

# Comhairle Contae Chorcaí Cork County Council

An Rannóg Pleanála,  
Halla an Chontae,  
Bóthar Charraig Ruacháin,  
Corcaigh T12 R2NC  
Fón: (021) 4276891 Faics: (021) 4276321  
Suíomh Gréasáin: [www.corkcoco.ie](http://www.corkcoco.ie)  
Planning Department,



County Hall,

Carrigrohane Road, Cork T12 R2NC

Tel: (021) 4276891 Fax: (021) 4276321

Mr. Keith O' Brien,  
Spatial Planner,  
Group Property  
Engineering and Major Property,  
Electricity Supply Board,  
27 Fitzwilliam Street Lower,  
Dublin 2.  
D02 KT92.

4<sup>th</sup> September 2023

REF: D/271/23  
LOCATION: Inniscarra Hydro Generation Station, Curraleigh, Inniscarra, Co. Cork

**RE: DECLARATION OF EXEMPTED DEVELOPMENT UNDER SECTION 5 OF THE  
PLANNING & DEVELOPMENT ACT 2000 - 2010.**

Dear Sir,

On the basis of the information submitted by you on 8<sup>th</sup> August 2023 the Planning Authority, having considered the question whether or not the extension of the construction of a stair access, described as fabricated from galvanised steel, the main frame tower, measures 2.2m x 4.6m x 6.9m (h) and it contains 3no. flights of stairs, each containing 10no. risers. A level landing is provided at the top and bottom of each flight. All stairs and platforms incorporate handrails and guarding as required at the Hydro Generation Station, is or is not development and is or is not exempted development has declared that it **is development and is exempted development.**

### **Reason for Decision**

**WHEREAS** a question has arisen as to whether the proposed development at Curraleigh, Inniscarra, Co. Cork is or is not exempted development

**AND WHEREAS the Planning Authority**, in considering this referral had regard particularly to

- Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended), and
- The particulars received by the Planning Authority on 8<sup>th</sup> August 2023

**And WHEREAS the Planning Authority** has concluded that –

Having regard to the details submitted, the proposed extension of the construction of a stair access, described as fabricated from galvanised steel, the main frame tower, measures 2.2m x 4.6m x 6.9m (h) and it contains 3no. flights of stairs, each containing 10no. risers. A level landing is provided at the top and bottom of each flight. All stairs and platforms incorporate handrails and guarding as required at the Hydro Generation Station, Curraleigh, Inniscarra, Co. Cork.

**NOW THEREFORE, Cork County Council**, in exercise of the powers conferred on it by Section 5 of the 2000 Act (as amended), hereby decides that the said proposed development at the Hydro Generation Station, Curraleigh, Inniscarra, Co. Cork is EXEMPTED DEVELOPMENT.

*This exemption does NOT itself empower a person to carry out a development unless that person is legally entitled to do so.*

**Please note that under Section 5 Subsection 3(a) where a declaration is issued under this section, any person issued with a declaration under subsection 2(a) may, on payment to the Board of such fee as may be prescribed, refer a declaration for review by the Board within 4 weeks of the date of the issuing of the declaration.**

Yours faithfully,



---

**KEVIN O' REGAN,  
SENIOR EXECUTIVE OFFICER,  
PLANNING DEPARTMENT.**

*In order to process your query, it may be necessary for Cork County Council to collect Personal information from you. Such information will be processed in line with our privacy statement which is available to view at <https://www.corkcoco.ie/privacy-statement-cork-county-council>*

- I. Application Type – Section 5 Declaration
- II. Description - Whether or not the extension of the construction of a stair access, described as ‘fabricated from galvanised steel, the main frame tower, measures 2.2m x 4.6m x 6.9 m (h) and it contains 3 no. flights of stairs, each containing 10 no. risers. A level landing is provided at the top and bottom of each flight. All stairs and platforms incorporate handrails and guarding as required.’ is or is not development and is nor is not exempted development.
- III. Location – Inniscara Hydro Generating Station, Curraleigh, Inniscarra, Co. Cork P31 RC93
- IV. Applicant – Electricity Supply Board

### **1.0 Requirements for a Section 5 Declaration Application**

Section 5(1) of the Planning and Development Act as amended states:

*5.—(1) If any question arises as to what, in any particular case, is or is not development or is or is not exempted development within the meaning of this Act, any person may, on payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question, and that person shall provide to the planning authority any information necessary to enable the authority to make its decision on the matter.*

### **2.0 The Question Before The Planning Authority**

Whether or not the extension of the construction of a stair access is or is not development and is nor is not exempted development.

### **3.0 Site Location**

The subject site is located in Inniscara Hydro Generating Station, Curraleigh, Inniscarra, Co. Cork P31 RC93.

### **4.0 Relevant Planning History**

036949 – Electricity Supply Board were granted permission for the Installation of Bio-cycle sewage treatment unit and percolation area in existing 110kv station.

176372 - Electricity Supply Board were granted permission for a new wastewater treatment system- the septic tank (already in place) will be pumped to the peat filters, after which the filtered effluent will be released into a soil percolation zone, ultimately discharging to groundwater.

### **5.0 Relevant Planning Legislation and Regulations**

Planning and Development Act 2000, (as amended)

Section 2(1) of the Act defines “works” as follows:

*“works” includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application*

*or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure. [Emphasis Added].*

Section 3 (1) of the Act defines “development” as follows:

*“In this Act, “development” means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.”*

Section 4(1)(g) of the Act states that ‘*development consisting of the carrying out by any local authority or statutory undertaker of any works for the purpose of inspecting, repairing, renewing, altering or removing any sewers, mains, pipes, cables, overhead wires, or other apparatus, including the excavation of any street or other land for that purpose;*’

Section 4(1)(h) of the Act states ‘*development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures*’

## **6.0 Environmental Screening and Appropriate Assessment**

The application site is not located within the screening zone of any Natura 2000 sites therefore the requirement for Appropriate Assessment has been screened out for this proposed development having regard to the lack of ecological or hydrological connection between the development site and any European Site.

Having regard to the nature, scale and location of the proposed development there is no real likelihood of significant effects on the environment arising from the proposed development and EIA is not required having regard to the provisions for mandatory and sub-threshold EIA as set out under Schedule 5 and 7 of the Planning and Development Regulations (2001, as amended).

## **7.0 Planning Assessment**

Works is defined in the Act as ‘*the carrying out of works on, in, under or over land and includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal*’.

Having regard to the above, it can be reasonably determined that the construction of a stair access **is development**.

The question before the Planning Authority is to determine, whether or not the construction of a stair access is or is not exempted development. I refer to Section 4(1)(g) and (h) of the Planning and Development Act 2000 (as amended):

Section 4(1)(g) of the Act states that ‘*development consisting of the carrying out by any local authority or statutory undertaker of any works for the purpose of inspecting, repairing, renewing, altering or removing any sewers, mains, pipes,*

*cables, overhead wires, or other apparatus, including the excavation of any street or other land for that purpose'*

*Section 4(1)(h) of the Act states 'development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures'.*

The construction the stair from the top of the dam to the gantry will allow for access to the dam gate motors and manual dam gate and testing platform which are situated at that level. The application stipulates that the proposed works '*...will eliminate the requirement of using the exposed ladder access and thus reducing risk to personnel*'. ✓

The works are therefore proposed by the Electricity Supply Board, a Statutory Undertaker, for the purpose of providing safer access to allow for the operation of critical equipment on the dam wall. The works will take place within the existing industrial complex where the construction of a galvanised steel stair would not be distinguishable from existing structures and apparatus and would not materially affect the external appearance or character of the existing dam structure. ✓

Having regard to the above, it is considered that the conditions and limitations of Section 4(1)(g) and (h) of the Planning and Development Act 2000 (as amended) have been met and the **works are exempted**. ✓

## 8.0 Recommendation

In considering this referral, regard has been had to:

- (a) Sections 2 and 3 of the Planning and Development Act, 2000 (as amended);
- (b) Section 4(1)(g) and (h) of the Planning and Development Act 2000 (as amended)

And whereas, the Planning Authority has concluded that:

- (a) The works constitute 'works' that are 'development'.
- (b) The works **is development and is exempted development**.

Ciara Cosgrave  
Assistant Planner  
31.08.2023





Energy for  
generations

esb.ie

Lárionad Seirbhísi Gnó  
27 Sráid Mhic Liam **lochtarach**, Baile Átha Cliath 2, Éire  
Fón +353 1 676 5831

Business Service Centre  
27 Lower **Fitzwilliam** Street, Dublin 2, Ireland  
Phone +353 1 676 5831

Cork County Council  
Planning Department  
Ground Floor  
County Hall  
Carrigrohane Road, Cork.  
T12 R2NC

03 August 2023

**Re:** ESB APPLICATION FOR SECTION 5 DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT AT INNISCARA HYDRO GENERATING STATION, CURRALEIGH, INNISCARRA, CO. CORK, P31 RC93.

A Chara,

Please find attached an application for a Section 5 Declaration to carry out limited development on the Inniscarra Hydroelectric Generating Station site, located in Curraleigh, Inniscarra. I enclose a fully completed Section 5 Application Form, location map, site layout map, drawings and supporting information. All works relate to the installation of a steel framed access stair which is essential for the maintenance and ongoing works at the generation site.

The subject site is one of two hydroelectric stations along the river Lee, located at Inniscarra. This strategically located generation station is a crucial piece of infrastructure for the nation, as it progresses us closer to our goals of decarbonising energy. Due to the nature of operating this generation station consistent ongoing works of repair, maintenance, and upgrading take place. One such ongoing work is the regular inspection and operation of the sluice gate. This enables the operator to control water flow from the reservoir into the river Lee. At present the sluice gate operating mechanism is reached via a vertical steel ladder and steel platforms affixed to the concrete dam structure.

As part of an ongoing safety improvement initiatives at the Inniscarra Hydroelectric Station, ESB are trying to reduce the risks of using vertical ladders as well as replacing them with access stairs where possible around the dam and areas of key operations. The proposed stair access will be fabricated from galvanised steel, the main frame tower, measures 2.2m x 4.6m x 6.9m(h) and it contains 3 No. flights of stairs, each containing 10 No. risers. A level landing is provided at the top and bottom of each flight. All stairs and platforms incorporate handrails and guarding as required.

ESB respectfully submit that the proposed works involving the erection of the proposed stair structure constitutes exempted development. The works are being carried out as part of maintenance and improvement and do not materially affect the external appearance of the structure as to render the appearance inconsistent with the character of the structure or of neighbouring structures.

