sup> February 2025,
- Section 2(1) of the Planning and Development Act, 2000, as amended,
- Section 3(1) of the Planning and Development Act, 2000,
- Section 4(1)(a) of the Planning and Development Act, 2000, as amended,
- article 6(1) and article 9(1) of the Planning and Development Regulations, 2001, as amended,
- Class 31 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended.

It is concluded that the installation of a replacement telecom antenna of 36.6m and ancillary development constitutes 'works' and 'development' as defined in Sections 2 and 3 of the Planning and Development Act 2000. The development comes within the scope of the exemption for such development by Section J of Class 31 of Part 1 Schedule 2 of the Planning and Development Regulations 2001 (as amended) and complies with the relevant conditions and limitations. It is also considered that these exemptions are not restricted by the terms of Article 9(1)(a) (iii) and (viiB).

On this basis it is considered that the proposed development **is development and is exempted development.**



**Janet Payne**  
**Executive Planner**  
**24/03/2025**



**L Ahern**  
**A/Senior Executive Planner**  
**25/03/2025**



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Old Belgard Road, Tallaght,  
Dublin 24, Ireland  
Tel: +353 (0) 1 208 2259  
E-mail: 2rn@2rn.ie

**Cork County Council,  
Planning Department,  
Ground Floor,  
County Hall,  
Carrigrohane Road, Cork.  
Eircode: T12 R2NC**

To whom it concerns,

Please find attached Application for Section 5 exemption for the existing Transmission lattice tower at Fermoy, Co Cork.

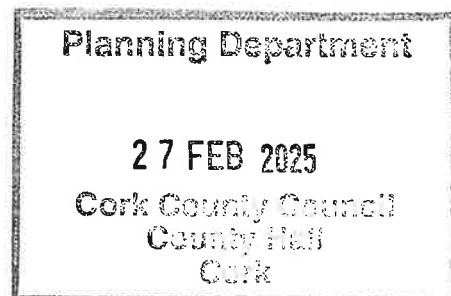
If you have any queries, please feel free to contact me directly.

Kind Regards,

**Diarmuid Nagle**

**Mobile: +353 87 4882179**

**Email: [diarmuid.nagle@2rn.ie](mailto:diarmuid.nagle@2rn.ie)**





# **CORK COUNTY COUNCIL APPLICATION FOR SECTION 5 DECLARATION OF EXEMPTION**

## **APPLICANT CHECKLIST**

(Please tick ✓)

- 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 of Site Layout Plan:**
- 4 No. Copies Scaled Drawings of Development:**
- €80 Application Fee:**

✓
✓
✓
✓
✓
✓
✓

## **FOR OFFICE USE ONLY**

Receipt No.	P2002492
Cash/Cheque/ Credit Card	CHEQUE
Date	27/2/25
Declaration Ref. No.	D/225/25

**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 3<sup>rd</sup> 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 purposes)
  - Correspondence from Teagasc (detailing how the land reclamation would benefit the land in question for agricultural purposes)
  - 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](mailto:dpo@corkcoco.ie) or write to us at Data Protection Officer, Cork County Council, County Hall, Carrigrohane Road, Cork, Ireland.*

27 FEB 2025

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

RTE TRANSMISSION NETWORK DAC (T/A 2RN) C/O Diarmuid Nagle  
0874882179  
diarmuid.nagle@2rn.ie

**2. POSTAL ADDRESS OF LAND OR STRUCTURE FOR WHICH DECLARATION OF EXEMPTION IS SOUGHT:**

FERMOY TRANSPOSER STATION 2RN  
SAINT BERNARD'S PLACE,  
FERMOY,  
CO. CORK

**3. QUESTION/DECLARATION DETAILS:**

Please state the specific question for which a Declaration of Exemption is sought

