



An
Bord
Pleanála

Inspector's Report 29N.247731

Development	Provision of mobile telecommunications structure with associated equipment located on the roof adjacent to stair core 151-163 of The Plaza and all associated site works
Location	The Plaza, Coultry Road and Shangan Rd, Ballymun, D9.
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	3793/16
Applicant	Shared Access Limited
Type of Application	Permission
Planning Authority Decision	Refuse Permission.
Type of Appeal	First Party
Appellant	Shared Access Limited
Date of Site Inspection	22 nd February 2017
Inspector	Dolores McCague

1.0 Site Location and Description

- 1.1. The site location is The Plaza, Coultry Road and Shangan Road, Ballymun, Dublin 9. The site is occupied by a building which forms the street edge along Shangan Road and Coultry Road and is part of a perimeter building also fronting to the R108, and a service laneway to the north of the building. The building is mainly 5 storeys in height with a 7 storey feature element at the south eastern corner where the subject site is located. This development is modern, of mixed use, including underground car parking, ground and first floors retail and offices units, a hotel (61 bedrooms and 16 aparthotel units), and apartments.
- 1.2. The 7 storey element is at the junction of Coultry Road and Shangan Road and the subject site is on the roof of that portion of the building. On the opposite side of Coultry Road there is a flat rectangular grassed area of open space, and a school site. On the opposite side of Shangan Road there is a smaller flat triangular shaped open space: a flat area of grass and hard surfacing and other landscaping features; to the south of which is the Civic Centre. The portion of the building nearest the subject roof is in apartments. The site is quite prominent being one of a number of taller buildings in the area.

2.0 Proposed Development

- 2.1. The proposed development is the provision of mobile telecommunications structure with associated equipment and all associated site works.
- 2.2. The application is accompanied by a planning report, a statement of electromagnetic field compliance for multi-operator tower installations and a document titled technical and site justification.
- 2.3. The proposed site has been selected to replace the coverage that was provided by the Ballymun Shopping Centre site. This site was responsible for the indoor/outdoor coverage either side of the Ballymun Road, R108. Vodafone have a current blackspot within the centre of Ballymun due to the decommissioning of the previous antennae on the former Ballymun shopping centre due for redevelopment.

- 2.4. The documentation states that the majority of base stations in the Dublin Area are located on rooftop sites under the exempted development provisions. Where such options are unavailable Vodafone locate on existing structure or sites, industrial estates, commercial areas, etc in accordance with the guidelines. The proposed site is 200m away from the decommissioned site. The documentation states that cell radii are: 150 to 350 m in urban areas, 800 - 1000m in suburban areas and 2k to 5k in rural areas; the application is for a cell with a radius of 800m to 1000m. The existing sites experience high levels of traffic. This results in poor performance and poor service. Because the proposed site is located almost symmetrically in the middle of the depleted coverage area it will ensure the site will improve the indoor/outdoor 3G/4G coverage for the blackspot area.
- 2.5. Existing Vodafone coverage in the area is indicated on map, Fig 6.1, and shows a significant blackspot. Predicted coverage is indicated on map, Fig 7.1.
- 2.6. The height of the antenna and support has been restricted to 2m in order to reduce the visual impact.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to refuse planning permission for one reason:

Having regard to the provisions of the guidelines relating to telecommunications antennae and support structures as supplemented by Circular letter PL07/12- Telecommunications Antennae and support Structures Guidelines, the 2016 - 2022 Dublin City Development Plan and taking into consideration the residential use at the application site and the location of a school adjacent the site, it is considered that the location of the development would seriously injure the residential and general amenities of the area...