In consideration of the above and due to the location of the proposed structure within lands of an industrial installation used for the production of electricity, the nature of the proposed works could be deemed exempted development under Section 4 (1)(h) and Section 4(1)(g) of the Act, as works being carried out by a Statutory Undertaker.





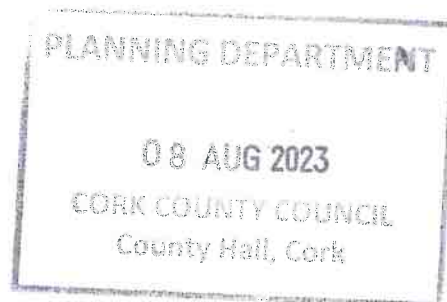
If I can be of any further assistance, or if you have any queries, please do not hesitate in contacting me.

Yours sincerely,



Keith O'Brien | Spatial Planner | Group Property | Engineering & Major Projects | ESB  
T: +353 1 702 6357 / +353 86 136 1258 | [www.esb.ie](http://www.esb.ie)  
27 Fitzwilliam Street Lower, Dublin 2, D02 KT92

**APPENDIX A - SECTION 5 APPLICATION FORM**  
**APPENDIX B - DETAILED PLANNING REPORT**  
**APPENDIX C - SITE LOCATION MAPS**  
**APPENDIX D - SITE LAYOUT DRAWING**  
**APPENDIX E - DEVELOPMENT DRAWING**



**APPENDIX A - SECTION 5 APPLICATION FORM**

PLANNING DEPARTMENT  
08 AUG 2023  
CORK COUNTY COUNCIL  
County Hall, Cork



# **CORK COUNTY COUNCIL APPLICATION FOR SECTION 5 DECLARATION OF EXEMPTION**

## **APPLICANT CHECKLIST**

(Please tick ✓)

- 4 No. Copies of Application Form:**
- 1 No. Copy of Contact Details:**
- 4 No. Copies 6" O.S. Maps:**
- 4 No. Copies 25" O.S. Maps:**
- 4 No. Copies of Site Layout Plan:**
- 4 No. Copies Scaled Drawings of Development:**
- €80 Application Fee:**

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
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## **FOR OFFICE USE ONLY**

Receipt No.	Per-0002291
Cash/Cheque/ Credit Card	Cheque
Date	08/08/2023
Declaration Ref. No.	D/27/23

**DATE STAMP HERE**

**You should make sure that you are satisfied that any information/documentation that you submit is appropriate to be viewed by the public. Please do not submit any information that you do not want 3<sup>rd</sup> parties to view.**

In the case of a Declaration of Exemption for Land Reclamation, the following additional information is required:

- A copy of the details submitted to the Council's Environment Department (Inniscarra) for a Waste Licence Permit
- Correspondence from Teagasc (detailing how the land reclamation would benefit the land in question for agricultural purposes)
- Details of existing and proposed levels
- Details of fill material and duration of fill.

## **DATA PROTECTION**

The planning process is an open and public one. In that context, all applications for Declarations of Exemption are made available for public inspection.

*Personal information collected by Cork County Council is done so in order for us to process your application for a Section 5 Declaration of Exemption. Legally we can process this information as it is necessary for us to comply with our statutory/legal obligations. The protection of our personal data is a key priority for the Council and your data will be processed in line with our Privacy policy which is available at <http://www.corkcoco.ie/Privacy-Policy> or hardcopy from our offices at County Hall, Carrigrohane Road, Cork, Ireland. Should you have any questions about our privacy policy or the information we hold about you, please contact us by email to [dpo@corkcoco.ie](mailto:dpo@corkcoco.ie) or write to us at Data Protection Officer, Cork County Council, County Hall, Carrigrohane Road, Cork, Ireland.*

**1. NAME OF APPLICANT: (ADDRESS TO BE SUPPLIED AT QUESTION A – CONTACT DETAILS)**

Electricity Supply Board

**2. POSTAL ADDRESS OF LAND OR STRUCTURE FOR WHICH DECLARATION OF EXEMPTION IS SOUGHT:**

INNISCARA HYDRO GENERATING STATION, CURRALEIGH, INNISCARRA, CO. CORK, P31 RC93

**3. QUESTION/DECLARATION DETAILS:**

Please state the specific question for which a Declaration of Exemption is sought

Note: Only works listed and described under this section will be assessed under the Section 5 Declaration of Exemption

As part of an ongoing safety improvement initiatives at the Inniscarra Hydroelectric Station, ESB are trying to reduce the risks of using vertical ladders as well as replacing them with access stairs where

possible around the dam and areas of key operations. The proposed stair access will be fabricated from galvanised steel, the main frame tower, measures 2.2m x 4.6m x 6.9m(h) and it contains 3 No. flights of stairs, each containing 10 No. risers. A level landing is provided at the top and bottom of each flight. All stairs and platforms incorporate handrails and guarding as required.

ESB respectfully submit that the proposed works involving the erection of the proposed stair structure constitutes exempted development. The works are being carried out as part of maintenance and improvement and do not materially affect the external appearance of the structure as to render the appearance inconsistent with the character of the structure or of neighbouring structures.

In consideration of the above and due to the location of the proposed structure within lands of an industrial installation used for the production of electricity, the nature of the proposed works could be deemed exempted development under Section 4 (1)(h) and Section 4(1)(g) of the Act, as works being carried out by a Statutory Undertaker.

PLANNING DEPARTMENT

08 AUG 2023

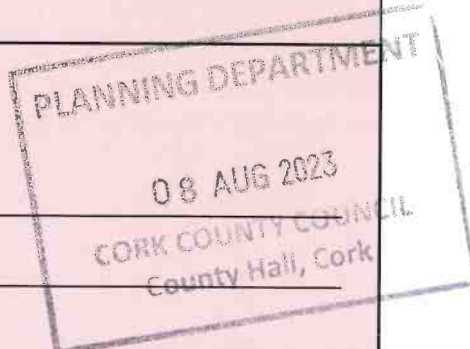
CORK COUNTY COUNCIL

County Hall, Cork

**4. APPLICATION DETAILS:**

Answer the following if applicable. Note: Floor areas are measured from the inside of the external walls and should be indicated in square metres (m<sup>2</sup>)

(a) Floor area of existing/proposed structure(s):	5 m <sup>2</sup>
(b) If a domestic extension is proposed, have any previous extensions/structures been erected at this location after 1 <sup>st</sup> October, 1964 (including those for which planning permission has been obtained):	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please provide floor areas (m <sup>2</sup> ) and previous planning reference(s) where applicable:
(c) If a change of use of land and/or building(s) is proposed, please state the following:  Existing/previous use n/a	Proposed use n/a
(d) Are you aware of any enforcement proceedings connected to this site?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please state relevant reference number(s):



**5. LEGAL INTEREST OF APPLICANT IN THE LAND/STRUCTURE:**

Please tick appropriate box to show applicant's legal interest in the land or structure:	A. Owner <input checked="" type="checkbox"/>	B. Other <input type="checkbox"/>
Where legal interest is "Other", please state your interest in the land/structure:		
If you are not the legal owner, please state the name of the owner/s (address to be supplied at Question C in Contact Details):		

**6. PROTECTED STRUCTURE DETAILS / ARCHITECTURAL CONSERVATION AREA:**

Is this a Protected Structure/Proposed Protected Structure or within the curtilage of a Protected Structure: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If yes, has a Declaration under Section 57 of the Planning & Development Act 2000 been requested or issued for the property by the Planning Authority: Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, please state relevant reference No. _____
Is this site located within an Architectural Conservation Area (ACA), as designated in the County Development Plan? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

**7. APPROPRIATE ASSESSMENT:**

Would the proposed development require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site (SAC, SPA etc)? Yes  No

## 8. DATA PROTECTION DECLARATION:

In order for the Planning Authority to process the personal data you have provided, your consent is required. By ticking the box below, you consent to the Planning Authority processing the personal data provided by you in line with the terms of Cork County Council's Privacy Policy available at <http://www.corkcoco.ie/privacy-statement-cork-county-council> or in hardcopy from any Council office; and to having your information processed for the following purposes:

### *Processing of your Declaration of Exemption application by the Planning Authority*

I give permission for my personal information to be processed for the purpose stated above

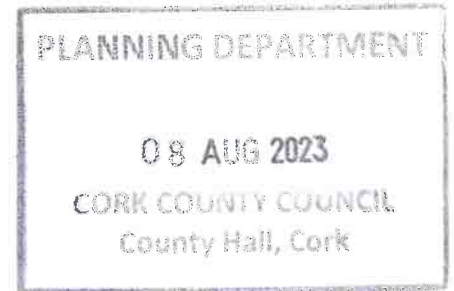
Signed (By Applicant Only)	Keith O'Brien
Date	04/08/2023

## **GDPR Special Categories of data / Sensitive Personal data - Explicit Consent**

Where Special Categories of personal data / sensitive personal data are provided as part of / in support of a declaration application, **explicit consent** to the processing of the special categories of data must be given by the person to whom the data refers, namely the Data Subject.

Special Categories of data / Sensitive Personal data include:

- Race
- Ethnic origin
- Political opinions
- Religion
- Philosophical beliefs
- Trade union membership
- Genetic data
- Biometric data
- Health data
- Concerning a natural person's sex life
- Sexual orientation



In order for the Planning Authority to process the sensitive personal data you have provided, your consent is required. By ticking the box below, you consent to the Planning Authority processing the personal data provided by you in line with the terms of Cork County Council's Privacy Policy available at <https://www.corkcoco.ie/privacy-statement-cork-county-council> or in hardcopy from any Council office; and to having your information processed for the following purposes:

### **Sensitive personal data being submitted in support of Declaration of Exemption Application**

I give permission for my sensitive personal data submitted to the Planning Authority to be processed for the purpose stated above.

Signed	Keith O'Brien
Date	04/08/2023

You have the right to withdraw your consent by contacting the Planning Department, Ground Floor, County Hall, Carrigrohane Road, Cork. Tel: (021) 4276891 Email: [planninginfo@corkcoco.ie](mailto:planninginfo@corkcoco.ie) or by contacting the Planning Department, Norton House, Cork Road, Skibbereen, Co. Cork. Tel: (028) 40340 Email: [westcorkplanninginfo@corkcoco.ie](mailto:westcorkplanninginfo@corkcoco.ie) However if consent to the use of personal data is withdrawn during the declaration of exemption decision-making process this information cannot be considered as part of the decision making process. Once a decision has been made, an applicant is not entitled to withdraw consent, as the right of erasure does not apply to a situation where processing is required for compliance with a legal obligation or for the performance of a task carried out in the public interest.