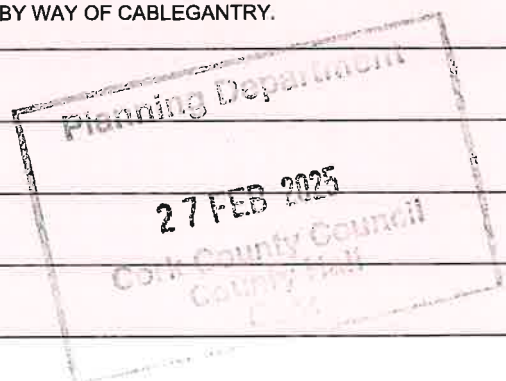
Note: Only works listed and described under this section will be assessed under the Section 5 Declaration of Exemption

IS THE PROPOSED REPLACEMENT OF 36.3M TELECOM TOWER IN THE EXISTING 2RN SITE IN ST BERNARDS PLACE, FERMOY, CO. CORK EXEMPTED DEVELOPMENT UNDER CLASS 31 OF PART 1, SCHEDULE 2, SECTION (J) "AN ANTENNA SUPPORT STRUCTURE IN PLACE ON AN EXISTING ANTENNA SUPPORT STRUCTURE"?

THE DEVELOPMENT PROPOSAL FOR THIS DECLARATION IS TO REPLACE THE EXISTING 36.3M STRUCTURE WITH A NEW STRUCTURE (36.25M). EXISTING BASE WIDTH IS 2.762M AND THE PROPOSED WILL BE 2.54M. TO MAINTAIN EXISTING

SERVICES IT IS NECESSARY TO CONSTRUCT THE NEW STRUCTURE FIRST. THE PROPOSED STRUCTURE WILL BE NO MORE THAN 12M FROM THE REPLACED STRUCTURE. ONCE OPERATIONAL THE PROPOSAL IS TO REMOVE THE EXISTING TOWER.

THE NEW STRUCTURE WILL LINK INTO THE EXISTING CABINS AND CABINET BY WAY OF CABLEGANTRY.



**4. APPLICATION 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<sup>2</sup>)

(a) Floor area of existing/proposed structure(s):	N/A
(b) If a domestic extension is proposed, have any previous extensions/structures been erected at this location after 1 <sup>st</sup> October, 1964 (including those for which planning permission has been obtained):	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please provide floor areas (m <sup>2</sup> ) 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  BROADCASTING AND TELECOMS SITE	Proposed use  BROADCASTING AND TELECOMS SITE
(d) Are you aware of any enforcement proceedings connected to this site?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please state relevant reference number(s):

**5. LEGAL INTEREST OF APPLICANT IN THE LAND/STRUCTURE:**

Please tick appropriate box to show applicant's legal interest in the land or structure:	A. Owner <input checked="" type="checkbox"/>	B. Other <input type="checkbox"/>
Where legal interest is "Other", please state your interest in the land/structure:		
If you are not the legal owner, please state the name of the owner/s (address to be supplied at Question C in Contact Details):		

27 FEB 2025  
County Council

**6. PROTECTED STRUCTURE DETAILS / ARCHITECTURAL CONSERVATION AREA:**

Is this a Protected Structure/Proposed Protected Structure or within the curtilage of a Protected Structure: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If yes, has a Declaration under Section 57 of the Planning & Development Act 2000 been requested or issued for the property by the Planning Authority: Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, please state relevant reference No. _____
Is this site located within an Architectural Conservation Area (ACA), as designated in the County Development Plan? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

**7. APPROPRIATE ASSESSMENT:**


Would the proposed development require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European 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 for my personal information to be processed for the purpose stated above

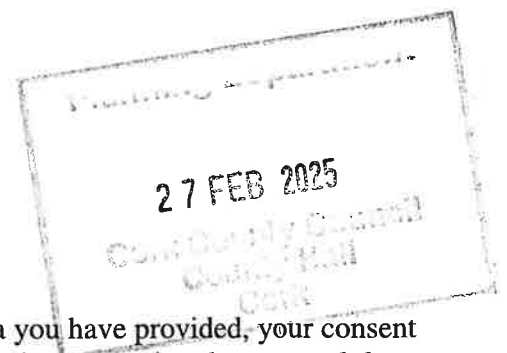
Signed (By Applicant Only)	Diarmuid Nagle 
Date	25-Feb-2025

