



An
Bord
Pleanála

Board Direction
BD-005868-20
ABP-305609-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 02/06/2020. At this meeting, the Board also considered this case in conjunction with case reference ABP-305790-19.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to:

- (a) national policy with regard to the development of sustainable energy sources,
- (b) the Wind Energy Development Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in June 2006,
- (c) the provisions as set out in the current Cork County Development Plan, including those regarding renewable energy development, in particular Objectives ED 1-1, ED 6-1, and ED 6-2,
- (d) the location in an area not subject to designations for scenic amenity or natural heritage protection,
- (e) the pattern of development in the area (including the separation distance to dwellings) and the pattern of permitted development in the area, and
- (f) the limited scale of the proposed development,
- (g) the submissions on file,

(h) the report of the Inspector.

it is considered that, subject to compliance with the conditions set out below, the development for which substitute consent is sought, would not seriously injure the visual amenities of the area or of property in the vicinity, would not have an unacceptable impact on the landscape character of the area, would not be detrimental to the natural heritage or cultural heritage of the area, and would otherwise be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment

The Board completed an Appropriate Assessment Screening exercise in relation to the potential effects of the proposed development on European Sites, taking into account the nature, scale and location of the development for which substitute consent is sought, the Appropriate Assessment Screening Report submitted with the application and the Inspector's report and submissions on file. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European Site in view of the site's conservation objectives, and a Stage 2 Appropriate Assessment and submission of a Natura impact statement is not therefore, required.

Environmental Impact Assessment

The Board completed an environmental impact assessment of the proposed development, taking into account:

- the nature, scale and extent of the development for which substitute consent is sought,
- the remedial Environmental Impact Assessment Report (EIAR) and associated documentation submitted in support of the planning application,

- the submissions from the planning authority in the course of the application, and
- the Inspector's report.

The Board considered that the remedial Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately considers the development for which substitute consent is sought, and also adequately identifies and describes the direct, indirect, secondary and cumulative effects of the development for which substitute consent is sought, on the environment.

The Board agreed with the examination, set out in the Inspector's report, of the information contained in the remedial Environmental Impact Assessment Report and associated documentation submitted by the applicant and submissions made in the course of the application.

The Board considered and agreed with the Inspector's reasoned conclusions, that the development for which substitute consent is sought, is not likely to have significant effects on the environment.

The Board completed an Environmental Impact Assessment in relation to the development for which substitute consent is sought and concluded that, subject to the implementation of the mitigation measures set out in the remedial Environmental Impact Assessment Report and subject to compliance with the conditions set out below, the effects on the environment of the development for which substitute consent is sought, by itself and in combination with other development in the vicinity, would be acceptable. In this regard, the Board adopted the report and conclusions of the Inspector.

Proper Planning and Sustainable Development

It is considered that, subject to compliance with the conditions set out below, the development for which substitute consent is sought, would be in accordance with European energy policy, the National Planning Framework and the Cork County Development Plan 2014 and would:

- make a positive contribution to Ireland's national strategic policy on renewable energy and its move to a low energy carbon future, and
- have an acceptable impact on the environment and on the amenities of the area.

The development for which substitute consent is sought would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. (a) The grant of substitute consent shall be in accordance with the plans and particulars submitted to An Bord Pleanála on the 8th day of October 2019 except as may otherwise be required to comply with the following condition.
(b) This grant of substitute relates only to development undertaken, as described in the application and does not authorise any future development.

Reason: In the interest of clarity.

2. All environmental mitigation measures identified within the remedial Environmental Impact Assessment Report and associated documentation shall be implemented in full.

Reason: In the interest of clarity and to protect the environment.

COSTS

The Board determined the costs required to be paid under Section 177(k)(2) in accordance with the Board's standard policy in this regard, as follows:

To be paid to An Bord Pleanála as a contribution towards the costs of consideration of the application: **€1,500.**

To be paid to the Planning Authority as a contribution towards the costs of consideration of the application: **nil.**

Board Member

Chris McGarry

Date: 02/06/2020