**Please note that all information / supporting documentation submitted will be available publicly to view at the Planning Authority offices.**

**ADVISORY NOTES:**

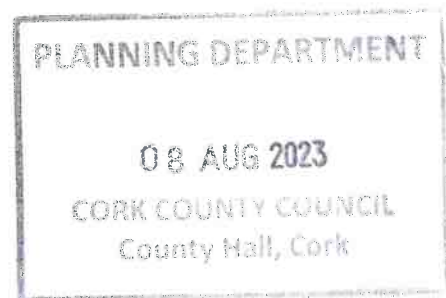
The application must be accompanied by the required fee of €80  
 The application must be accompanied by a site location map which is based on the Ordnance Survey map for the area, is a scale not less than 1:1000 and it shall clearly identify the site in question.  
 Sufficient information should be submitted to enable the Planning Authority to make a decision. If applicable, any plans submitted should be to scale and based on an accurate survey of the lands/structure in question.  
 The application should be sent to the following address:  
 The Planning Department, Cork County Council, Floor 2, Co. Hall, Carrigrohane Road, Cork, T12 R2NC; or for applications related to the Western Division, The Planning Department, Cork County Council, Norton House, Cork Road, Skibbereen, Co. Cork, P81 AT28.

- The Planning Authority may require further information to be submitted to enable the authority to issue a decision on the Declaration of Exemption application.
- The Planning Authority may request other person(s), other than the applicant; to submit information on the question which has arisen and on which the Declaration of Exemption is sought.
- Any person issued with a Declaration of Exemption may on payment to An Bord Pleanála refer a Declaration of Exemption for review by the Board within 4 weeks of the date of the issuing of the Declaration of Exemption decision.
- In the event that no Declaration of Exemption is issued by the Planning Authority, any person who made a request may on payment to the Board of such a fee as may be prescribed, refer the question for decision to the Board within 4 weeks of the date that a Declaration of Exemption was due to be issued by the Planning Authority.

*The application form and advisory notes are non-statutory documents prepared by Cork County Council for the purpose of advising the type of information which is normally required to enable the Planning Authority to issue a Declaration of Exemption under Section 5. This document does not purport to be a legal interpretation of the statutory legislation nor does it state to be a legal requirement under the Planning and Development Act 2000 as amended, or Planning and Development Regulations, 2001, as amended.*

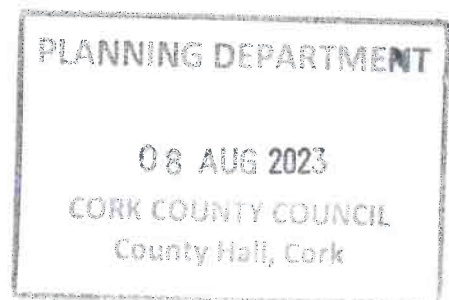
**9. I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct, accurate and fully compliant with the Planning and Development Acts 2000, as amended and the Regulations made thereunder:**

<i>Signed (Applicant or Agent as appropriate)</i>	<i>Keith O'Brien</i>
Date	04/08/2023





**APPENDIX B - DETAILED PLANNING REPORT**





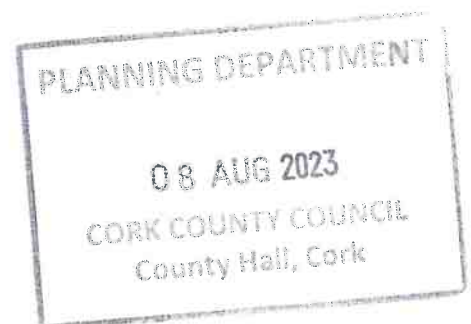
Energy for  
generations

Group Property

**INNISCARA HYDRO GENERATING STATION,  
CURRALEIGH, INNISCARRA, CO. CORK, P31  
RC93.**

Application for Declaration of Exempted  
Development

ESB Engineering & Major Projects



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PLANNING DEPARTMENT  
08 AUG 2023  
CORK COUNTY COUNCIL  
County Hall, Cork

## 1. EXECUTIVE SUMMARY

As a Statutory Undertaker, Electricity Supply Board (ESB) is seeking a declaration on exempted development under Section 5 of the Planning and Development Act 2000 (as amended) regarding maintenance works involving the replacement of vertical ladders with a steel framed access stair. The proposed stair is to accommodate safer access and movement to facilitate operation of critical equipment on the dam wall, within the industrial installation for the production of electricity at Inniscarra hydroelectric generating station.

ESB respectfully wishes to highlight that a similar application was lodged to upgrade access ladders at the Carrigadrohid Generation Station, c. 15km upstream on the river Lee in 2019. At that time Cork County Council deemed the works exempted development (Ref. no. D/205/19).

The ESB site at Inniscarra accommodates a Hydroelectric Generating Station, responsible for the generation and transmission of electricity to County Cork and the wider Country. This strategically located generating station is one of two hydroelectric dams along the river Lee in County Cork, the other being Carrigadrohid. These hydroelectric dams are crucial infrastructural assets in the national grid for provision of carbon free energy. Due to the scale and critical nature of operations, this site regularly requires maintenance, repairs, inspection, and upgrading works by ESB personnel to ensure the continued operation of the substation. As a statutory undertaker ESB carries out these works under section 4 (1)(g) of the Planning and Development Act, as amended.

As part of an ongoing safety improvement initiatives at Inniscarra Station, ESB are trying to reduce the risks of using vertical ladders as well as replacing them with access stairs where possible around the dam and areas of key operations. ESB respectfully submit that the proposed works involving the erection of the proposed stair structure constitutes exempted development. The works are being carried out as part of maintenance and improvement and do not materially affect the external appearance of the structure as to render the appearance inconsistent with the character of the structure or of neighbouring structures. The proposed works are very similar in nature to the works deemed exempted development by Cork County Council under Section 5 of the Planning and Development Act in 2019 (Ref D/205/19).



## 2. INTRODUCTION

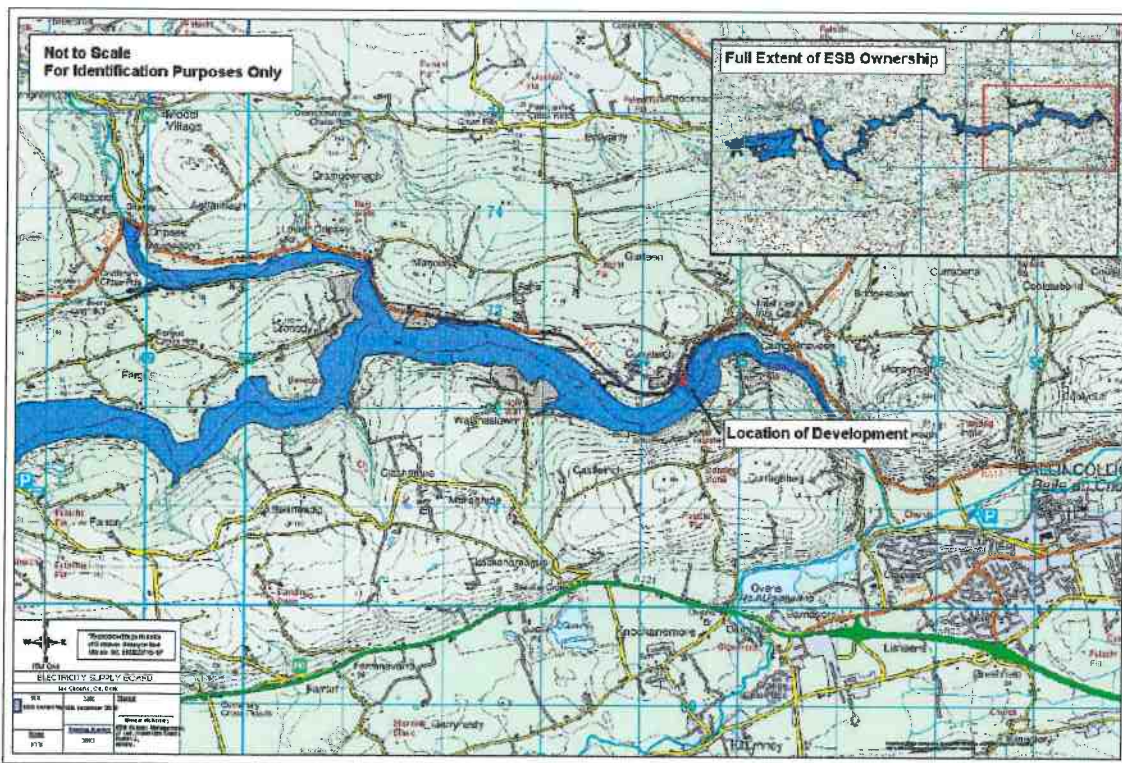
### 2.1 Site Context

ESB owns extensive lands in the Lee Valley as part of its two hydro-electric power stations situated on the river Lee. The dam and hydro-electric power station at Inniscarra is located downstream from Carrigadrohid, both off the Cork to Macroom road. The ESB ownership in the area extends to the two lakes created as part of both schemes which cover an area of 14km<sup>2</sup> and have a storage capacity of 45 million cubic metres.

The generating plant at Inniscarra is comprised of two vertical shift Kaplan turbo generators which operates under an average head of 30m. Power is generated at 10.5 kilovolts and transformed up to 38 kilovolts for local distribution and to 110 kilovolts for long distance transmission. Inniscarra has the capacity to produce 19MW and combined with Carrigadrohid the stations have a generating capacity of 27MW and produce almost 80 million units of electricity each year. They are of strategic national importance for electricity generation and are an integral part of our fight against climate change by de-carbonising the energy generation sector.

The length of the dam at Inniscarra is circa 250m. It is 42m high and it has three sluice gates for flood control, these gates can discharge water at up to 600m<sup>3</sup>/Sec. At present the sluice gate operating mechanism is reached via a vertical steel ladder and steel platforms affixed to the concrete dam structure. A large steel gantry crane which is used to lower the dam beam gate stands on top of the dam wall.

The Lee Valley is a vital location for power generation for the region and the State and ESB Power Generation will continue at this location for the foreseeable future.



**Fig 1.0 Location of Inniscarra Hydroelectric Generating Station & extent of ESB ownership**



## 2.2 Planning History

The dam was built during the period 1952-1957 and subsequently, as technology evolved, the station developed. Our records show that there have been 3 no. further applications.

A summary of the planning applications is listed below.