**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:

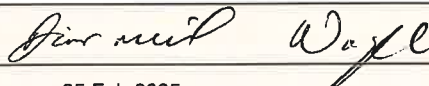
- Race
- Ethnic origin
- Political opinions
- Religion
- Philosophical beliefs
- Trade union membership
- Genetic data
- Biometric data
- Health data
- Concerning a natural person's sex life
- Sexual orientation



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**

I give permission for my sensitive personal data submitted to the Planning Authority to be processed for the purpose stated above.

Signed	Diarmuid Nagle 
Date	25-Feb-2025

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](mailto:planninginfo@corkcoco.ie) or by contacting the Planning Department, Norton House, Cork Road, Skibbereen, Co. Cork. Tel: (028) 40340 Email: [westcorkplanninginfo@corkcoco.ie](mailto: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.

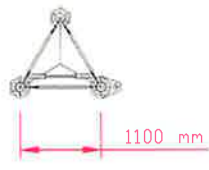
- The Planning Authority may require further information to be submitted to enable the authority to issue a decision on the Declaration of Exemption application.
- The Planning Authority may request other person(s), other than the applicant; to submit information on the question which has arisen and 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.*

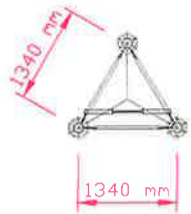
**9. I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct, accurate and fully compliant with the Planning and Development Acts 2000, as amended and the Regulations made thereunder:**

<i>Signed (Applicant or Agent as appropriate)</i>	Diarmuid Nagle  
Date	25-Feb-2025