3.2. Planning Authority Reports

3.2.1. Planning Report:

- Zoning Z4 to provide for and improve mixed services facilities; the site located in an area designated as KDC 3 Key District Centre, and SDRA 2 Strategic Development and Regeneration Area.
- A local plan is being prepared for Ballymun – pre-draft consultation process finished. Outside Dublin airport Safety Zone.
- CDP – 16.33, 9.5.11 Policies 129 and 130
- The Plaza is a mixed use development and the application site comprises the roof top of a feature 6 storey (22m) element of the residential part of the building. The feature roof top is c 17m x 9m and this includes the roof overhang. There is a school within 80m to the east of the site.
- The infrastructure is located on the roof of a residential building and within 80m of a school.
- Notwithstanding its town centre location, that given the sensitivity of the site, it forms part of a residential complex and is situated adjacent to a school it would not be appropriate to grant permission.
- Visual – to be located at the front most prominent part of the roof. The applicant has justified this on the ground of technical requirements and given that the rear of the roof area is the access point to the roof. The applicant states that hand rails are not being proposed in order to reduce the impact of the development. The applicant has pointed out that more infrastructure on the roof is unlikely.
- Photomontages give a good representation of the visual impact.
- By reason of the buildings height and its prominence in the immediate locality it is noted that the infrastructure will be viewed from all the locations and that it will skyline in certain views. It is considered however that the impact is not necessarily detrimental to the visual amenities of the area.

3.2.2. Other Technical Reports

Engineering Department - Drainage – conditions

4.0 Planning History

Given in the planning report:

3598/09 – change of use of no.s 5E and 5F from permitted amalgamated financial services unit (reg. ref. 2292/09) to 2 no. Independent office units (160m each) and the amendment of condition no. 8 (i) of reg. ref. 2292/09 to permit surface car parking to service units all part of mixed use development (the Plaza site c480 sq m).

2292/09 – planning permission for change of use from 10 no. 1 bed studio apartments and 1 no. Workshop unit under Reg. Ref. 2104/06 at ground and first floor to 4 no. Office units and 2 no. standalone office units (160 sq m each) and 2 no consolidated to form 1 no. large unit (320 sq m) b) 2 no. financial services units consolidated to form 1 no. large unit (320 sq m).

5627/07 – planning permission for modifications to the design of a previously approved mixed use development. Reg. Ref. no. 0801/01, 5921/04, 3743/05, 4863/05, 5904/05, 2104/06 and 2479/07 located at a site to the east of Ballymun Main Street, north of realigned Shangan Road, west of Coultry Road and to the south and west of the existing boiler house. Modifications: subdivision of one ground floor retail unit (206 sq m) on Ballymun Main St, into two ground floor retail units (84 sqm and 122 sq m) and the addition of a new entrance door on Ballymun Main Street to serve the new retail unit.

2104/06 planning permission for modifications to the design of a previously approved mixed use development, (reg.ref. no. 0801/01, 5921/04, 3743/05 and 4863/05) located at a site to the east of the Ballymun Main St, north of Shangan Road west of Coultry Road and south and west of the Boiler House, Ballymun, D9.

5921/04, 3743/05, 5904/05 and 2479/07 permission granted over the years for modifications to the design of a previously approved mixed use development (reg. ref. 0801/01).

0801/01 permission granted for mixed-use development on site of 10,161 sq m to the east of Ballymun Main Street, north of realigned Shangan road, west of Coultry Road and to the south and west of the existing boiler house, Ballymun, Dublin 9. the buildings fronting Ballymun Main St, Coultry Road, the realigned Shangan Road and along the northern edge of the site are 5 storeys in height with feature element of 7 storeys at the junction of the realigned Coultry Road and Shangan Road and opposite the Ballymun Arts and Community Resource Centre, currently under construction. The uses proposed are a hotel consisting of 61 bedrooms and 16 aparthotel units fronting onto the realigned Shangan Road, new civic plaza. The hotel also incorporates a bar/restaurant, meeting rooms, reception area and ancillary office space at ground floor level and a restaurant and meeting rooms, which may be used as a function suite at first floor level. 31 no. 1 bed apartments, 67 no 2 bed and 3 no. 3 bed along the northern edge of the site and on the second, third and fourth floor fronting Coultry Road. The ground and first floor of the building fronting Coultry Road comprise 2,224 sq m of retail/ workspace units. The building fronting the new Ballymun Main St will consist of 2,224 sq m of retail.workspace units. The buidling fronting the new Main Street will consist of 2,582 sq m of retail units at ground and first floor level, including uses described in Class 2 of Part IV of the Regs; 4,607 sqm of office space is proposed at second, third and fourth floor levels in this building. Car parking, to serve the residential, retail/workshop, hotel and office developments is provided in an underground car park (185 spaces) with access off the realigned Shangan Road, and to the rear of the building fronting Ballymun Main Street (16 spaces) with access off the new east/west road to the north of the existing Boiler House. Lay-bys for parking are also proposed along the realigned Shangan Road and Coultry Road frontages. A landscape open space is proposed within the courtyard, created by the proposed new ESB substation and communal access areas are also included.

