



An
Bord
Pleanála

Board Direction
ABP-318507-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 01/11/2024.

The Board decided, as set out in the following Order, as follows:-

WHEREAS a question has arisen as to whether the proposed replacement of equivalent 2 MW nacelles components with corresponding external dimensions and operational characteristics (No change to hub height, blade tip height or power output) on 2 no. wind turbines, is or is not development and is or is not exempted development:

AND WHEREAS Cork Sustainable Energy Limited requested a declaration on this question from Cork County Council on the 29 day of September 2023,

AND WHEREAS Cork County Council referred this declaration for review to An Bord Pleanála on the 20 day of November, 2023:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) Section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) Section 3(1) of the Planning and Development Act, 2000,

- (c) Section 4(1)(h) of the Planning and Development Act, 2000, as amended,
- (d) the planning history of the site,
- (e) the pattern of development in the area:

AND WHEREAS An Bord Pleanála has concluded that:

- (a) The proposed replacement of two nacelle components constitutes development as defined under section 3(1)(a) of the Planning and Development Act 2000 (as amended),
- (b) The proposed replacement of the two nacelle components with like for like refurbished components would not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of the neighbouring structures and meets with the provisions of section 4(1)(h) of the Planning and Development Act 2000 (as amended), and
- (c) Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations there is no real likelihood of significant effects on the environment arising from the proposed development.

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (4) of the 2000 Act, hereby decides that the proposed replacement of equivalent 2 MW nacelles components with corresponding external dimensions and operational characteristics (No change to hub height, blade tip height or power output) on 2 no. wind turbines is development and is exempted development.

Board Member:


Mick Long

Date: 01/11/2024