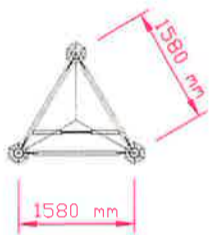




SECTION G-G



SECTION F-F



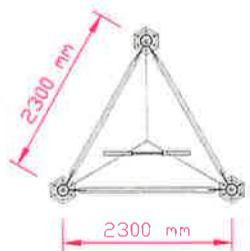
SECTION E-E



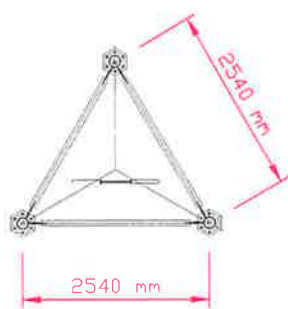
SECTION D-D



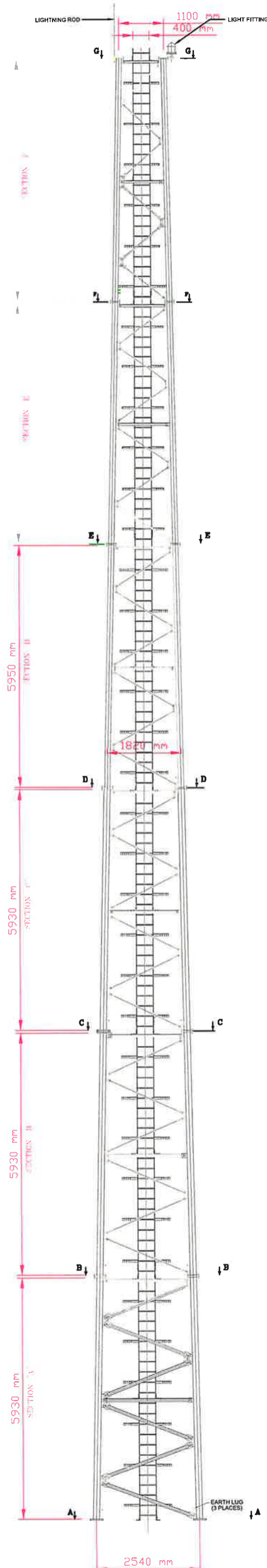
SECTION C-C



SECTION B-B

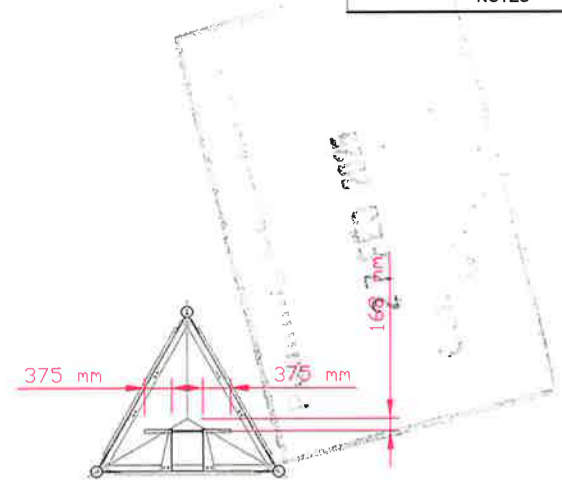


SECTION A-A

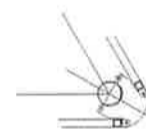


TOWER ELEVATION

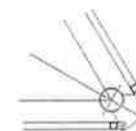
FOR CLARITY, BRACING ON OTHER FACES NOT SHOWN



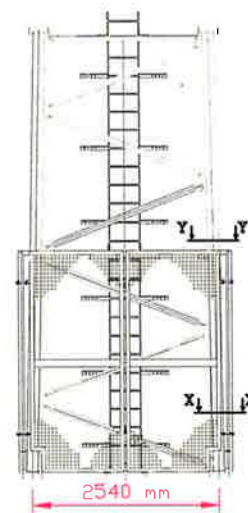
VIEW ON LADDER SUPPORTS



SECTION Y-Y



SECTION X-X



SECURITY GATES

REV	DATE	DESCRIPTION	D	C	A
PLANNING-EXEMPTION SECTION 5					
COPYRIGHT RESERVED - THIS DRAWING IS NOT TO BE USED FOR A PURPOSE OTHER THAN THAT FOR WHICH IT HAS BEEN ISSUED BY RTE NL. NOR IS IT TO BE COPIED OR REPRODUCED IN ANY MANNER WITHOUT WRITTEN CONSENT.					
SITE FERMOY TRANSPOSER STATION ST BERNARDS PLACE, FERMOY COUNTY CORK					
PROJECT Transmission & Communications Tower					
TITLE TOWER ELEVATION MODULE A-G					
SITE ID 192.05					
SCALES 1:100	DRAWN DN	CHECKED	DATE	DATE	DATE
DRAWING No. 192.05-T-BASE-06		REV		A	



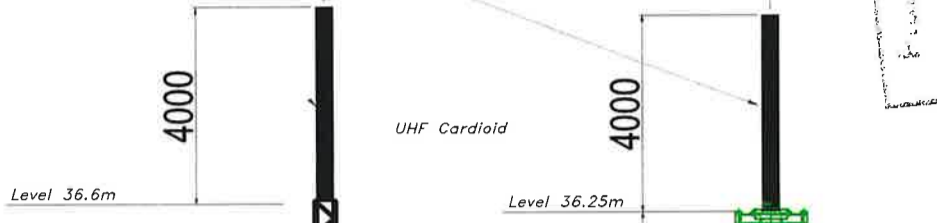
NOTES

PLANNING EXEMPTION SECTION 5			
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SITE FERMOY TRANSPOSER STATION ST BERNARDS PLACE COUNTY CORK			
PROJECT Transmitter & Communications Tower			
TITLE SITE ELEVATION			
SITE ID 192.05			
SCALES	DRAWN DN	CHECKED	APPROVED
1:150	DATE 02-25	DATE	DATE
DRAWING No. 192.05-ST-BASE-05			REV

27 FEB 2005

4M CAROID RTE TRANSMITTER

10M APPROX.