5.0 Policy Context

5.1. Dublin City Development Plan 2016-2022

- 5.1.1. The site is zoned Z4: to provide for and improve mixed services facilities. Designation KDC (3) refers to key district centre, and SDRA (2) refers to Strategic Development and Regeneration Area.
- 5.1.2. Plan policy S129 is a policy to encourage and facilitate telecommunications infrastructure in appropriate locations, sec 9.5.11 also refers to telecommunications infrastructure, mindful that its provision and notably antennae can impact on residential and visual amenity.
- 5.1.3. Plan policy S130 is a policy to support and facilitate the delivery of high-capacity ICT infrastructure, broadband networks and digital broadcasting in the city.
- 5.1.4. Chapter 16 which deals with control of development includes (at 16.33) detailed provisions in relation to telecommunications apparatus. Locations in commercial areas such as rooftop locations on tall buildings, may be appropriate subject to visual amenity considerations. The position of the object with respect to the skyline will be closely examined particularly in relation to conservation areas, open-space amenity area historic park or in the vicinity of protected buildings, special views or prospects, monuments or sites of archaeological importance

5.2. Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities issued by the DoEHLG, 1996.

- 5.3. Development Plans should indicate any locations where, for various reasons, telecommunications installations would not be favoured or where special conditions would apply. Such locations might include, for example, lands whose high amenity value is already recognised in the development plan or sites beside schools which might give rise to local concerns.
- 5.3.1. A location in a residential area or beside a school should be a last resort when alternative sites are unavailable.

5.4. Circular Letter: PL 07/12

- 5.4.1. The most recent policy document is Circular Letter: PL 07/12, issued on 19 October 2012, in respect of the Telecommunications Antennae and Support Structures

Guidelines by the Minister for the Environment, Community and Local Government, under section 28 of the Planning and Development Acts 2000-2012 to update certain sections of the Telecommunications Antennae and Support Structures Guidelines (1996).

- 5.4.2. With reference to development plan policies there has been a growing trend for the insertion of policies and objectives specifying minimum distances between telecommunications structures from houses and schools, e.g. up to 1km. Such distance requirements, without allowing for flexibility on a case-by-case basis, can make the identification of a site for new infrastructure very difficult. Planning authorities should therefore not include such separation distances as they can inadvertently have a major impact on the roll out of a viable and effective telecommunications network.
- 5.4.3. Attaching a condition to a permission for telecommunication masts and antennae which limit their life to a set temporary period, should cease. Where a renewal of a previously temporary permission is being considered, the planning authority should determine the application on its merits with no time limit being attached to the permission. Only in exceptional circumstances where particular site or environmental conditions apply, should a permission issue with conditions limiting their life.

