

# Comhairle Contae Chorcaí Cork County Council

**Ms. Alice-Faye Staunton,  
Administrative Assistant,  
An Bord Pleanála,  
64, Marlborough Street,  
Dublin 1.**

**05/12/2022**

**Our Ref: 21/00737  
Your Ref: ABP-315059-22**

**RE/ Appeal re: Development will consist of; The application will seek permission to remove the existing grid connection works and for the development of the full length of a new grid connection over a distance of approximately 14.8km, between the existing Ballylicky ESB substation and the permitted Derreenacrlinnig West Windfarm. The proposed development involves the following works: (a) removal of approximately 9.5 km of 20 kV overhead line (OHL) along the route, the OHL to be removed consists of 138 wood poles (ranging from 9m to 12.5m above ground), supporting electrical conductor lines and ancillary structures and equipment (b) following removal of the OHL, it is proposed to construct approximately 10.8 km of 20 kV overhead line (OHL) along the route, the OHL to be constructed consists of c. 157 wood poles (ranging from 9m to 12.5m above ground), supporting electrical conductor lines and ancillary structures and equipment. (c) installation of approximately 4 km of underground cable ducting and associated electrical cabling, and all other ancillary works including joint bays, culverts, marker posts and all associated developments. An Environmental Impact Assessment Report (EIAR) has been prepared and will be submitted to the planning authority with the application. Dromloughlin, Ballylicky, Crossoge, Co. Cork.**

Dear Madam,

I refer to your letter dated 9<sup>th</sup> November, 2022 regarding the above.

I enclose herewith comments from Executive Planner for your attention.

Yours faithfully,

*Anne Lordan*

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**PLANNING & DEVELOPMENT**

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Anne Lordan,  
Planning department,  
Norton House,  
Skibbereen,  
County Cork

Our Ref: 21/00737

Your Ref : ABP-313150-22

5<sup>th</sup> April 2022

**RE: Planning Appeal Ref. ABP-315059-22**

**Planning Registration Number : 21/00737**

**Applicant : The Electricity Supply Board (ESB)**

**Development :** Development will consist of; The application will seek permission to remove the existing grid connection works and for the development of the full length of a new grid connection over a distance of approximately 14.8km, between the existing Ballylicky ESB substation and the permitted Derreenacrinnig West Windfarm. The proposed development involves the following works: (a) removal of approximately 9.5 km of 20 kV overhead line (OHL) along the route, the OHL to be removed consists of 138 wood poles (ranging from 9m to 12.5m above ground), supporting electrical conductor lines and ancillary structures and equipment (b) following removal of the OHL, it is proposed to construct approximately 10.8 km of 20 kV overhead line (OHL) along the route, the OHL to be constructed consists of c. 157 wood poles (ranging from 9m to 12.5m above ground), supporting electrical conductor lines and ancillary structures and equipment. (c) installation of approximately 4 km of underground cable ducting and associated electrical cabling, and all other ancillary works including joint bays, culverts, marker posts and all associated developments. An Environmental Impact Assessment Report (EIAR) has been prepared and will be submitted to the planning authority with the application.

**Location :** Derreenacrinnig West, Barnagowlane West, Glanareag Ards Beg, Ardrah, Laharanshermeen, Maulraha, Maulikeeve, Derryarkane, Cappanaboul, Skahanagh, Gortroe, Shandrum Beg, Shandrum More, Dromloughlin, Ballylicky, Crossoge, Co. Cork.



The Planning Authority is in receipt of an appeal reference ABP-315059-022 and letter dated 9<sup>th</sup> November 2022 from *An Bord Pleanála* in connection with the above. This includes the third-party appeal submission dated 9<sup>th</sup> November 2022 from Mr Ian Collins, Maulakieve Bantry, County Cork which it is observed extends to well over 39 pages + appendices and which at pages 38 and 39 in the submitted conclusions includes the view that *"this whole affair has made a mockery of the planning process."* The third party then through much misinformation draws attention to two enforcement/court cases at Leap in 2016 -2019 in relation to an unauthorised chapel building, seven pods, a two storey flat roofed meeting room (311 square metres) a steel container and unauthorised access (ENF Ref : SKB160020) as well as an unauthorised timber dwellinghouse (not the suggested extension) at Tragumna (ENF Ref :SKB190033 and ABP-306104-19) between 2019- 2022. Both of these cases resulted in successful prosecution and enforcement by the Planning Authority and with costs but both cases simply have no reference or relevance to this appeal and the development under consideration whatsoever.

