

Planning and Development Acts 2000 to 2022

Planning Authority: Cork County Council

Planning Register Reference Number: D/37/23

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 two number wind turbines at Kilvinane Wind Farm, Kinvinane, Dunmanway, County Cork is or is not development or is or is not exempted development:

AND WHEREAS Cork Sustainable Energy Limited requested a declaration on this question from Cork County council on the 29th day of September, 2023 and no declaration was issued:

AND WHEREAS the said question was referred to An Bord Pleanála by Cork County Council of Norton House, Cork Road, Skibbereen, County Cork on the 20th day of November, 2023:

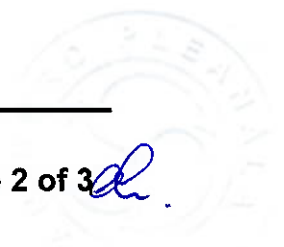
AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to -

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

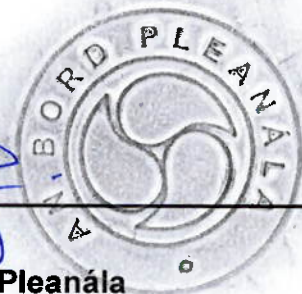
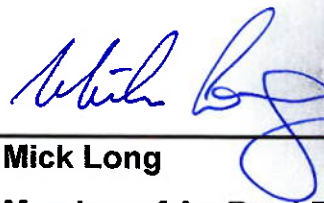
- (b) Section 3(1) of the Planning and Development Act, 2000,
- (c) Section 4(1)(h) of the Planning and Development Act, 2000, as amended,
- (d) the planning history of the site, and
- (e) the pattern of development in the area:

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 Planning and Development Regulations, 2001, 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 two number wind turbines at Kilvinane Wind Farm, Kinvinane, Dunmanway, County Cork is development and is exempted development.



Mick Long

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this *6th* day of *November* 2024.