UHF Cardioid

H3GI TELECOMS PANEL ANTENNAS

EIR TELECOMS PANEL ANTENNAS

PROPOSED 36.25M LATTICE TOWER. MAX WIDTH AT BASE 2.54M

EXISTING FRANCIS & LEWIS TOWER  
TYPE TT30, SECTIONS A, 1, 2, 3, 4, 5, & 6 --  
TO BE REMOVED

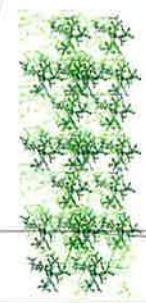
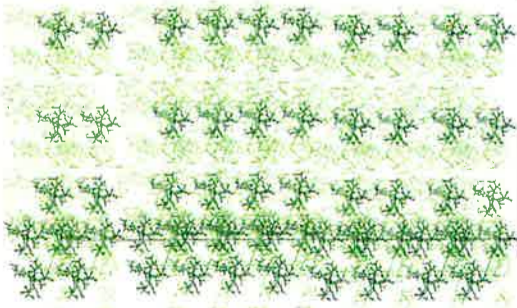
RADIO TRANSMITTER

LAUREL TREES HAVE BEEN REMOVED  
FOR CLARITY. TREES TO BE CUT BEFORE  
CONSTRUCTION AND REPLANTED WITH  
NATIVE MATURE BEECH HEDGE.

O2 CABIN

EXISTING 2.4m HEIGHT PALISADE FENCE

PROPOSED 2.4m HEIGHT PALISADE FENCE TO MATCH EXISTING



2766

2540

1500

STEPS TO EXISTING COMPOUND

5M X 5M X 1.5M FOUNDATION PROPOSED.  
FOUNDATION WILL BE FLUSH WITH COMPOUND GROUND LEVEL.