Planning Ref	Status	Development Description
036949	Conditional Grant	Installation of Bio-cycle sewage treatment unit and percolation area in existing 110kv station
175930	Incomplete Application	A new wastewater treatment system – the septic tank (already in place) will be pumped to the peat filters, after which the filtered effluent will be released into a soil percolation zone, ultimately discharging to groundwater
176372	Conditional Grant	A new wastewater treatment system- the septic tank (already in place) will be pumped to the peat filters, after which the filtered effluent will be released into a soil percolation zone, ultimately discharging to groundwater.

## 2.3 ESB Dam & Operational Safety

The power station, dam, headrace and tailrace, transmission and distribution stations are elements of an integrated Hydro Electricity Generating System. All elements are part of operational plant and require ongoing inspection, maintenance, repair, and upkeep. The station and its immediate surroundings are not a natural amenity, but an element of the civil engineering works constructed for the generation, transmission and distribution of electricity and a potentially dangerous environment.

Due to the nature of ongoing operations at ESB Inniscarra Station, the Health and Safety Authority (HSA) classify the site a permanent construction site. The Safety, Health and Welfare at Work (Construction) Regulations 2013 require that ESB, for construction sites under our control, have in place adequate measures to protect those who may be at risk from such a site. Areas in the curtilage of any power station plant are hazardous and Health & Safety legislation, in conjunction with a responsibility for the safety of the general public, requires that ESB restrict access to these locations.

Dam safety is a major public safety issue and is ESB's most important priority in the management of its hydro facilities. ESB has categorised its dams in a similar manner to the Institution of Civil Engineers (UK) guide; *"Floods and Reservoir Safety"*, where dams are categorised based on the consequences of a breach. Being located on the river Lee, upstream of densely populated areas, Inniscarra Dam is a *"Category A"* dam, where a breach *"could endanger lives in a community"*. To ensure the safety of its dams, including Inniscarra dam, ESB implements comprehensive dam safety procedures.

Critical to the operation of such procedures is regular maintenance and safety checks. Observations of the operation of critical dam equipment, particularly at times of greatest need e.g. storm events etc. forms a critical part of the work carried out by staff at the station.

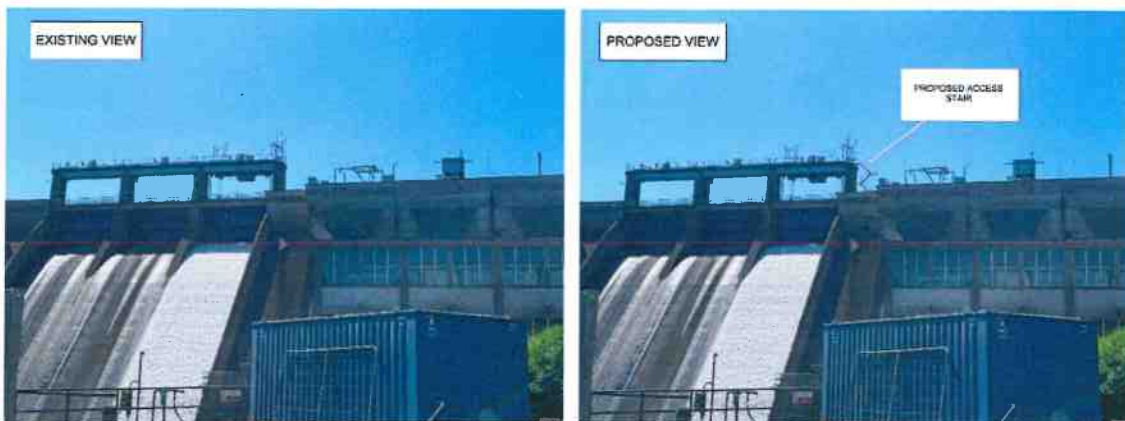
As part of an ongoing safety improvement initiatives at Inniscarra, ESB are trying to reduce the risks of using vertical ladders by replacing them with steel frame access stairs where possible around the dams. As an interim measure, a number of ladders have been fitted with fall arrest equipment which must be used when ascending and descending the ladders. **However, given the configuration of existing vertical access at Inniscarra the safest and most practical solution is to install a steel frame access stair to provide safe access to existing working platforms and water control equipment.**

### 3. DESCRIPTION OF WORKS

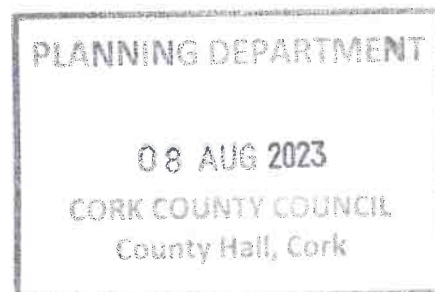
The Irish Pioneer Works (Fabricators) Ltd. (Kinsale Road, Cork) was appointed to design the steel frame access stair. Fabricated from galvanised steel, the main frame tower, measures 2.2m x 4.6m x 6.9m(h) and it contains 3 No. flights of stairs, each containing 10 No. risers. A level landing is provided at the top and bottom of each flight. All stairs and platforms shall incorporate handrails and guarding as required.

The proposed stair frame shall provide a safe means to access to the existing elevated gantry at the highest point of the dam wall. Critical operational equipment such as the dam gate motors, and manual dam gate winch are located on the elevated gantry. Safe and unimpeded access to this area is critical to the operation of the dam.

The positioning of the proposed stair tower will also facilitate access to an existing testing platform. This platform provides access to anchors for the dam that are tested on a 3 yearly cycle. Utilisation of the proposed stairs will eliminate the requirement of using the exposed ladder access and thus reducing risk to personnel.



**Fig 3.0 Existing and proposed views of dam wall and elevated gantry (see Appendix A)**



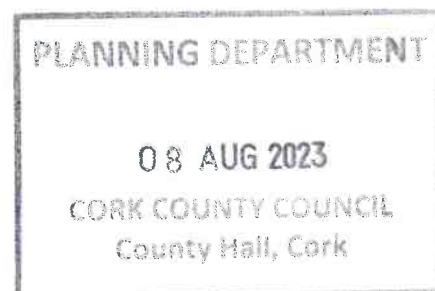
## 4. PLANNING CONSIDERATIONS

Having regard for the provisions of the Planning and Development Act 2000, as amended and the Planning and Development Regulations 2001-2018, ESB respectfully submit that the proposed works involving the erection of the proposed steel access stair structure, constitutes exempted development. The works are being carried out as part of maintenance and improvement and do not materially affect the external appearance of the structure as to render the appearance inconsistent with the character of the structure or of neighbouring structures.

In consideration of the above and due to the location of the proposed structure within lands of an industrial installation used for the production of electricity, the nature of the proposed works could be deemed exempted development under Section 4 (1)(h) and Section 4(1)(g) of the Act, as works being carried out by a Statutory Undertaker.

As mentioned, a similar application was lodged to upgrade the Carrigadrohid Generation Station, upstream on the river Lee. At that time Cork County Council deemed the works exempted development (Ref. no. D/205/19). ESB respectfully requests as the works are similar that Cork County Council will take a similar view on this declaration. The installation of the access stairs has been well received by ESB staff responsible for maintenance at the station. As it provides a safe means of access to the dam wall, particularly during harsh weather and storm events.

The proposed steel access stair structure will be located adjacent to the dam wall within the Inniscarra generating station compound, an industrial installation for the production of electricity. The additional steel structure does not materially alter the external appearance of the station. The complex consists of many large structures including, control room, generating hall, intake building, dam wall and spillway structure. In addition to the existing steel platforms & ladders there are a large number of steel pylon structures in the vicinity carrying overhead cables. The cables emanate from the adjacent 110kV electricity compound which also contains steel pylons and busbar structures. Furthermore, the overall height of the proposed structure does not exceed the highest point on the dam structure and no element of the station is visible from the public road.



