



Board Direction

Ref: 04.244439

The submissions on this file, including the Inspector's report and the applicant's response to the S. 132 Notice issued by the Board on 6th, October 2015 and the appellants observations and comments on response from the applicant, were further considered at a Board meeting held on 8th, June 2016.

This file and appeal was considered at the same Board Meeting and in conjunction with a concurrent and related appeal in respect of a proposed development consisting of the construction of 6 wind turbines with a maximum tip height of 131m and associated works at Barnadivane and adjacent townlands, Terelton, Co. Cork (Appeal No. PL04.245824). The site of the latter wind farm development surrounds the site of the substation that is the subject matter of the current appeal and will be served by the substation.

The Board decided to grant permission in accordance with the following reasons, considerations and conditions

REASONS AND CONSIDERATIONS

Having regard to planning history of the site, the policies and objectives contained within the Cork County Development Plan 2014 – 2019 in respect of wind energy and rural development, the existing character and pattern of development in this rural and the proposals for landscaping of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of property in the vicinity of the site or the amenities of the surrounding rural area, would be acceptable in terms of traffic safety and convenience, would not be prejudicial to public health and would be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, (i) the Board having considered the proposed development in conjunction with Appeal No. PL04.245824) was satisfied that the proposed development involving the construction of a substation (to replace the substation previously granted under Appeal No. PL04.219620) and the proposed 6 turbine wind farm development on the surrounding lands had been subject to a full and comprehensive assessment in terms of their individual, combined and cumulative impacts. The Board was also satisfied that the manner of consideration and assessment of each of these individual projects did not, in this instance, give rise to the project splitting of a wind energy project at this location for the purpose of avoiding the obligation under the EU Environmental Impact Assessment legislation to complete an Environmental Impact Assessment in respect of the proposed substation and 6 turbine wind farm development. The Board was satisfied that the reasons provided by the developer for the making of a separate planning application in respect of the proposed substation stood up to scrutiny and (ii) the Board was satisfied having considered that further information provided on behalf of the applicant in response to the S. 132 Notice issued by the Board that subject to appropriate landscaping of the site the proposed substation buildings could be satisfactorily visually assimilated into the landscape such that the proposed substation would not be unduly visually obtrusive when viewed from nearby and distant public vantage points. The Board noted that the already permitted substation at this location would be visible in the landscape which is already traversed by a 110 KV powerline. Furthermore, no specific landscape or visual amenity designations apply to the lands in the immediate vicinity of the site. The Board concluded that, on balance, the proposed substation would not seriously injure the visual amenities of the area.

The Board concurred with the Planning Inspector's conclusions in respect of screening for Appropriate Assessment. In this regard, the Board adopted the Planning Inspector's report and screening for Appropriate Assessment. Accordingly, the Board considered that the proposed development either individually or in combination with other plans or projects would not be likely to have a significant effect on any European site in view of the sites conservation objectives.

The Board considered the Planning Inspector's assessment and report in respect of Environmental Impact Assessment together with the conclusions of the EIA Screening Report (dated 6th, November 2014) carried out by the planning authority Senior Planner. The Board concurred with the Planning Inspector's assessment and conclusions in relation to the Environmental Impact Assessment. In this regard, the Board was satisfied having regard to the criteria set out in Schedule 7 of the Planning and Development

Regulations, 2001, as amended, the Board was satisfied that a sub-threshold Environmental Impact Statement was not required for the proposed development and that the proposed development would not be likely to have significant effects on the environment.

CONDITIONS

- (1) Std. P and P and Reason
- (2) 10 year permission
- (3) The site of the proposed development shall be landscaped in accordance with a comprehensive scheme of hard and soft landscaping details of which shall be submitted to and agreed to in writing with the planning authority prior to the commencement of development. The agreed scheme shall incorporate, but not be limited to the landscaping scheme received by An Bord Pleanála on 3rd, November 2015 in response to the S. 132 Notice issued by An Bord Pleanála. The landscaping plan shall be of native species of local origin. The agreed scheme of landscaping shall be completed within one growing season following the completion of construction.

Reason: In the interests of the visual amenities of the area.

- (4) Std. CMP and Reason (include hours of construction)
- (5) Std. WMP and Reason
- (6) (a) per c. 10 of p.a.
(b) per c. 17 of p.a.
- (7) Per c. 12 of p.a.
- (8) Std. Water supply and surface water drainage and Reason
- (9) Std. ARCH A and Reason
- (10) Std. Bond (amount unspecified) (Roads) and Reason
Std. Bond (amount unspecified) (satisfactory completion of site landscaping) and Reason

Board Member: _____ Date: 21st, June 2016
Paddy Keogh