The appeal application (Ref 21/00737) was submitted essentially following a legal challenge by Mr Ian Collins to the application for substitute consent that granted by An Bord Pleanála (ABP-305790-19) on the 9<sup>th</sup> June 2020 but quashed by a Judicial Review decision on the 8<sup>th</sup> March 2021 {2020- 548JR}. The revised development as submitted under planning reference 21/00737 was carefully considered and followed detailed reports by the Area Planner (dated 16/12/2021 and 27/05/2022), Senior Executive Planner (dated 17/12/2021 and 27/05/2021 and 17/10/2022) and Senior Planner (dated 17/10/2022) after all the points made in the submissions were taken into consideration. Indeed, the Planning Authority required the application to be re- advertised given the *"significant further information"* received during the course of the application to even enable third party views to be taken into consideration further. The final report of the Senior Executive Planner (17/10 /2022) in recommending permission subject to conditions had concluded that *"all outstanding issues have been addressed"* and that remains the case.

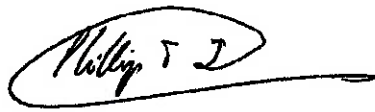
The third party has now submitted a voluminous 39 page statement + appendices and it is concluded that there is no matter of substance raised that has not already been addressed in this appeal submission, a blow by blow critique of each and every word serves no useful purpose.

It is not lost on the Planning Authority that the third party has submitted many other objections, as entitled to do, on many other windfarm developments elsewhere (see appendix) including those some considerable distance away. However, *"Project Ireland 2040 and National Planning Framework"* which offers national advice on windfarm development and climate change, and the *'Climate Action Plan 2021'* and the *'Climate Action and Low Carbon Development (Amendment) Act 2021*, amongst others, make for interesting reading as to the ultimate goals nationally.

This grid connection the subject of this appeal is necessary to enable the permitted windfarm development to actually result, since it is now over 10 years that the Derreenacrinnig West for seven turbines was permitted at appeal in 2012 subject to 16 conditions (PL 88.239767 - Ref 10/857 ) with a subsequent *'Exemption of Duration'* granted on 3<sup>rd</sup> May 2022 under planning reference 22/00153 with the parent permission ceasing to have effect after 29<sup>th</sup> April 2024.



The Planning Authority would simply re-affirm its decision to grant planning permission subject to the stated conditions consistent with national advice and awaits the outcome of this appeal.



P. O'Sullivan B.A. (hons) TP. M.R.T.P.I.  
(Executive Planner)

T Twomey SEP

Ref Number Including An Bord Plenella	Development	Location	Submission Date	Decision
Ref 21/00737	Development will consist of; The application will seek	Derreenacrinnig West, Barnagowlane West,	Mr Ian Collins Maulakieve,	This appeal. Decision awaited.