5.5. Natural Heritage Designations

None relevant

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. McGill Planning Limited, has submitted the appeal on behalf of the first party, which includes:

- The antennae is a replacement for the previous Vodafone site at the old Ballymun shopping centre on the western side of Ballymun Road which is now decommissioned due to the imminent redevelopment of the site.
- Sec 9.5.11 and 16.33 of the City Plan and policy S129 are cited regarding facilitating telecommunications infrastructure in appropriate locations. The Plan supports high intensity mixed use development within Ballymun. Ballymun is therefore an 'appropriate location' for facilitating telecommunication infrastructure to serve the significant residential and employment community located there.
- The Plan recognises the economic and social imperative of telecommunication infrastructure balanced against the need to respect residential and visual amenity, and in this regard policy S130 is cited:
- The client is keenly aware of the need to strike a balance between addressing the deficiencies in mobile coverage and selecting a location and design that reduces the impact on residential and visual amenities.
- Numerous attempts have been made to identify an alternative location in Ballymun that can replicate the previous coverage.
- The Board will appreciate that the chosen location is not speculative but arrived at following a thorough examination of alternative locations.
- Regarding Development Plan and national guidelines: sec 16.331 and objective SI30 of the CDP states a preference for industrial lands. There are no industrial estates within the blackspot. Z4 is mixed use, including employment and is therefore a preferred location, compared to other locations in the blackspot (shown on map) which are zoned Z1 residential or Z15 institutional and community.
- The Plan allows for possible locations in commercial areas.
- A number of other tall buildings within the Z4 area were examined early at planning stage but were discounted for a number of reasons.
 - Travelodge was discounted on technical grounds – sheet metal cladding, which is a major hindrance to radio wave propagation, and slopes towards

the road and away from the only suitable location for an antenna. A large structure would need to be placed on the roof.

- The Civic Centre roof directly to the south is lightweight material which would be incapable of supporting the load, also there are balconies just below the roof level and they would have been in the path of the RF propagation and would not meet ICNIPR (International Commission on Non-Ionizing Radiation) guideline requirements.
- The roof of College View, retail and residential, south west, was considered, but the applicant was unable to execute an agreement because of ongoing title/property issues.
- Ballymun Garda Station would be suitable but the applicant was informed that it is not available for the deployment of additional privately operated telecommunications structures.
- The site chosen is the last remaining viable and available roof location, before free standing antennae structures would need to be considered.
- Once the location was chosen the specific siting and design of the antennae were carefully considered in order to strike an appropriate balance between optimising coverage and reducing visual impact.
- The chosen location is surrounded by a significant parapet, which extends c 1.4m beyond the main roof on all sides, as a result much of the support structures will not be visible from the adjoining streets and residential areas.
- 3 antennae are proposed, being the minimum provision required to provide sufficient coverage from any one rooftop location, facing east, north-west and south-west and extending just 2m above the existing roof line. Other structures normally provided, such as handrails around the perimeter, are excluded in order to reduce the visual impact further.
- Overall design has been tailored to address the specific location. The impact replicates that created by other similar structure that are commonplace on the roofs and facades of apartment and mixed use blocks, such as roof plant and satellite dishes.

- The roofscape and skyline with Ballymun Boiler House chimney and the large telecommunications structure on the roof of the Garda station are referred to. The visual impact is minor compared to these.
- The planning authority did not consider that there would be a negative visual impact.
- There are no other antennae locations (other than the Garda station) within the blackspot area.
- Should the current proposal be granted, the site could be looked at as a location for future sharing if required by other operators. This option should be subject to planning permission in order to properly assess the cumulative visual impact. The Board has the discretion to include a condition.
- The proposal has been presented as a last resort roof location. A free standing mast would have significantly greater negative impact. It would have to be located in a public space and several masts would need to be considered.
- Regarding residential amenity, residential areas are not precluded in the guidelines.
- The planner's report doesn't explain how it offends general amenity.
- They fail to understand, other than visual amenity, any other impact on amenity.
- Health should not be considered per 1996 guidelines.
- Residential amenity can be understood as the benefit enjoyed from within physical space of the private home, the benefit enjoyed depends of the quality of space and is dependent on location, size, orientation, noise, accessibility and enclosure.
- It appears that the impact is deemed negative merely as a result of proximity not as a result of any definable environmental impact. The reason for refusal is both unreasonable and unsubstantiated.
- Precedent – three DCC decisions are cited in neighbourhood centre zoning, residential zoning adjacent to residential conservation zoning. In overturning

the decisions the Board did not consider that a significant impact on the visual and residential amenities of the area resulted and that the development would be in compliance with national and local policy with regard to telecommunications masts and structures. The Board also noted in each case: the importance of the service provided, the lack of a credible alternative location in the immediate area, the relatively minor visual impact created in the context of the urban area served, the minor impact on residential amenities and which could be safeguarded by way of condition. In Donore Ave (70-80m from the local school) the Board considered that the separation distance from the school was reasonable.

