

# Comhairle Cathrach Chorcaí Cork City Council

Halla na Cathrach, Corcaigh - City Hall, Cork - T12 T997

McDonalds, c/o Rachel Kendrew, InstaVolt Europe Limited, 3 Burlington Road, Dublin 4, Dublin D04 RD68.

05/03/2024

RE:

Section 5 Declaration R821/24 McDonalds, Douglas Village,

Douglas, Cork T12 K840

A Chara,

With reference to your request for a Section 5 Declaration at the above-named property, received on 09<sup>th</sup> January 2024, and further information received 14<sup>th</sup> February 2024, I wish to advise as follows:

In view of the above and having regard to:

- Sections 2, 3, and 4 of the Planning and Development Act 2000 as amended, and
- Articles 6, 9 and 10 and Part 1 of Schedule 2 of the Planning and Development Regulations 2001 to 2018

The Planning Authority considers that -

the construction of two EV charging units, electrical feeder pillars, electrical ducting, associated road marking, and resurfacing within the car park at McDonalds, Douglas Village, Douglas, Cork IS DEVELOPMENT and IS NOT EXEMPTED DEVELOPMENT.

Under Section 5(3)(a) of the Planning and Development Act, 2000, you may, on payment of the appropriate fee, refer this declaration for review by An Bord Pleanála within 4 weeks of the date it is issued, 05<sup>TH</sup> March 2024.

We are Cork.

Is mise le meas,
Sate lagre

Kate Magner

**Development Management Section** 

Community, Culture and Placemaking Directorate

**Cork City Council** 

#### PLANNER'S REPORT

#### Ref. R 821/24

Cork City Council

Development Management

Strategic Planning and Economic Development

Application type

**SECTION 5 DECLARATION** 

Question

Is the construction of two EV charging units, electrical feeder pillars, electrical ducting, associated road marking, and resurfacing within the car park of McDonalds, Douglas development and, if so, is it

exempted development?

Location

McDonalds, Douglas Village, Douglas, Cork

**Applicant** 

InstaVolt Europe Limited

Date

05/03/2024

Recommendation

Is development and is not exempted development

This report is to be read in conjunction with previous planning report, dated 06/02/2024, which requested further information.

#### 1. FURTHER INFORMATION ASSESSMENT

Further Information was requested on 08/02/2024. A response to same was received on 14/02/2024. There were 2 (two) No. items of further information requested.

#### 1. In relation to Class 29B(a)(i), the following is noted:

#### CLASS 29B

Development consisting of -

- (a) the construction of a charging hub for electric vehicles that contain —
- (i) not more than one substation or mini pillar to which Class 29 applies

There are two No. feeder pillars proposed for the proposed development, 'RMC 1600 Feeder Pillar' and 'CTME 400A Feeder Pillar'. In this regard, while the cumulative area of same is less than the maximum allowable volume, this clause states that not more than one substation or mini-pillar is allowed.

The applicant is requested to address this point and ensure that only one substation/mini-pillar is provided in accordance with Class 29B (a) (i). The applicant is requested to submit (fully dimensioned) scaled drawings which clearly show a single substation/mini-pillar in accordance with Class 29B(a)(i).

The applicant has submitted a response stating that the two mini-pillars would be required as the option for a singular mini-pillar provided by the ESB does not give adequate space for the equipment that the applicant needs. Therefore, the applicant is applying for two no. mini-pillars.

While there are no issues from a planning point of view to the proposed development, the clause in Class 29B (a)(i) clearly states that not more than one substation or mini-pillar is permitted under this exempted development class.

Therefore the development is not considered exempt.

2. In relation to the conditions/limitations relating to Class 29B, the following is noted:

#### CLASS 29B

Condition/Limitation

The development shall be situated -

(b) not closer than 500 metres to any charging hub that forms part of any other development to which Class 29B applies.

It is noted, from a brief desktop study, that a number of electric vehicle charging points appear to be located within 500m of the proposed development site, namely, but not restricted to, within Douglas Village Shopping Centre and within O'Sullivan's Bar and Restaurant site.

The applicant is requested to address this point and provide full details documenting how the proposal complies with this condition/limitation.

The applicant has submitted a response with a review of other electric vehicle charging points relevant to this clause in 29B(b). The applicant notes the presence of another charging point within the Douglas area, however this is stated as being approx.. 650m from the subject site.

This response is considered acceptable.

#### 2. ADDITIONAL ENVIRONMENTAL ASSESSMENT

I note the provisions of sections 4(4), 4(4A) and 177U(9) of the Act which state,

#### Section 4(4),

Notwithstanding paragraphs (a), (i), (ia) and (I) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.

#### Section 4(4A)

Notwithstanding subsection (4), the Minister may make regulations prescribing development or any class of development that is—

- (a) authorised, or required to be authorised by or under any statute (other than this Act) whether by means of a licence, consent, approval or otherwise, and
- (b) as respects which an environmental impact assessment or an appropriate assessment is required,

to be exempted development.

#### Section 177U(9)

In deciding upon a declaration or a referral under section 5 of this Act a planning authority or the Board, as the case may be, shall where appropriate, conduct a screening for appropriate assessment in accordance with the provisions of this section.

