

**APPENDIX B.4
PLANNING REF. 15/262**



KERRY COUNTY COUNCIL

NOTIFICATION OF A GRANT OF PERMISSION

Planning & Development Acts, 2000 to 2014

TO: ESB WIND DEVELOPMENT LTD.

PER: ESB INTERNATIONAL
C/O G. KELLY
18-21 ST. STEPHEN'S GREEN

Planning Register Number: 15/262

Application by **ESB WIND DEVELOPMENT LTD., 27 LOWER FITZWILLIAM STREET DUBLIN 2** for **PERMISSION FOR A 10 YEAR PLANNING PERMISSION FOR DEVELOPMENT COMPRISING AN ELECTRICAL TRANSFORMER STATION CONSISTING OF THREE SINGLE STOREY CONTROL BUILDINGS WITH ASSOCIATED OUTDOOR ELECTRICAL EQUIPMENT, INCLUDING TRANSFORMERS, LIGHTNING PROTECTION MASTS AND SCADA POLES, EFFLUENT HOLDING TANK, INTERNAL ROADS, BOUNDARY FENCING AROUND THE PERIMETER OF THE COMPOUND, ASSOCIATED ACCESS TRACK AND ALL OTHER ASSOCIATED SITE DEVELOPMENT WORKS, ABOVE AND BELOW GROUND. THE PROPOSED DEVELOPMENT IS AN AMENDMENT TO THE PREVIOUSLY APPROVED ELECTRICAL TRANSFORMER STATION AT GROUSEMOUNT WINDFARM (REF. NO. 10/1333) at GROUSEMOUNT KILGARVAN CO KERRY**

A **PERMISSION** has been granted for the development described above, subject to the conditions set out in the Notification of Decision of **PERMISSION**, by Kerry County Council, dated 01/07/2015.

NOTE:

- 1. This PERMISSION will expire TEN years after the date of this Grant of Permission.**
- 2. The attached commencement notice must be completed and submitted to the Building Control Authority, Fire Station, Balloonagh, Tralee, not less than fourteen days and not more than twenty-eight days before the commencement of works or the material change of use.**
- 3. Where the proposed development is to be served by a new connection to a Kerry County Council Water Supply Scheme or Waste Water Scheme you are advised that an application for the connection(s) should be made to the Water Services Department, County Buildings, Tralee (066 7183503) at least three months before the service is required.**



Signed on behalf of

KERRY COUNTY COUNCIL:

Date:

05/08/2015

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15262

PLANNING AND DEVELOPMENT ACTS, 2000 - 2014
NOTIFICATION OF DECISION TO GRANT PERMISSION (SUBJECT TO CONDITIONS)
UNDER SECTION 34 OF THE ACT
KERRY COUNTY COUNCIL

Ref. No. in
Planning Register: **15/262**

<u>Agent:</u> G Kelly, ESB International, 18-21 St. Stephen's Green, Dublin 2	<u>Applicant:</u> ESB Wind Development, 27, Lower Fitzwilliam Street, Dublin 2
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Documents Recd.: **02/04/2015 08/06/2015**

In pursuance of the powers, conferred upon them by the above named Acts, Kerry County Council have by Order dated **1st July, 2015** decided for the reasons set out in the first schedule to grant a Permission for the development of land namely:-

In respect of ten year planning permission for a development comprising of an Electrical Transformer Station consisting of three single storey Control Buildings with associated outdoor electrical equipment including transformers, lightning protection masts and SCADA poles; effluent holding tank; internal roads; boundary fencing around the perimeter of the compound; associated access track and all other associated site development works above and below ground. The proposed development is an amendment to the previously approved Electrical Transformer Station at Grousemount, Kilgarvan, Co. Kerry as outlined in plans and particulars received on 02/04/2015 and further information received on 08/06/2015.

SUBJECT to the conditions set out in the Second Schedule hereto. (**Seven Conditions**)

If there is no appeal against the said decision, a grant of Permission in accordance with the decision will be issued as soon as possible after the expiration of the period of four weeks (see footnote).

