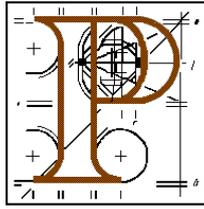


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Cork County**

**Planning Register Reference Number: 15/05521**

An Bord Pleanála Reference Number: PL 04.245560

**APPEAL** by Joanne O'Brien and others of Old School Cross, Newtownshandrum, County Cork against the decision made on the 3<sup>rd</sup> day of September, 2015 by Cork County Council to grant subject to conditions a permission to Aerie Renewables Limited care of Steven Lang of Millwynd, 8 Orchard Road, Cork in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Construction of control building for wind turbine development (change of plan from that permitted under planning register reference number 12/5997) to meet new ESB Networks standard at Boolard, Dromina, County Cork.

## **DECISION**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## REASONS AND CONSIDERATIONS

Having regard to the limited extent of the proposed development, being the enlargement of a permitted control building to service a permitted wind energy development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the policies contained within the current Development Plan for the area, would not seriously injure the visual amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 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.

**Reason:** In the interest of clarity.

2. The development here permitted, shall comply with the terms and conditions of planning permission planning register number 12/5997, which governs the overall development of the lands of which the site forms part, save where amended by the terms and conditions herein.

**Reason:** In the interest of the proper planning and sustainable development of the site.

3. All trees and hedgerows within and on the boundaries of the site, save those specified trees whose removal is authorised in writing with the planning authority to facilitate the development shall be protected during building operations and retained thereafter.

**Reason:** In the interests of visual amenity.

4. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -
  - (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
  - (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
  - (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

**Reason:** In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

5. The roof of the proposed building shall be finished in slates or flat profile tiles, dark grey in colour.

**Reason:** In the interest of visual amenity of the area.

6. 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, as amended. The contribution shall be paid prior to 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 An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, 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.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2016.**