

An  
Bord  
Pleanála

## Board Order ABP-318545-23

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### Planning and Development Acts 2000 to 2022

**Planning Authority: Waterford City and County Council**

**Planning Register Reference Number: 23/60416**

**Appeal** by Giancarla and Michael Alen Buckley care of Reid Associates of 2 Connaught Place, Crofton Road, Dun Laoghaire, County Dublin and by others against the decision made on the 31<sup>st</sup> day of October, 2023 by Waterford City and County Council to grant subject to conditions a permission to Knocknamona Windfarm Limited of Zetec House, Purcellsinch IDA Business Park, Dublin Road, County Kilkenny in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** 1,940 metres of underground electrical cabling in Keereen Upper and Knocknamona townlands linking Knocknamona Wind Farm (to be constructed) to the Woodhouse Substation (operational). Works within the existing Woodhouse Substation compound in Keereen Upper comprising a new control building 5.3 metres by 3.8 metres and 4.6 metres high, a 110kV electrical transformer circa six metres in height, with associated plinth and bund, an electrical transformer bay, two number lightning masts 17.5 metres in height and ancillary electrical equipment. Works within the Woodhouse Substation compound will also include a new access track 17 metres long and 4.5 metres in width, additional

palisade gateway 4.9 metres wide and 2.6 metres in height with palisade fencing within the compound and two number gateways in the existing perimeter fence. A link road 190 metres in length and 4.5 metres in width connecting the existing forestry road network at Knocknamona Wind Farm to the existing Woodhouse Wind Farm access roads. It is proposed to use this link road and the existing Woodhouse Wind Farm access roads to facilitate the delivery of turbine components to Knocknamona Wind Farm. The widening of 960 metres of existing forestry road by one metre in Knocknamona townland to facilitate the delivery of turbine components to Knocknamona Wind Farm and all ancillary site works, all at Keereen Upper, Woodhouse or Tinakilly and Knocknamona, Dungarvan, County Waterford.

## **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.**

## **Reasons and Considerations**

In coming to its decision, the Board had regard to the following:

- (a) the nature, scale and extent of the proposed development,
- (b) the relevant policies set out in the Waterford City and County Development Plan 2022-2028,
- (c) the European Green Deal, 2020,
- (d) RED III (European Renewable Energy Directive (EU/2023/2413)),
- (e) the National Planning Framework, 2018,
- (f) the National Development Plan, 2021-2030,
- (g) the Climate Action and Low Carbon Development (Amendment) Act, 2021,
- (h) the Climate Action Plan, 2024 (CAP24),

- (i) the National Adaptation Framework, 2018,
- (j) the National Energy and Climate Plan for Ireland, 2021–2030,
- (k) the Regional Spatial & Economic Strategy for the Southern Region, 2020,
- (l) the documentation submitted with the planning application, including the Environmental Impact Assessment Report, the Appropriate Assessment Screening and the Natura Impact Statement,
- (m) the submissions made in connection with the planning application and the appeal,
- (n) the mitigation measures proposed for the construction and operational phases,
- (o) the pattern of development in the area,
- (p) the separation distances between the proposed development and existing dwellings or other sensitive receptors,
- (q) the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development, and the absence of likely significant effects of the proposed development on European Sites, and
- (r) the report and recommendation of the Inspector.

### **Appropriate Assessment: Stage 1:**

The Board agreed with and adopted the screening assessment and conclusions carried out in the Inspector's report that the only European Sites in respect of which the proposed development has the potential to have a significant effect are the Blackwater River (Cork/Waterford) Special Area of Conservation (Site Code: 002170), the Blackwater Estuary Special Protection Area (Site Code: 004028) and the Dungarvan Harbour Special Protection Area (Site Code: 004032) in view of the Conservation Objectives for the sites and that Stage 2 Appropriate Assessment is, therefore, required.