6.2. Planning Authority Response

6.2.1. The planning authority has not responded to the grounds of appeal.

7.0 Assessment

7.1.1. The issues which arise in relation to this appeal are appropriate assessment, the principle of the proposed development, visual amenity and residential amenity and the following assessment is dealt with under these headings.

7.2. Appropriate Assessment

7.2.1. Having regard to the nature and scale of the proposed development and nature of the receiving environment 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.

7.3. Principle of the Proposed Development

7.3.1. The site is located in an area zoned Z4 in the Dublin City Development Plan 2016 – 2022 with the objective ‘to provide for and improve mixed services facilities’. There are other relevant designations for the area: KDC (3) refers to key district centre, and SDRA (2) refers to Strategic Development and Regeneration Area. A local area plan making process is underway for the area.

7.3.2. In other relevant Development Plan provisions telecommunications infrastructure is to be encouraged and facilitated in appropriate locations, mindful that its provision

and notably antennae can impact on residential and visual amenity. The delivery of high-capacity ICT infrastructure, broadband networks and digital broadcasting is to be supported and facilitated in the city and the benefits of being a smart city is acknowledged. The most suitable locations for telecommunications apparatus are industrial estates and industrial/employment zones. Commercial areas such as rooftop locations on tall buildings, may be suitable subject to visual amenity considerations.

- 7.3.3. It should be noted that telecommunications installations are defined as public service installation in the Land Use Definitions in Appendix 21 of the Plan. The use 'public service installation' is acceptable in principle or open for consideration in every use zoning except Z4 (this zone) and Z 11 (to protect and improve canal, coastal and river amenities), having regard to the other policies and objectives in the Plan it's omission from the Z4 zoning appears to me to be an oversight rather than an intentional omission.
- 7.3.4. While the 1996 Guidelines advised planning authorities to indicate in development plans locations where installations would not be acceptable, the Circular letter is specific in stating that separation distances should not be stated in development plans.
- 7.3.5. In the documentation provided the first party has demonstrated that there are no reasonable alternative sites available. In my opinion subject to other issues, there is no objection in principle to the proposed development.

7.4. Visual Amenity

- 7.4.1. As pointed out in the grounds of appeal the planning authority did not consider visual impact to be a reason to refuse permission.
- 7.4.2. The planning report notes that the structure is to be located at the front, most prominent part of the roof but that the applicant has justified this on the ground of technical requirements and given that the rear of the roof area is the access point to the roof; the report further notes that hand rails are not being proposed in order to reduce the impact of the development. The report states that by reason of the buildings height and its prominence in the immediate locality the infrastructure will be viewed from all the locations and that it will skyline in certain views, but considers that the impact is not necessarily detrimental to the visual amenities of the area.

- 7.4.3. I agree with the planning report that the photomontages give a good representation of the visual impact.
- 7.4.4. The development plan cautions that townscape/skyline impact will be given particular consideration in relation to designated conservation areas, open-space amenity areas, historic parks or in the vicinity of protected buildings, special views or prospects, monuments or sites of archaeological importance. In this regard it should be noted that the building stands along two roads opposite which there are two public parks. Views from these locations can be seen in photomontages V2 and V3. In my opinion the proposed development is not unduly imposing in views from these directions.
- 7.4.5. Roof top antennae which are visible in the general area don't enhance the streetscape and have a visual impact disproportionate to their scale. I agree with the planning report that visual impact should not be a reason to refuse permission, however impact on visual amenity could become an issue if, as further development takes place, additional tall buildings become sites for antennae. In view of the fact that this is a re-development area, where development is on-going, I consider it reasonable that a condition, which limits the duration of the permission be imposed, so that visual impact can be reviewed in light of future demand for similar structures, and to allow for the possibility of rationalising provision.

