



An
Bord
Pleanála

Inspector's Report ABP 302579-18

Development	Construct 5-unit battery storage compound, palisade fencing, access track, bunded concrete plinths, equipment, transformers and associated works at the existing Killaveenoge electricity substation.
Location	Curranashingane, Drinagh, County Cork
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	18/242
Applicant(s)	Killaveenoge Windfarm Limited
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Chrissie Daly and Others
Observer(s)	None
Date of Site Inspection	17 th December 2018
Inspector	Hugh Mannion

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1.0 Site Location and Description

- 1.1. The proposed development comprises a battery storage compound located immediately beside and to the north-west of an existing electricity substation which serves the windfarm permitted under PL88.242998. The windfarm is in a number of townlands (Killaveenoge West, Derreenaspeeg, Killaveenoge East, Curranashingane and Garranes, Drinagh, Co. Cork). The current site has an area of 0.4992ha and is located close to the western end of the access road laid to facilitate the windfarm. The existing/permitted substation comprises a single storey service building and a service compound surrounded by a palisade fence. Although the OS maps indicates that there is commercial forestry/tree cover in the area this is no longer the case and the site is scrub overlaid on shallow peat.
- 1.2. The regional route R586 links Drimoleague to Dunmanway and south of this is a long upland upland ridge which accommodates the windfarm and the application site. Access is from a local public road (L-4234-24) which links the village of Drinagh and the R568 and the private road within the windfarm site has already been constructed.

2.0 Proposed Development

- 2.1. The proposed development comprises the construction of a battery storage compound beside an existing electricity substation at Curranashingane, Drinagh, County Cork. The development will include new palisade fencing, access track, bunded concrete plinths, 5 battery storage units, equipment, transformers and ancillary works.

3.0 Planning Authority Decision

3.1. Decision

Grant permission with conditions. Condition 4 required construction waste to be recycled where possible, condition 5 required that end of life equipment should be recovered, recycled or disposed on in an approved facility.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planning authority initially sought further information as follows;

1. Clarify which substation will the proposed batteries connect to and the voltage of the underground cables. Is the proposed development strategic infrastructure?
2. What is the purpose of the battery storage facility and why is it located as proposed?
3. What is the lifespan of the proposed development and submit decommissioning proposals.
4. State the proposed floor area.
5. Submit a noise impact assessment for sensitive uses within 500m of the site.
6. Submit a visual impact assessment.
7. Submit an assessment of the likely impacts on badgers.

3.3. The applicant responded as follows;

1. The proposed development is not strategic infrastructure and offered the example of the Board's decision ABP-301173-18 in support of this view.
2. The batteries are connected to the national grid through the adjacent substation. The batteries will even out the voltage being fed into the system. The location complies with the County Development Plan policy (ED 6-1) to "support and facilitate the sustainable development, upgrade and expansion of the electrical transmission grid, storage and distribution network infrastructure".
3. The proposed technology being installed is changing rapidly. When the components need replacing the disused ones will be recycled or disposed of through a licenced operator.
4. The batteries are stored in industry standard containers with a floor area of 29.8m². There will be a maximum of 5 such containers with a combined floor area of 149m².
5. Each container will have a roof mounted aircon unit typically used in domestic and industrial settings. The noise assessment (awn consulting report attached)

concluded that the noise level will not be above that of the existing windfarm and inaudible at the nearest noise sensitive location.

6. The visual impact will be marginal since the containers and aircon units will be not exceed the constructed/permited adjoining substation. The visual impact assessment (appendix II) submitted demonstrates this conclusion.
7. A badger survey was carried out (see appendix III) and it is concluded that no badgers were recorded in the upland area where the application site is located and are confined to the surrounding lowland/farming areas.

3.3.1. Other Technical Reports:

- 3.4. The **Environment Section** raised concerns in relation to noise impacts. The Environment Section noted the submission of further information and noted that no additional noise impact would arise from the proposed development (see second report dated 20/8/2018).
- 3.5. The **Area Engineer** reported no objection. The area engineer noted but did not comment on the additional information.