SITE ELEVATION PROPOSED 1:150

EXISTING CABIN PLINTH TO BE BROKEN UP AND REMOVED  
 2M X 3M RTE CABIN TO BE RELOCATED TEMPORARILY

EXISTING 2.4M HIGH PALISADE FENCE TO BE RETAINED AND EXTENDED WHERE NECESSARY

CABLE LADDER TO BE REMOVED

BLUE LINE DENOTES OWNERSHIP BOUNDARY  
 RED LINE DENOTES COMPOUND

ESB POWER DUCT

KEEP PROPOSED DIG 1M OFF BACK WALL OF COMPOUND

EXISTING PROPERTY LINE

EXTEND SITE COMPOUND 2M TO WESTERN DIRECTION

PROPOSED 2.4M PALISADE FENCE WITH ANTICLIMB TO MATCH EXISTING

PROPOSED 5M X 5M X 1.5M DEEP CONCRETE FOUNDATION FOR 36M LATTICE TOWER

OWNERSHIP BOUNDARY SHOWN IN BLUE

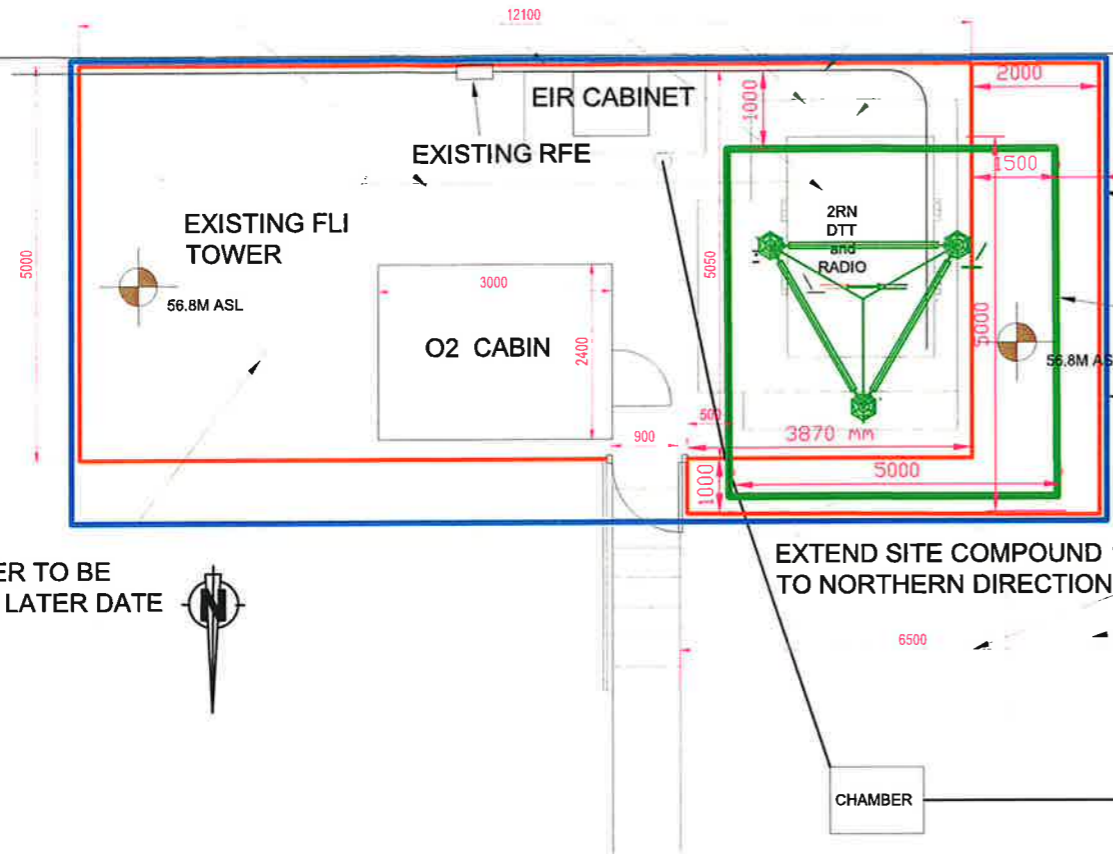
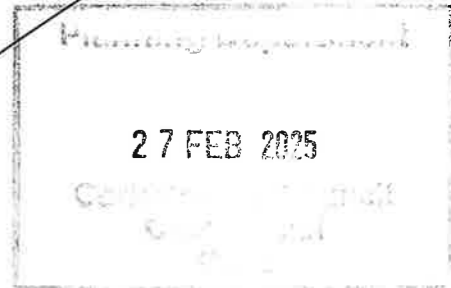
CLEAN AWAY 6M WIDTH OF LAURELS AND 1 NO. TREE TO ALLOW SPOIL TO BE STORED FOR TRUCK GRAB

EXISTING LAUREL HEDGE TO BE REPLACED WITH NATIVE MATURE BEECH POST CONSTRUCTION TO SHADE COMPOUND

BURIED FIBRE CABLES. ASSUMED TO FEED THE EIR CABINET DUCT UNDERGROUND

EXISTING TOWER TO BE REMOVED AT A LATER DATE

EXTEND SITE COMPOUND 1M TO NORTHERN DIRECTION



FOOTPATH

ROAD

SITE LAYOUT PLAN 1:100

OVERHEAD CABLES

GRASS VERGE

OVERHEAD CABLES



FERMOY SITE PLAN  
 SCALE 1:100 @ A3

REV	DATE	DESCRIPTION	D	C	A

PLANNING EXEMPTION SECTION 5

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SITE  
 FERMOY TRANSPOSER STATION  
 ST BERNARDS PLACE, FERMOY  
 COUNTY CORK