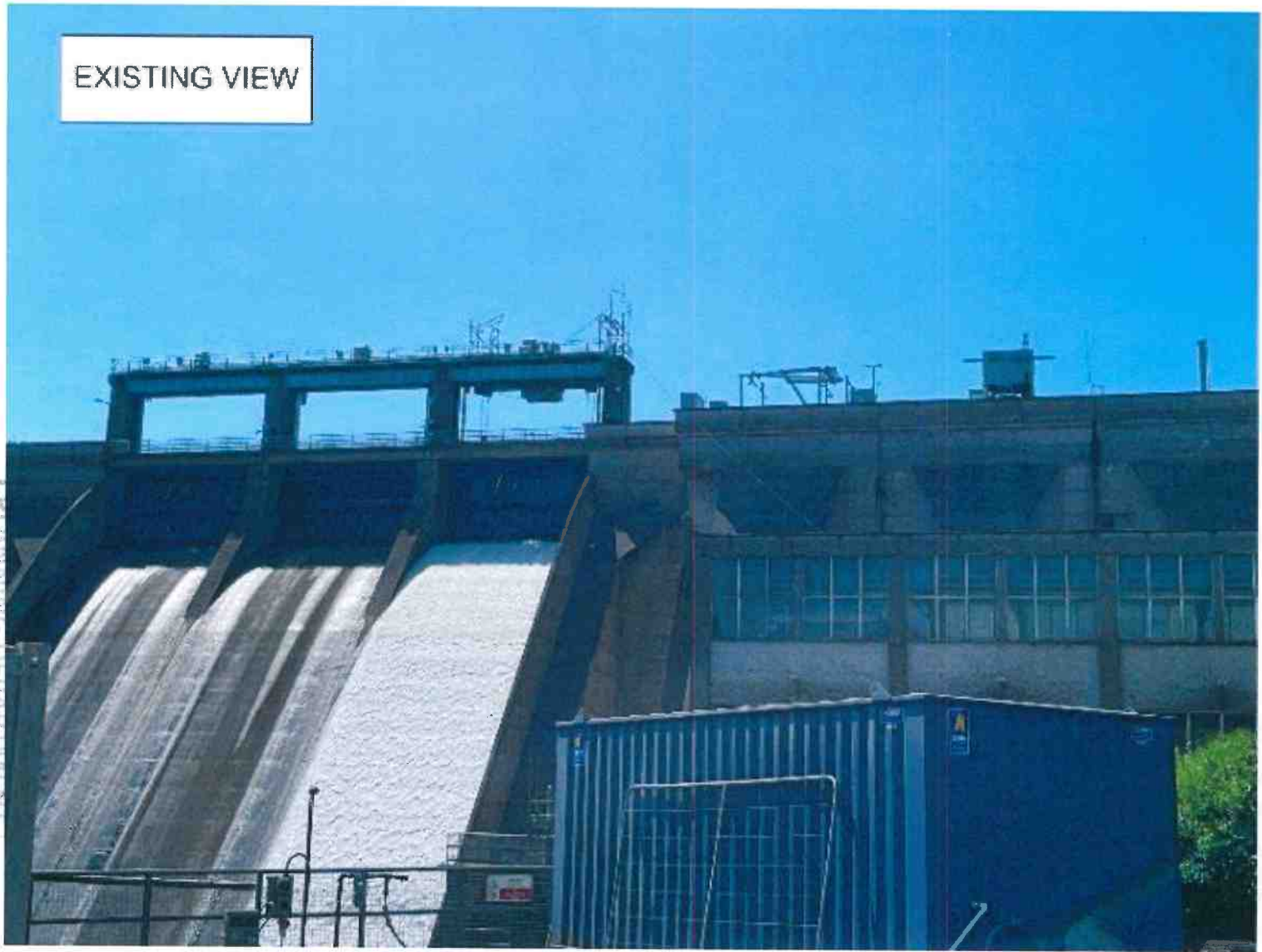


## 5. APPENDIX A

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County Hall, Cork



EXISTING VIEW



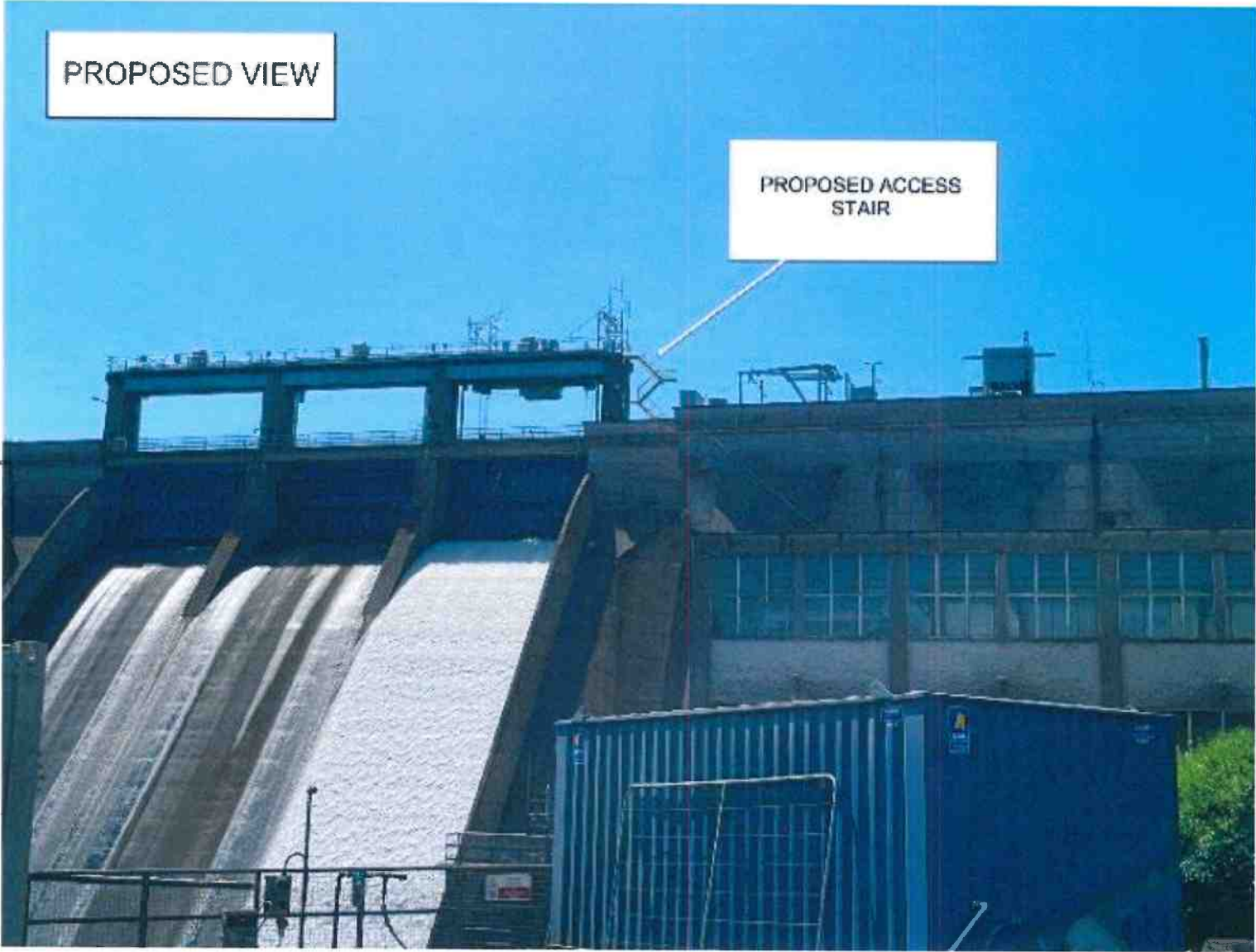
PLANNING DEPARTMENT  
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CORK COUNTY COUNCIL  
County Hall, Cork