4.0 **Planning History**

Permission was granted under PL88.242998 for 10 wind turbines with an electricity sub-station on lands which include this site. That permission has been implemented.

5.0 **Policy Context**

- 5.1. **National Planning Framework** (section 9.2) seeks to shift from predominantly fossil fuel to predominantly renewal energy sources.
- 5.2. **Development Plan**

The Cork County Development Plan 2014-2020 is the applicable development plan for the area.

5.3. Objective ED 1-1 in relation to energy:

Ensure that through sustainable development County Cork fulfils its optimum role in contributing to the diversity and security of energy supply and to harness the potential of the county to assist in meeting renewable energy targets.

5.4. Objective 6-1 in relation to Electricity Network:

Support and facilitate the sustainable development, upgrade and expansion of the electricity transmission grid, storage and distribution network infrastructure. Support the sustainable development of the grid including strategic energy corridors and distribution networks in the region to international standards.

Facilitate where practical and feasible infrastructure connections to wind farms and other renewable energy sources subject to normal proper planning considerations. Proposals for development which would be likely to have a significant effect on nature conservation sites and/or habitats or species of high conservation value will only be approved if it can be ascertained, by means of an Appropriate Assessment or other ecological assessment, that the integrity of these sites will not be adversely affected.

5.5. Objective ED3-2 in relation to wind energy states:

On-shore wind energy projects should focus on areas considered 'Acceptable in Principle' and Areas 'Open to Consideration' and generally avoid "Normally Discouraged" areas in this Plan.

5.6. Objective ED3-3 in relation to wind energy generation states:

Support a plan led approach to wind energy development in County Cork and identify areas for wind energy development. The aim in identifying these areas is to ensure that there are no significant environmental constraints, which could be foreseen to arise in advance of the planning process.

5.7. **Objective GI 6-1 in relation to landscape protection:**

- a) Protect the visual and scenic amenities of County Cork's built and natural environment.
- b) Landscape issues will be an important factor in all landuse proposals, ensuring that a proactive view of development is undertaken while maintaining respect for the environment and heritage generally in line with the principle of sustainability.
- c) Ensure that new development meets high standards of siting and design.
- d) Protect skylines and ridgelines from development.
- e) Discourage proposals necessitating the removal of extensive amounts of trees, hedgerows and historic walls or other distinctive boundary treatments.

5.8. **Natural Heritage Designations**

Not relevant.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

- The construction of the Killaveenoge windfarm led to an outbreak of bovine tuberculosis on adjoining farms.
- The application does not properly describe the purpose, storage capacity, discharge rate or equipment ratings of the proposed development.
- The proposed development is an industrial use on an elevated hillside where the uses are residential and agriculture.
- The proposed development will give rise to an unquantifiable noise levels because the material set out in the application is deficient.

6.2. **Applicant Response**

- No comments.

6.3. **Planning Authority Response**

- No comments

6.4. **Observations**

- None

7.0 **Assessment**

7.1. I am satisfied that the main issues in this case are those set out in the grounds of appeal with my additional assessment of the aspect of visual impact.

7.2. **Bovine Tuberculosis**

7.3. The proposed development is inanimate and does not have any biological features which would spread animal disease. Traffic movements related to the proposed development which might in some circumstances provide vectors for disease are entirely within a permitted/constructed access road and/or a public road.

7.4. I conclude that the proposed development does not endanger animal health.

7.5. **Capacity/Discharge rate/Equipment.**

7.6. The appeal makes the case that the application does not properly describe the storage capacity, discharge rate or equipment ratings of the proposed development. The applicant in the application makes the point that these batteries even out the flow of electricity into the substation and from there into the national grid. This application allows for a maximum of 5 batteries.

7.7. Landuse planning decisions such as in this case can only consider the planning impacts of a proposed development. The proposed fencing and enclosing industrial containers will address the issue of public safety. The finer technical detail of storage capacity/electricity flow rates are not matters which this planning application can determine.