ABP-315059-22	<p>permission to remove the existing grid connection works and for the development of the full length of a new grid connection over a distance of approximately 14.8km, between the existing Ballylicky ESB substation and the permitted Derreenacrinnig West Windfarm.....</p> <p>.....</p>	<p>Glanareag Ards Beg, Ardrah, Laharanshermeen, Maulraha, Maulikeeve, Derryarkane, Cappanaboul, Skahanagh, Gortroe, Shandrum Beg, Shandrum More,</p>	<p>Bantry, County Cork.</p> <p>Letter(s) of objections dated 24<sup>th</sup> November 2021 extending to nineteen pages and a further letter of objection dated 15<sup>th</sup> September 2022 extending to eight pages.</p>	<p>(ABP-315059-22)</p>
19/00010	<p>The installation of approximately 3.2km of underground cable ducting and associated electrical cabling, approximately 1.2km of overhead line supported on wood pole sets, and all other ancillary works including joint bays, culverts, marker posts and all associated developments. The works, which will take place at six separate locations along the 14km grid connection route, are required to complete the grid connection from Derreenacrinnig West Windfarm to the ESB Ballylickey substation.....</p>	<p>Derreenacrinnig West, Barnagowlane West Glanareagh Ards Beg, Ardrah, Laharanshermeen, Maulraha, Mauli Cappanaboul, Skahanagh More, Shandrum Beg, Shandru Dromloughlin, Ballylicky</p>	<p>Mr Ian Collins Maulakieve, Bantry, County Cork.</p> <p>Letter of objection dated 18<sup>th</sup> May 2020 extending to eight pages</p>	<p>Granted by CCC on 30<sup>th</sup> September 2020</p> <p>Appeal (ABP-305790-19) allowed on the 9<sup>th</sup> June 2020 but Judicial Review decision quashed decision on the 8<sup>th</sup> March 2021</p> <p>{2020- 548JR}</p>
21/5372 ABP-3132622	<p>The proposed development includes the provision of: 1. Up to 3 wind turbines with a maximum overall ground to blade tip height of up to 176.5 metres along with the associated foundations and hard-standing areas, serviced/accessed via the existing Carrigarierk Wind Farm infrastructure, permitted under An Bord Pleanála Planning References 04.246353 and 301563-18 ( Cork County</p>	<p>The townlands of Derryleigh Gortnahoughtee, Cloghar, Gurteen Gortatanvally, Lackabaun and Carrigdangan</p>	<p>Mr Ian Collins Maulakieve, Bantry, County Cork.</p> <p>Letter of objection dated 16<sup>th</sup> June 2021 extending to four pages</p>	<p>Granted by CCC on 21<sup>st</sup> March 2022</p> <p>Appeal decision awaited due to be decided by 10<sup>th</sup> August 2022 but still no decision.</p> <p>(ABP-313261-22)</p>



	Council Planning References 15/730 and 17/431 .....			
20/350 ABP-308244-20	A ten-year planning permission for a renewable energy development with a 30-year operational life (from the date of commissioning) and will consist of the following i. Up to 7 no. wind turbines with an overall blade tip height of up to 178.5 metres..... .....	Derreendonee, Curraglass and Cappaboy Beg	Mr Ian Collins Maulakieve, Bantry, County Cork.  Letter of objection dated 3 <sup>rd</sup> August 2020 extending to four pages.	Refused by CCC on 26 <sup>th</sup> August 2020.  Granted at appeal on the 28 <sup>th</sup> January 2022  Judicial Review decision not contested by An Bord Pleanála (06/10/2022). Final decision to be issued by the Courts for the appeal decision to be quashed.
16/256 PL 88.246915	Ten year permission to construct an underground electricity cable. The proposed underground electricity cable will be 38kV, will run predominantly within the public road corridor and is intended to connect the proposed Shehy More Wind Farm (Pl. Ref. 13/551, An Bord Pleanála PL04. 243486) to the National Grid via either the permitted substation at Garranareagh (Pl. Ref. 11/6605, An Bord Pleanála PL04.219620) or the currently proposed substation at Barnadivane (Kneevs) (Pl. Ref. 14/557, An Bord Pleanála PL04.244439)	Cloghboola, Cornery, Garryantormor a, Tooreenalour, Gortnacarriga, Gortaknockane, Cooragreenane, Coolr Carrignacurra, Dromnagapple, Teeranassig, Clonmoyl Lisnacuddy, Reanacaheeragh, Barnadivane, Barnadivan .	Mr Ian Collins Maulakieve, Bantry, County Cork.  (Letter of objection dated 31 <sup>st</sup> May 2016 extending to eight pages	Refused by CCC on 22 <sup>nd</sup> June 2016 and granted at appeal on the 23 <sup>rd</sup> December 2016  PL 88.246915
15/730 Pl.04.246353	Ten year planning permission for the construction of a wind farm of up to 5 No. wind turbines, with a maximum ground to blade tip height of up to 140m, upgrading of existing and provision of new internal access roads, provision of a	Gurteen, Clogher, Derryleigh, Gortatanavally, Carr Inchincurka, Johnstown, Haremont, Gorteenadrolane, Coolaclevane, Carrigboy,	Mr Ian Collins Maulakieve, Bantry, County Cork.  (Letter dated 30 <sup>th</sup> January 2016)	Refused by CCC on 2 <sup>nd</sup> February 2016 Granted at appeal on the  ..... Pl.04.246353



	wind anemometry mast (height up to 90 metres), 2 no. borrow pits, underground electricity cabling.....	Cooldorragha, Deshure, Te Reanacaheragh, Barnadivane, Barnadivane (Kneeves),	extending to eight pages	
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