Energy for generations

PROPOSED VIEW

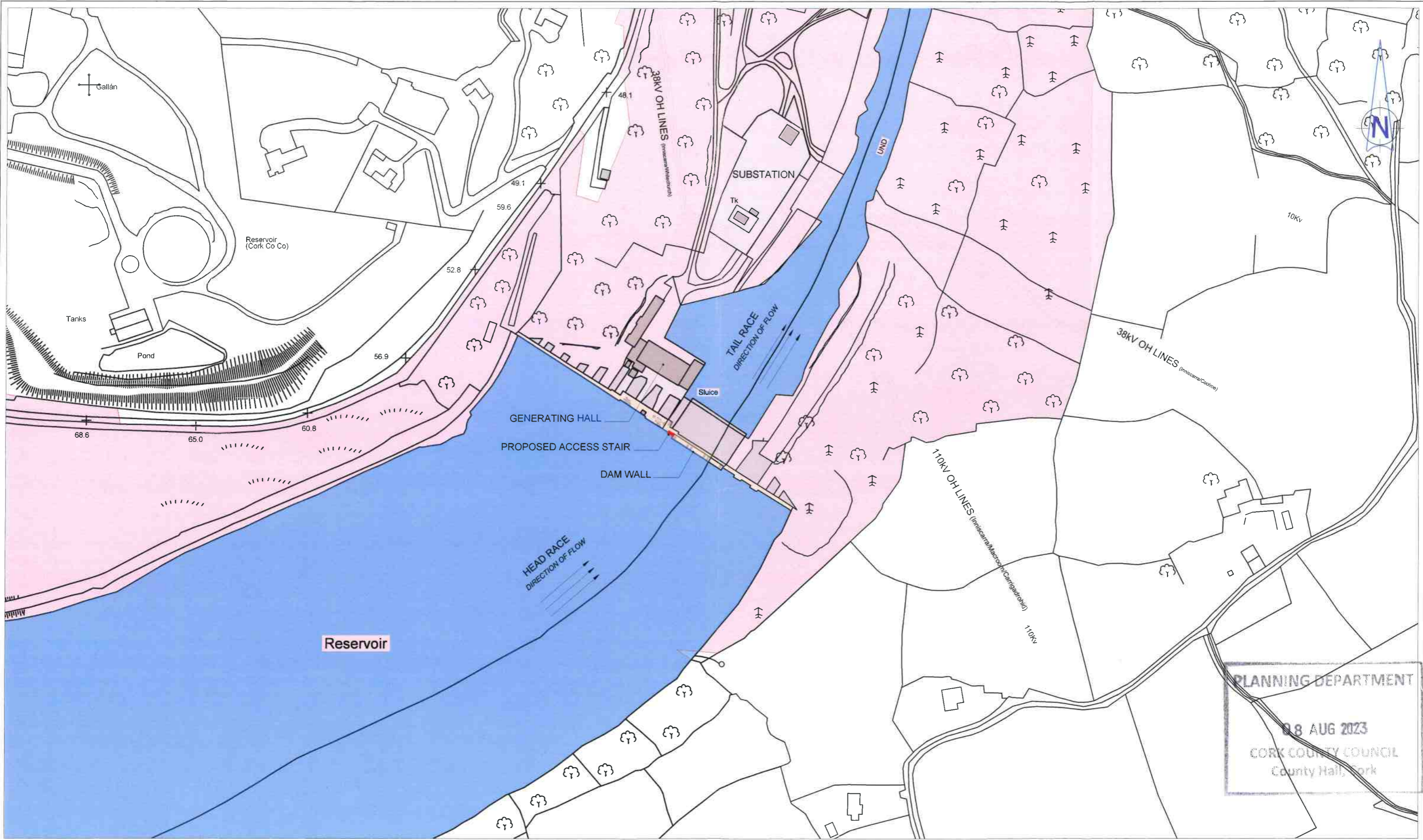
PROPOSED ACCESS STAIR



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County Hall, Cork

**APPENDIX C - SITE LOCATION MAP**

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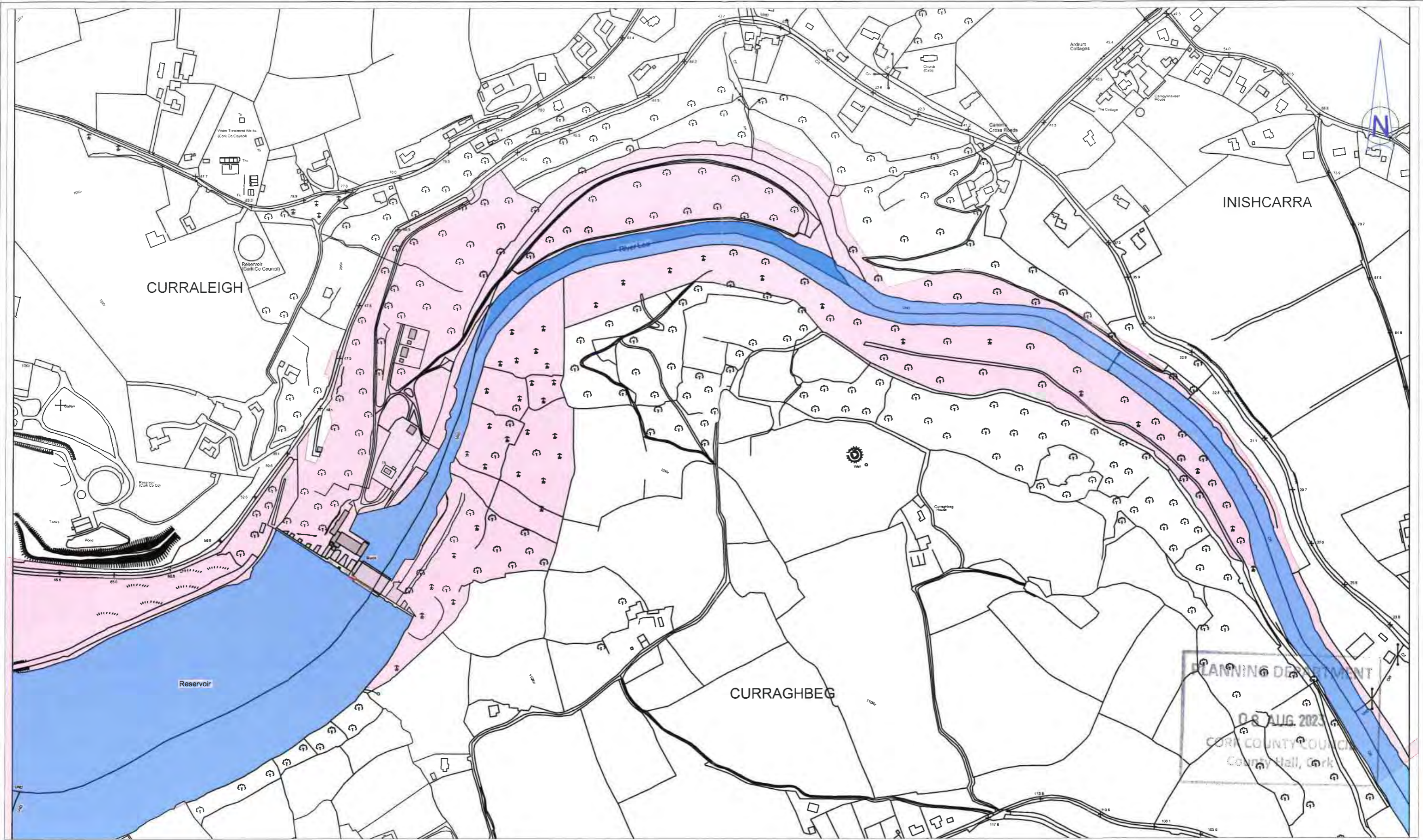


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 CORK COUNTY COUNCIL  
 County Hall, Cork

ESB Ownership Boundary

**SITE LOCATION MAP - 1:2500**

		Planning & Asset Management, 41 - 43 Merrion Square East, Dublin 2, Ireland.			SCALE
<b>ESB Inniscarra Hydro Station - Steel Frame Access Stair</b>					1:2,500
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CC	A3				002
PRODUCED BY	DATE				
CC	31/07/2023				
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CURRALEIGH

INISHCARRA


CURRAGHBEG

Reservoir

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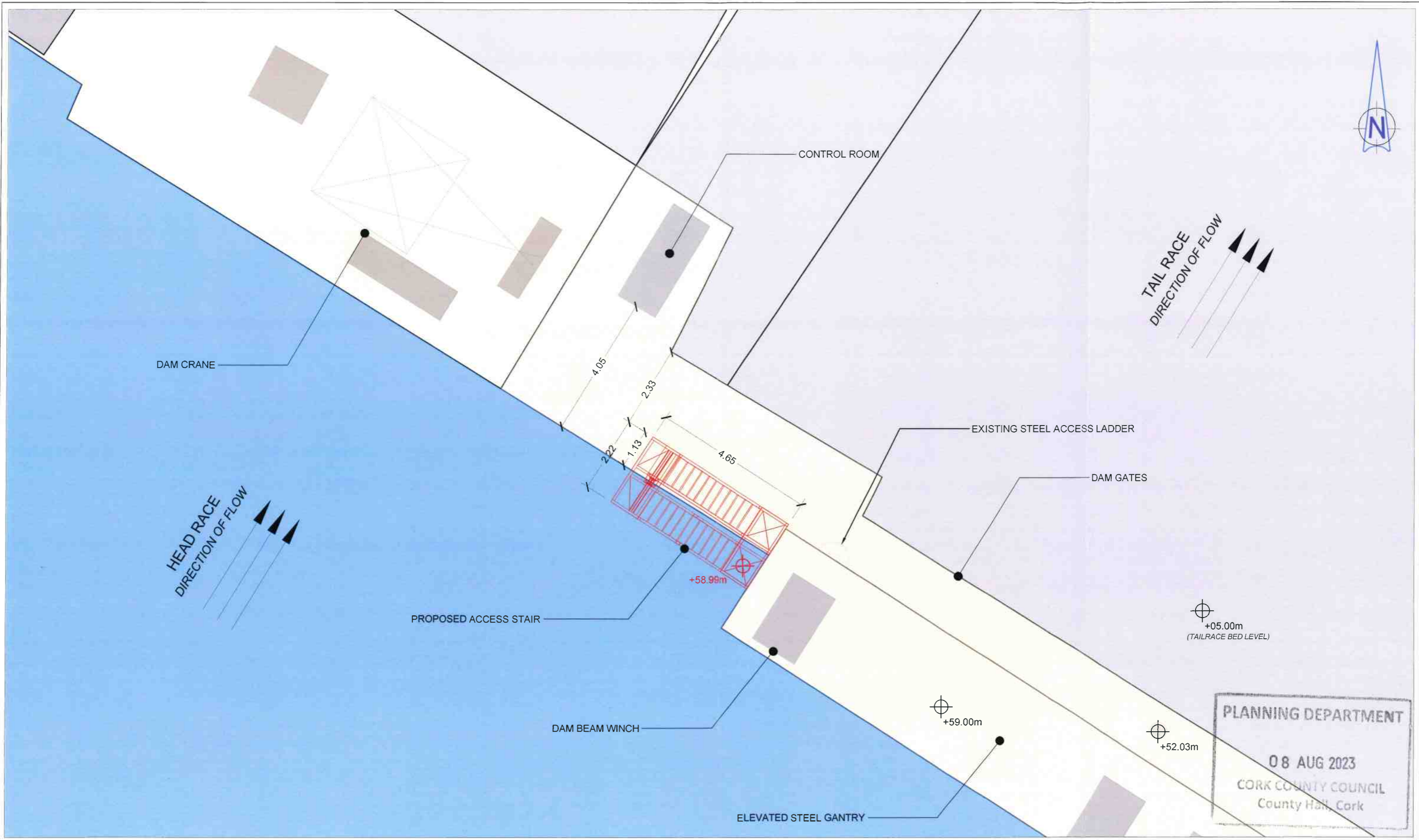
ESB Ownership Boundary

**SITE LOCATION MAP - 1:5000**

 Planning & Asset Management, 41 - 43 Merrion Square East, Dublin 2, Ireland.		SCALE <b>1:5000</b>	
<b>ESB Inishcarra Hydro Station - Steel Frame Access Stair</b>			
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**APPENDIX D - SITE LAYOUT DRAWING**

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ESB Ownership Boundary

**SITE LAYOUT MAP - 1:100**

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<b>ESB Inniscarra Hydro Station - Steel Frame Access Stair</b>			SCALE <b>1:100</b>
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PRODUCED BY CC	DATE 31/07/2023		INDEX NO. <b>001</b>
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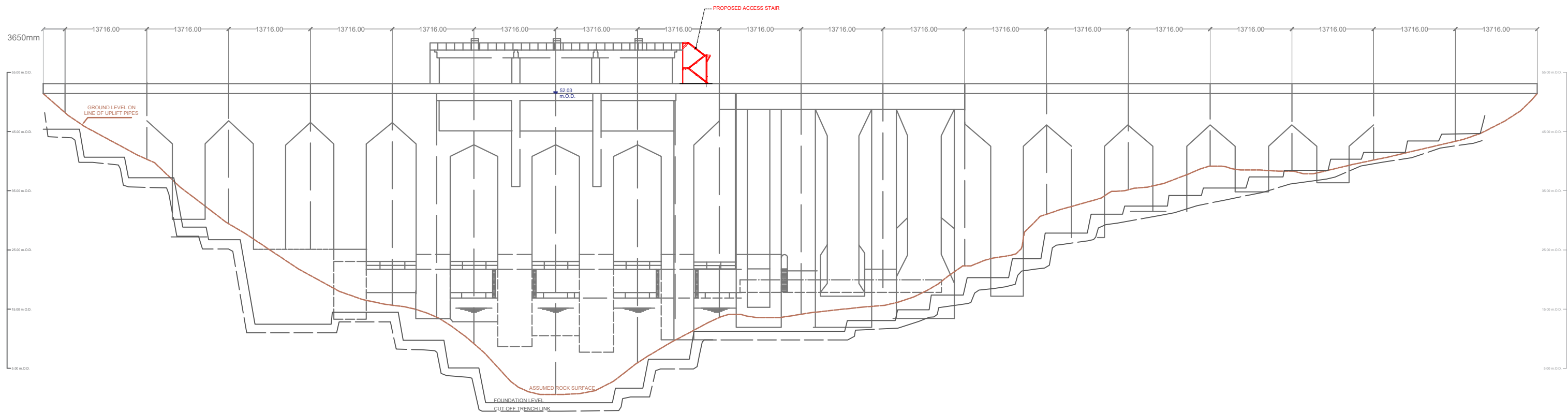
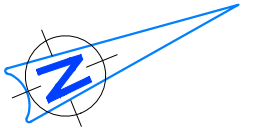
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**APPENDIX E -**