7.8. Inappropriate Location.

7.9. The appeal makes the point that the proposed development is an industrial use on an elevated hillside where the uses are residential and agriculture.

7.10. The permitted landuse in the immediate area is as a windfarm. The noise impact assessment submitted with the further information states that closest house is 900m away. While my site visit was conducted in poor weather there were no houses visible from the application site.

7.11. Having regard to the planning history of the site and the remote location of the proposed development I conclude that the proposed development is not an inappropriate landuse.

7.12. Noise Impacts

7.13. The appeal makes the point that noise impacts arising from the proposed development are unquantifiable.

7.14. The landuse planning issue in this regard is the potential for unacceptable noise impacts to arise especially for residential uses or other sensitive receptors. The planning authority raised this matter with the applicant in the request for additional information. The applicant submitted a noise impact assessment which mapped the closest noise sensitive locations (see Table 2 in the AWN Consulting Limited submission) and estimated the additional noise produced by the equipment and air conditioning units. The report concluded that the additional noise generated would not be experienced as louder than the surrounding windfarm. The planning authority's environment section raised the issue of noise, reviewed the applicant's response and was satisfied.

7.15. I agree with the noise assessment that the additional noise will not be experienced as louder or additional to the background noise emitted from the existing wind turbines. Therefore, and having regard to the relatively modest scale of the proposed development and its location remote from sensitive uses I conclude that the proposed development will not give rise to unacceptable noise impacts.

7.16. Visual Impact

7.17. The application site is in an area where wind energy projects are described as 'acceptable in principle' in the Cork County Development Plan. The plan makes the

point that these areas are chosen “to ensure that there are no significant environmental constraints”. The planning authority raised the issue of visual impact arising from the proposed development in the request for further information. The applicant submitted a visual impact assessment including a mapped zone of theoretical visibility and photographs taken from a number of viewpoints.

7.18. The container units and aircon units do not exceed the adjoining substation and fencing in height or scale and are located remote from the road network and residential uses. Having regard to these factors and the development plan policy in relation to appropriate wind energy locations I conclude that the proposed development will not unreasonably impact on the visual amenity of the area.

7.19. **Appropriate Assessment Screening**

The Bandon River SAC (002171) is 5.7kms from the application site and the Myross Wood SAC (001070) is 11kms from the site. Having regard to the AA screening report submitted with the application, separation distances between the application site and the nearest European sites, very modest scale of the proposed development and the foreseeable emissions therefrom no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

7.20. **Environmental Impact Assessment Screening**

7.21. Having regard to nature of the development comprising extension to and alteration of an existing dwelling there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

8.0 **Recommendation**

8.1. I recommend a grant of permission.

9.0 Reasons and Considerations

It is an objective of the planning authority set out in the Cork County Development Plan 2014-2020 to support and facilitate the sustainable development, upgrade and expansion of the electricity transmission grid, storage and distribution network infrastructure. Having regard to the planning history of the wider area, and in particular the permission granted under appeal reference number PL88.242998 it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an appropriate use for the site and would not have significant adverse impacts on the environment or amenities of the area. The proposed development would, therefore, be in accordance with the provisions of the current County Development Plan and with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 8th day of August 2018 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.

Reason: In the interest of public health.

3. The internal access road serving the proposed development shall comply with the detailed standards of the planning authority for such road works.

Reason: In the interest of amenity and of traffic and pedestrian safety.

4. The construction of the 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 development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

5. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006.

Reason: In the interest of sustainable waste management.

6. On full or partial decommissioning of the battery storage compound, the palisade fencing, access track, bunded concrete plinths, battery storage units, equipment, transformers and ancillary works shall be removed permanently within three months of such decommissioning.

Reason: To ensure satisfactory reinstatement of the site upon cessation of the project.

7. 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.

Hugh Mannion
Senior Planning Inspector

24th January 2019