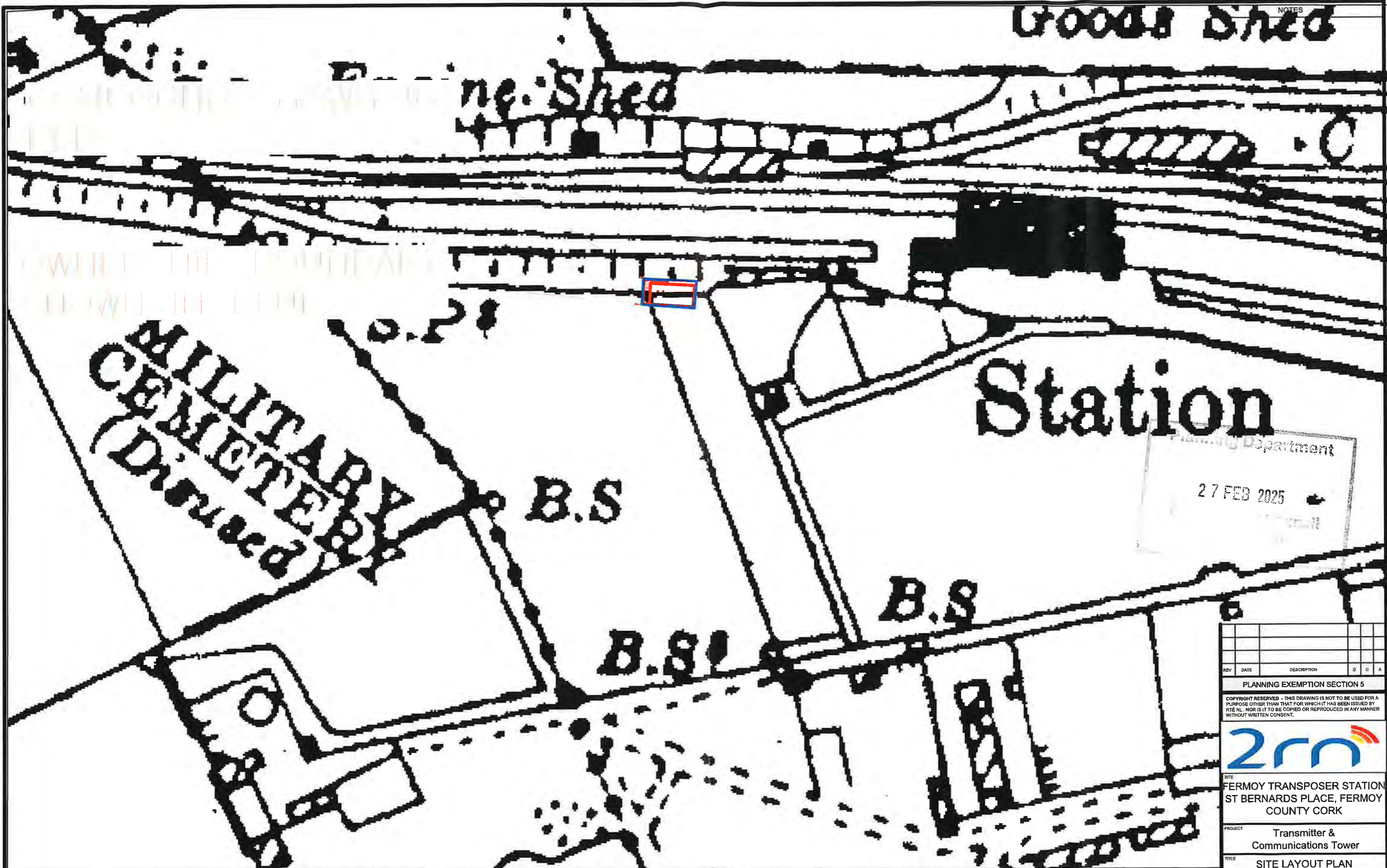
PROJECT  
 Transmitter &  
 Communications Tower

TITLE  
 SITE LAYOUT PLAN

SITE ID  
 192.05

SCALE	DRAWN	CHECKED	APPROVED
1:100	DN	gate	gate

DRAWING NO.  
 192.05-S-Base-04



NOTES

Goods Shed

ne. Shed

Station

B.S.