**DEVELOPMENT DRAWING**

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County Hall, Cork



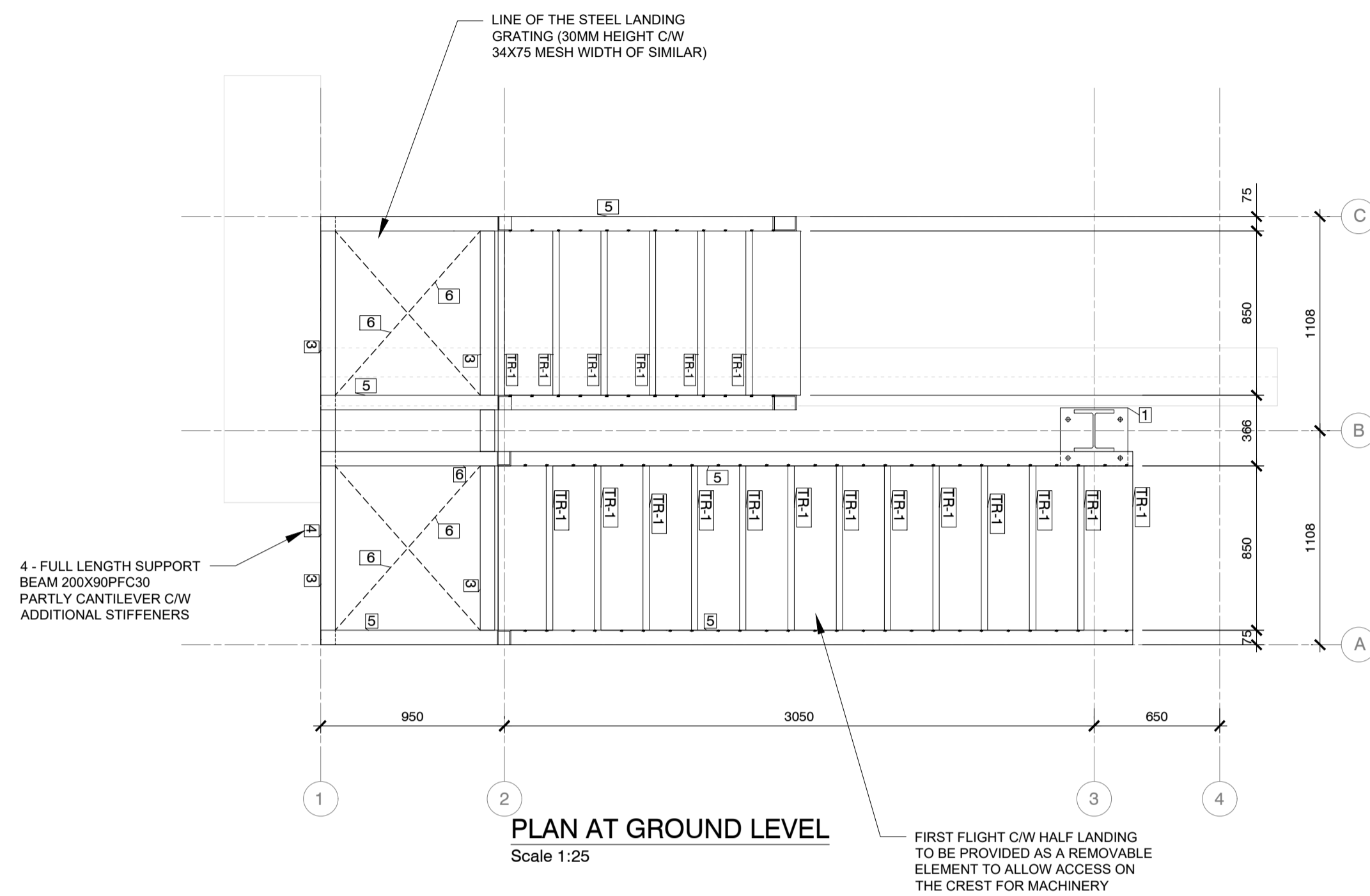
PROPOSED ACCESS STAIR

### CONTEXTUAL ELEVATION DRAWING - NOT TO SCALE



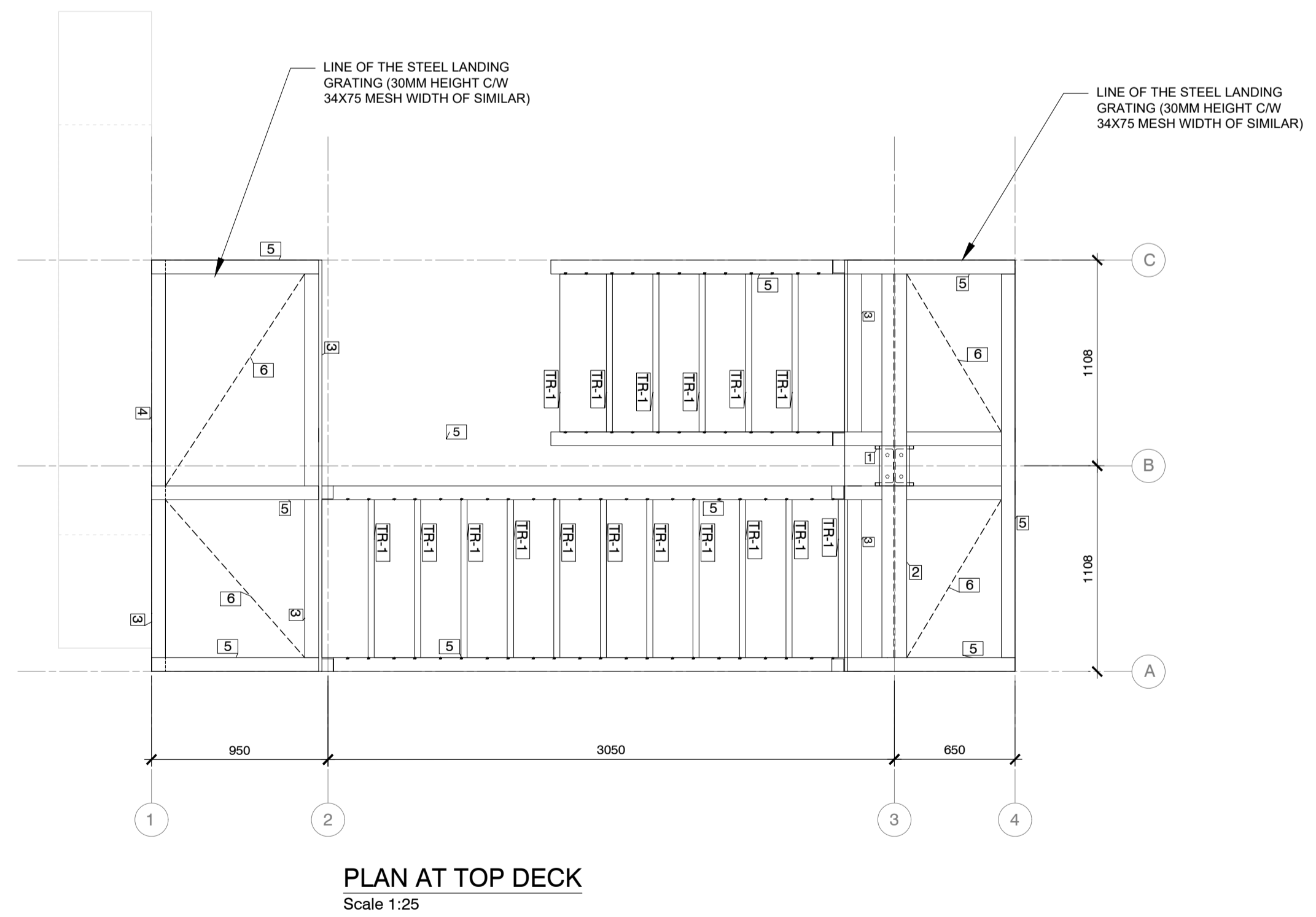
Planning & Asset Management,  
41 - 43 Merrion Square East,  
Dublin 2,  
Ireland.


ESB Inniscarra Hydro Station - Steel Frame Access Stair				SCALE
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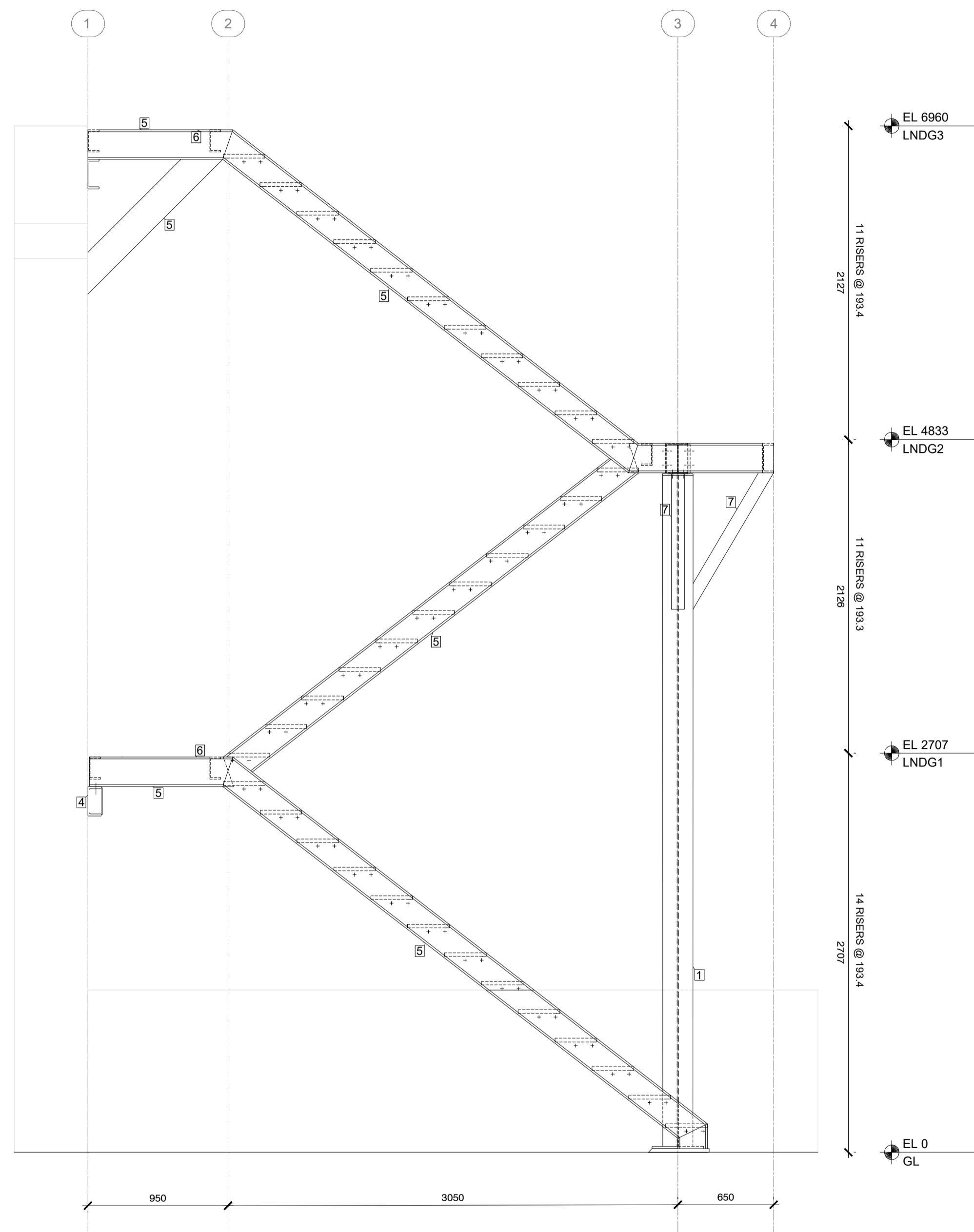


- PROFILE LEGEND:
- 1 - 203UC71
  - 2 - 203x133UB30
  - 3 - 150x50PFC 18
  - 4 - 200x50PFC 30
  - 5 - 200x75PFC 23
  - 6 - 50x5 EGA