7.5. Residential Amenity

- 7.5.1. The reason for refusal refers to residential amenity and general amenity, and to the presence of an adjacent school and the residential use at the application site.
- 7.5.2. The statement of electromagnetic field compliance for 'multi-operator tower installations impact' which accompanies the application states that the site will be fully compliant with the ICNIRP general public guidelines.
- 7.5.3. The first party considers the reason for refusal is both unreasonable and unsubstantiated, that the impact is deemed negative merely as a result of proximity, not as a result of any definable environmental impact. They point out that residential areas are not precluded by the guidelines. They fail to understand how there can be any other impact on amenity other than visual amenity, that the planner's report doesn't explain how it offends general amenity, and that health should not be considered per the 1996 guidelines.

- 7.5.4. The development plan notes that telecommunications infrastructure and notably antennae, can impact on residential and visual amenity and it relies on the Guidelines in this regard. It also states that roof top locations on tall buildings in commercial areas may be acceptable subject to visual amenity considerations.
- 7.5.5. There is no guidance on what should be considered acceptable separation distances from a school or other sensitive receptor. Planning authorities are specifically advised not to include separation distances lest they inadvertently have a major impact on the roll out of a viable and effective telecommunications network.
- 7.5.6. The development plan states that locations in commercial areas, such as rooftop locations on tall buildings, may be appropriate subject to visual amenity considerations. There is no zoning 'commercial area'. Commercial areas occur in several zonings including this mixed use area zoned Z4, where residential use also occurs.
- 7.5.7. It appears that a viable and effective telecommunications network is an important locational consideration. It has been demonstrated that there is no reasonable alternative site available. In the absence of specific impacts on residential amenity or of more clearly defined considerations in relation to proximity to residential use; and having regard to the submission accompanying the application stating that the site will be fully compliant with the ICNIRP general public guidelines, I am satisfied that the proposed development should not be refused permission on grounds of residential amenity.
- 7.5.8. In the absence of specific impacts on general amenity or of more clearly defined considerations in relation to proximity to schools; and having regard to the distance from the school and the submission accompanying the application stating that the site will be fully compliant with the ICNIRP general public guidelines, I am satisfied that the proposed development should not be refused permission on grounds of general amenity.

8.0 Recommendation

- 8.1. In accordance with the foregoing assessment I recommend that planning permission be granted for the following reasons and considerations and in accordance with the following conditions.

9.0 Reasons and Considerations

Having regard to the nature of the area and the lack of alternatives to the proposed site in the vicinity and the relative separation distance between the site and the nearby school, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity

2. The transmitter power output, antenna type and mounting configuration shall be in accordance with the details submitted with this application and,

notwithstanding the provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, shall not be altered without a prior grant of planning permission.

. **Reason:** To clarify the nature and extend of the permitted development to which this permission relates and to facilitate a full assessment of any future alterations.

- 3 . Notwithstanding the provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, the structure shall not be altered and no additional apparatus shall be attached, without a prior grant of planning permission.

. **Reason:** To clarify the nature and extend of the permitted development to which this permission relates and to facilitate a full assessment of any future alterations.

- 4 . This permission shall apply for a period of five years from the date of this order. The telecommunications structure and related ancillary structures shall be removed unless, prior to the end of the period, planning permission shall have been granted for their retention for a further period.

. **Reason:** To enable the visual impact of the development to be re-assessed, having regard to development in the area and demand for such facilities.

- 5 . The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning

and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Planning Inspector

6th March 2017

Appendices

- 1 Photographs
- 2 Extracts from Dublin City Development Plan 2016-2022
- 3 Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities issued by the DoEHLG, 1996.
- 4 Circular Letter: PL 07/12