It should be noted that until a **Grant of Permission** has been issued the development in question is **NOT AUTHORISED.**

SIGNED ON BEHALF OF
THE SAID COUNCIL:


A. O. Planning

DATE: **1st July, 2015**

SCHEDULE CONTINUED OVERLEAF

NOTE: An Appeal against a decision of a Planning Authority under Section 34 or Section 35 of the Act of 2000 may be made to An Bord Pleanala within *four weeks* beginning on the date of the making of the decision by the Planning Authority. *An Appeal to An Bord Pleanala will be invalid unless it is accompanied by the appropriate fee. (Please refer to the attached guide for fees payable to An Bord Pleanala).* Appeals should be addressed to: *An Bord Pleanala, 64 Marlborough Street, Dublin 1.* An appeal by the applicant for permission should be accompanied by this form. In the case of an appeal by any other person, the name of the applicant, particulars of the proposed development or structure proposed to be retained and the date of the decision of the Planning Authority should be stated. The acknowledgement of receipt of a valid submission/objection as issued by the Planning Authority should also be submitted with the appeal.

SCHEDULE (Continued)

SCHEDULE (1)

Having regard to the nature, extent and location of the proposed development and the planning history on site and to any submissions received in relation to the application, it is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed development would not be visually obtrusive, would not seriously injure the amenities of the area or be otherwise contrary to the proper planning and sustainable development of the area.

SCHEDULE (2)

Ten year planning permission for a development comprising of an Electrical Transformer Station consisting of three single storey Control Buildings with associated outdoor electrical equipment, including transformers, lightning protection masts and SCADA poles; effluent holding tank; internal roads; boundary fencing around the perimeter of the compound; associated access track and all other associated site development works above and below ground. The proposed development is an amendment to the previously approved Electrical Transformer Station at Grousemount Wind Farm (ref. 10/1333).

1. The development shall be carried out in accordance with the plans and particulars received by the Planning Authority on 02/04/15 & 08/06/15 except for any alterations and/or modifications specified in this decision.

Reason: To regulate and control the layout of the development.

2. An adequate supply of potable water shall be ensured to serve the proposed development.

Reason: In the interest of public health.

3. (i) The developer shall employ a suitably qualified person to act as an Environmental Manager for the duration of the proposed development, on a full-time basis. Said Environmental Manager shall be responsible for ensuring that all environmental management systems associated with the proposed development are fully implemented and maintained. **Full contact details for the Environmental Manager shall be forwarded to the Environmental Services Section at the commencement notice stage of the development.**
(ii) Prior to the commencement of any development on site the applicants shall implement suitable measures on site to ensure that polluting matter of any type including materials during ground works and the internal road development are not discharged to any watercourses. These measures shall be fully maintained thereafter. **Full details to be agreed with the Environmental Services Section prior to the commencement of any development on site.**
(iii) All fuels, lubricants and hydraulic fluids for equipment used on site shall be stored within bunded storage areas away from any watercourses.

SCHEDULE (Continued)

(iv) The proposed effluent holding tank shall be constructed either of reinforced concrete or of GRP (twin walled design) and fitted with a high level audio & visual alarm (which shall be activated as the available capacity of the tank becomes exhausted)

(v) The proposed effluent storage tank shall be emptied at 6 monthly intervals or more frequently if required by a permitted waste contractor.

(vi) Records shall be maintained of all waste effluent removed from the site

(vii) **Prior to initial use of the proposed effluent storage tank, written confirmation (ie a letter of acceptance) from a suitable waste water treatment plant shall be submitted to the Environmental Services Section of Kerry County Council.**

(viii) **All recommendations and mitigation measures contained in the Aquatic Ecological Assessment, which was submitted as part of the Environmental Impact Assessment submitted under the previous planning permission granted under Planning Reg. 10/1333 shall be carried out and adhered to in full.**

Reason: In the interest of public health and to prevent pollution.

4. All recommendations and mitigation measures contained in the Aquatic Ecological Assessment, which was submitted as part of the EIA submitted under Planning Reg. 10/1333 shall be carried out and adhered to in full.

Reason: In the interest of public health and to prevent pollution.

5. Pre-development archaeological testing of the access road and substation site shall be carried out and a report submitted to the planning authority in advance of any further construction or site preparation works.
A buffer zone of 20m shall be established around the Anomalous Stone Group Ke095 005. This zone shall be put in place under archaeological supervision and clearly marked to prevent accidental damage to the monument during the construction period. No works, storage of materials or site traffic movements shall take place within this buffer zone.

Reason: To preserve any archaeological artefacts.

6. Vehicular access to the site shall be located as shown on the Site Layout Map received on 02/04/15

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

7. Any external lighting shall be properly cowled and directed away from the public roadway, and shall also not be visible from any point more than 100 metres away from the light.

Reason: In the interests of traffic safety and to control light pollution in the rural environment.