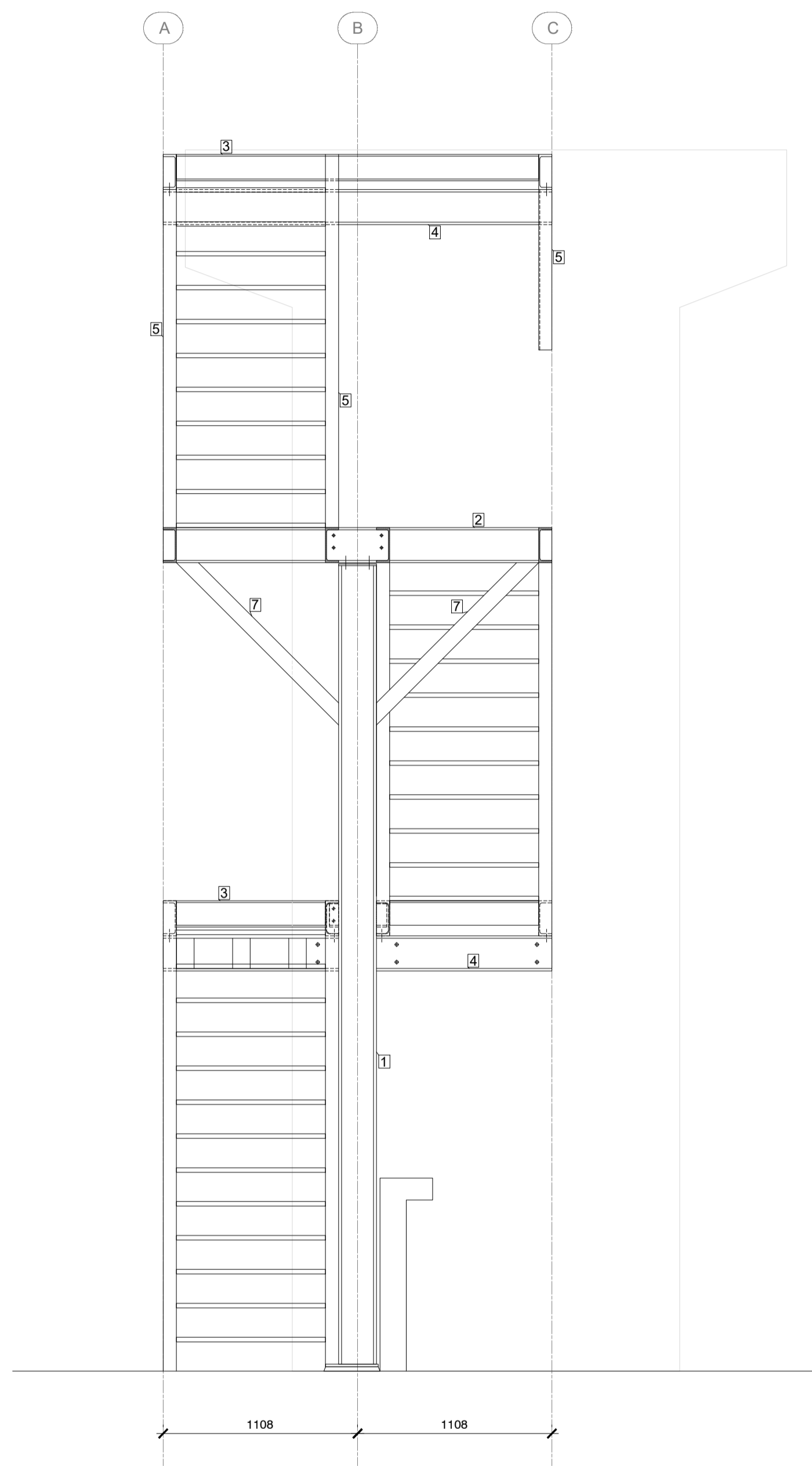
- GENERAL NOTES:
- STEEL FRAME VIEW, NOT TO SCALE, SHOWN FOR MAIN FRAME PROFILES INFORMATION.
  - THE STEELWORK CONTRACTOR SHALL TAKE ALL NECESSARY SITE DIMENSIONS.
  - THE STEELWORK SHALL BE CONSTRUCTED IN LINE WITH THE REQUIREMENTS OF THE NSSS FOR AN EXECUTION CLASS 2 STRUCTURE.
  - THE CAPACITIES OF THE CONNECTION COMPONENTS BASED ON THE RULES GIVEN IN CLAUSE 3.6 OF EN 1993-1-8 IRL (2012).
  - NOTE THAT ANY ELEMENT OR DETAIL NOT SHOWN ON THIS SKETCH SHOULD BE CONSTRUCTED AS PER ORIGINAL DETAILS.
  - ALL STEEL TO BE GRADE S275 JO TO IS EN 10025-2:2019.
  - MIN BOLTS GRADE TO BE 8.8 THE MANUFACTURER'S MARKS (AS PER ISO898) SHALL BE CLEARLY MARKED ON ALL NUTS/BOLTS HEADS.
  - MIN WELD SIZE TO BE 6MM FILLET WELD. ALL CRANK BEAM CONNECTIONS TO BE FULL PENETRATION BUTT WELDS, UNO.
  - ALL SIMPLE CONNECTIONS TO HAVE A MINIMUM OF 2NOM12 BOLTS. ALL MOMENT CONNECTIONS TO HAVE A MINIMUM OF 4NO M12 BOLTS.
  - STEEL TO BE HOT DIP GALVANIZED TO MEET A C3 ENVIRONMENT 85MM GALVANIZED COATING ACCORDING TO IS EN/ISO 1461.
  - A HIGH STRENGTH NON SHRINK TYPE R4 GROUT SUCH AS CONBEXTRA GP BY FOSROC OR SIMILAR APPROVED FOR BEDDING STEEL BASES ON CONCRETE FOUNDATIONS IS REQUIRED. FOUNDATIONS ARE TO BE PRE-SOAKED WITH WATER THE DAY PRIOR TO GROUTING OF A BASE PLATE.



0	XX/05/23	ISSUED FOR PLANNING PERMISSION	BA	DG		
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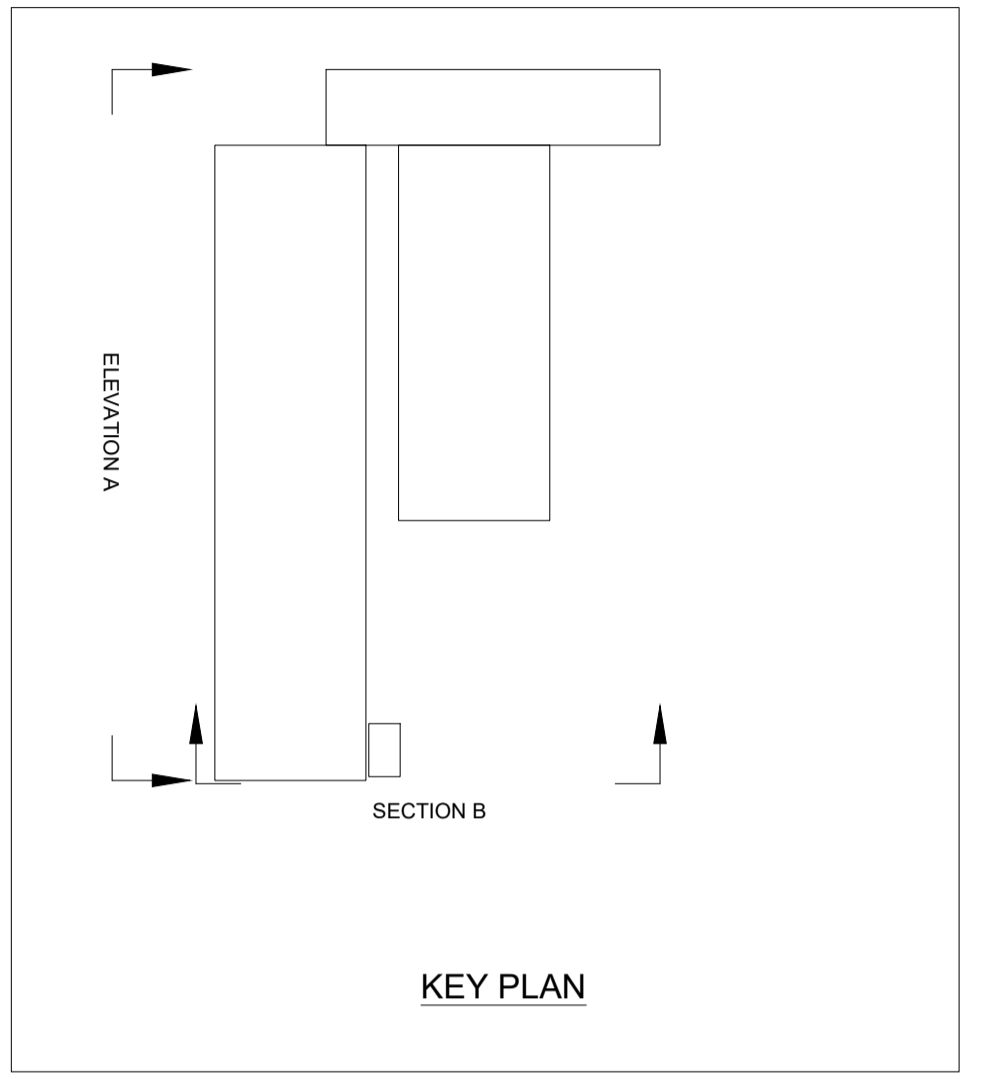


ELEVATION A  
SCALE 1:25



SECTION B - VIEW ON THE COLUMN SECTION  
SCALE 1:25

- PROFILE LEGEND:
- 1 - 203UC71
  - 2 - 203x133UB30
  - 3 - 150x50PFC 18
  - 4 - 200x90PFC 30
  - 5 - 200x75PFC 23
  - 6 - 50x5 EOA
  - 7 - 88.9x8 CHS



KEY PLAN

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PURPOSE OF ISSUE - PRELIMINARY UNLESS INDICATED  
 CLIENT APPROVAL  PLANNING  TENDER  CONSTRUCTION  AS-BUILT

CLIENT CH

PROJECT INNISCARRA STEEL PROPOSED STAIRWAY

CONTRACT

DRAWING TITLE PROPOSED STAIRWELL DETAILS

PRODUCTION UNIT Civil Environmental & Renewable Engineering

Engineering and Major Projects,  
One Dublin Airport Central, Dublin Airport,  
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