B.S.

B.S.

MILITARY CAMP

Planning Department  
27 FEB 2025

REV	DATE	DESCRIPTION	D	C	A

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SITE  
FERMOY TRANSPOSER STATION  
ST BERNARDS PLACE, FERMOY  
COUNTY CORK

PROJECT  
Transmitter &  
Communications Tower

TITLE  
SITE LAYOUT PLAN  
6" Map 10,560

SITE ID  
192.05

SCALE	DRAWN DN	CHECKED	APPROVED
1:1000	DATE 02-25	DATE	DATE

DRAWING NO.	REV
192.05-S-Base-03	A

1:1000

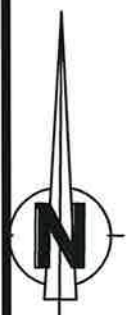
Historic 6" Latest Edition



PROPOSED COMPOUND ENHANCEMENT SHOWN HATCHED 16M2

OWNERSHIP BOUNDARY SHOWN IN BLUE

EXISTING AND PROPOSED COMPOUND MARKED IN RED



6m

6m

1m

Faber-Castell  
Business Campus

Planning Department

27 FEB 2005

1:100


1:500

OS MAP SERIES 5959-02 - 07 - A

REV	DATE	DESCRIPTION	D	C	A

PLANNING EXEMPTION SECTION 5

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SITE  
FERMOY TRANSPOSER STATION  
ST BERNARDS PLACE, FERMOY  
COUNTY CORK

PROJECT  
Transmitter &  
Communications Tower

TITLE  
SITE LAYOUT PLAN  
OS MAP 1:2500

SITED  
192.05

SCALES	DATE	DRAWN DN	CHECKED	APPROVED
1:100 1:500	DATE	DATE	DATE	DATE

DRAWING NO.  
192.05-S-Base-02

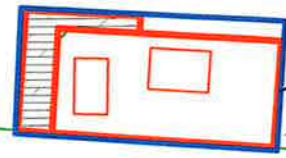
REV  
A

NOTES

COMPOUND DARK RED

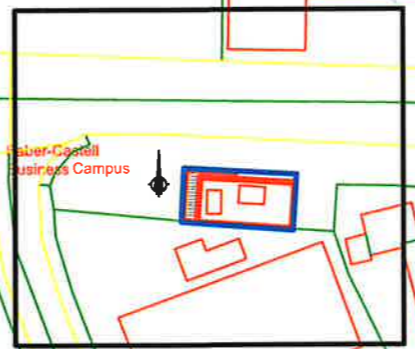
OWNERSHIP BOUNDARY IN BLUE

Faber-Castell  
Business Campus



INDUSTRIAL AREA

INDUSTRIAL AREA



Faber-Castell  
Business Campus

Planning & Spatial  
27 FEB 2005

INDUSTRIAL ESTATE ENTRANCE

Military  
Cemetery  
(Disused)

MILITARY CEMETRY

INDUSTRIAL ESTATE

REV	DATE	DESCRIPTION	D	C	A
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SITE FERMOY TRANSPONER STATION ST BERNARDS PLACE, FERMOY COUNTY CORK					
PROJECT Transmitter & Communications Tower					
TITLE SITE LAYOUT PLAN OS 1:2,500					
SITE ID 192.05					
SCALES	DRAWN DN	CHECKED	APPROVED		
1:1,000	DATE 02-25	DATE	DATE		
DRAWING No. 192.05-S-Base-01					REV A

OS MAP SERIES 5959-02 - 07 - A