## **Appropriate Assessment: Stage 2:**

The Board considered the Natura Impact Statement, and other associated documentation submitted with the planning application and the appeal, the mitigation measures contained therein, the submissions and observations on file and the Inspector's assessment. The Board completed an Appropriate Assessment of the implications of the proposed development on the Blackwater River (Cork/Waterford) Special Area of Conservation (Site Code: 002170), the Blackwater Estuary Special Protection Area (Site Code: 004028) and the Dungarvan Harbour Special Protection Area (Site Code: 004032) in view of the sites' Conservation Objectives. The Board considered that the information before it was adequate to allow the carrying out of an Appropriate Assessment. In completing the Appropriate Assessment, the Board considered, in particular, the following:

- (i) the site-specific Conservation Objectives for the European Sites,
- (ii) the likely direct and indirect impacts arising from the proposed development, both individually or in combination with other plans or projects, and
- (iii) the mitigation measures which are included as part of the current proposal.

In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Sites, having regard to the sites' Conservation Objectives. In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites, in view of the sites' Conservation Objectives and that there is no reasonable scientific doubt as to the absence of such effects.

### **Environmental Impact Assessment:**

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

- (a) the nature, scale and extent of the proposed development,
- (b) the Environmental Impact Assessment Report and other associated documentation submitted in support of the application,
- (c) the submissions from the planning authorities, the observers and prescribed bodies in the course of the application, and
- (d) the Inspector's report.

The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately considers alternatives to the proposed development, and identifies and describes adequately the direct, indirect, residual and cumulative effects of the proposed development on the environment. The Board agreed with the examination, as set out in the Inspector's report, of the information contained in the Environmental Impact Assessment Report and associated documentation submitted by the applicant and submissions made in the course of the application.

### **Reasoned Conclusion and Significant Effects:**

The Board considered that the main significant direct and indirect effects of the proposed development on the environment are, and would be mitigated, as follows:

- Moderate cumulative and positive impact on **Population and Human Health** due to improvements in the local economy arising from the establishment of the Knocknamona Windfarm community benefit scheme.

- Imperceptible cumulative **Biodiversity** impacts on in-stream aquatic habitat quality and flow regimes. Mitigation will nonetheless be implemented to protect water quality through works scheduling, invasive species management, and measures to mitigate against the release of suspended solids, fuels and oils, and cements.
- The potential for cumulative impacts on **Water** is reduced by the location of the proposed grid connection and Knocknamona Windfarm across different river sub basins, the absence of proposed in-stream works and the implementation of the Environmental Management Plan and Sediment Control Plan for the windfarm project.
- Beneficial cumulative impact of the proposed grid connection and Knocknamona Windfarm on **Climate** through the supply of renewable electricity to the equivalent of 22,857 homes thereby reducing emissions from fossil fuel burning for energy production every year for the lifetime of the windfarm.
- No greater than slight potential for impacts on **Material Assets** and **Architectural Heritage** (along construction traffic haul routes) that will be mitigated by traffic cones and speed restrictions, abnormal load escorts and signage, as necessary.

The Board completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures proposed, and, subject to compliance with the conditions set out below, the effects of the proposed development on the environment, both by itself and in combination with other plans and projects in the vicinity, would be acceptable. In doing so, 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 proposed development would be in accordance with European, National, Regional and Local planning and related policy, would be consistent with the provision of the Climate Action Plan 2024 and would make a positive contribution towards Ireland's renewable energy and security of energy supply requirements. Furthermore, the proposed development would have an acceptable impact on the environment and on the amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In coming to its decision, the Board considered that the proposed development would be consistent with the Climate Action Plan 2024 and the Climate Action and Low Carbon Development (Amendment) Act 2021, as amended.

### **Conditions**

1. The proposed 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. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

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

2. The mitigation measures contained in the submitted Environmental Impact Assessment Report (EIAR) shall be implemented.

**Reason:** To protect the environment.

3. The mitigation measures contained in the submitted Natura Impact Statement (NIS) shall be implemented.

**Reason:** To protect the integrity of European Sites.

4. The construction of the proposed development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the proposed development, including hours of working, noise and dust management measures, off-site disposal of construction/demolition waste, measures for the storage of oils and fuels on site, measures for the protection of ground and surface waters, and arrangements for temporary signage/traffic management.

**Reason:** In the interest of public safety and residential amenity.



5. 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 operations (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 planning 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.


6. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site upon cessation of the project coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

**Reason:** To ensure the satisfactory reinstatement of the site.

7. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting the 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 the fault 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.

  
Eamonn James Kelly  
Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board



Dated this 31<sup>st</sup> day of March, 2025.