#### Screening for Environmental Impact Assessment

Having regard to the contents of Article 103 and Schedule 7 of the Planning and Development Regulations 2001, as amended it is considered that the response to the further information

relating to the proposed development by reason of its nature, scale and location would not be likely to have significant effects on the environment. Accordingly it is considered that environmental impact assessment is not required.

#### **Screening for Appropriate Assessment**

The applicant has not submitted an appropriate assessment screening report. The relevant European sites are the Cork Harbour SPA (site code 004030) and the Great Island Channel cSAC (site code 001058). Having regard to the location of the proposed development site relative to these European sites and related watercourses and to the nature and scale of the proposed development it is considered that the response to the further information relating to the proposed development would not affect the integrity of these European sites. Accordingly it is considered that appropriate assessment is not required.

#### 3. RECOMMENDATION

In view of the above and having regard to -

- Sections 2, 3, and 4 of the Planning and Development Act 2000 as amended, and
- Articles 6, 9 and 10 and Part 1 of Schedule 2 of the Planning and Development Regulations 2001 to 2018

the planning authority considers that -

the construction of two EV charging units, electrical feeder pillars, electrical ducting, associated road marking, and resurfacing within the car park at McDonalds, Douglas Village, Douglas, Cork IS DEVELOPMENT and IS NOT EXEMPTED DEVELOPMENT.

Eoin Cullinane Executive Planner 05/03/2024

#### Kate Magner

From:

Planning Team

Sent:

Wednesday 14 February 2024 16:37

To:

Kate Magner

Subject:

RE: Section 5 Application - InstaVolt

You don't often get email from planning@instavolt.co.uk. Learn why this is important

**[EXTERNAL EMAIL]** This email originated from outside Cork City Council. Do not follow guidance, click links or attachments unless you recognise the sender and know the content is safe.

#### Hi Kate

Thanks for confirming and sorry for the slight delay in getting back to you.

Regarding point number 1 – Within the Section 5 statement submitted as part of this application, we did address this point by explaining the two combined feeder pillars are well under the 11 cubic metres maximum permitted under class 29. So, even though there are two boxes, they are both small and don't accumulate more harm than one larger unit would do. Secondly, the DNO, ESB does stipulate (within their National Code of Practice) that the customer (in this case, InstaVolt) must provide a customer service pillar to ESB at our own cost. Looking at my snippet below, compartments A, B, and C are for housing ESB's equipment, leaving compartment D for InstaVolt use. This compartment does not have sufficient space for InstaVolt to install our fuse boards etc. As a result, InstaVolt don't have any option but to install a second feeder pillar to ensure we can provide sufficient power to our equipment.

#### Option 3: Customer Service Pillar - CT Meter Connection

Minimum Overall Dimensions

High as shown x wide as shown x 225mm deep

Root depth: 350mm

Compartments A, B and C are for housing the DSO fuse unit, DSO CTs and DSO meter respectively.

Compartment D is for the customer equipment.

The customer shall supply, own and maintain the enclosure. If the customer requires additional secure locking, they shall incorporate a Keysafe to hold the key to the secure lock.



Regarding point number 2 – from my research, I can only see 1 charger within the O'Sullivan's Bar & Restaurant. Google Maps tells me the distance for an electric vehicle to get between McDonalds and O'Sullivan's is 650m. The charger at O'Sullivan's is also only a 'fast' charger (from 7kW to 22Kw), whilst InstaVolt's charger is a 160kW charger, so classed as 'rapid'. Due to this reasoning, we believe our proposal complies with this condition/limitation.

I hope the above is positively considered and our application granted accordingly.

Many thanks

Alice

#### **Planning Team**

InstaVolt

T: +44 1256 305900 www.instavolt.com



# Comhairle Cathrach Chorcaí Cork City Council

Halla na Cathrach, Corcaigh - City Hall, Cork - T12 T997

McDonalds, c/o Rachel Kendrew, InstaVolt Europe Limited, 3 Burlington Road, Dublin 4, Dublin D04 RD68.

08/02/2024

RE: Section 5 Declaration R821/24 McDonalds, Douglas Village,
Douglas, Cork T12 K840

A Chara,

With reference to your request for a Section 5 Declaration at the above-named property, received on 09<sup>th</sup> January 2024, I wish to advise under the provisions of section 5(2)(b) of the Planning and Development Act 2000, as amended, that further information is required in order to properly assess this application.

1. In relation to Class 29B(a)(i), the following is noted:

CLASS 29B

Development consisting of -

- (a) the construction of a charging hub for electric vehicles that contain—
- (i) not more than one substation or mini pillar to which Class 29 applies

There are two No. feeder pillars proposed for the proposed development, 'RMC 1600 Feeder Pillar' and 'CTME 400A Feeder Pillar'. In this regard, while the cumulative area of same is less than the maximum allowable volume, this clause states that not more than one substation or mini-pillar is allowed.



The applicant is requested to address this point and ensure that only one substation/minipillar is provided in accordance with Class 29B (a) (i). The applicant is requested to submit (fully dimensioned) scaled drawings which clearly show a single substation/mini-pillar in accordance with Class 29B(a)(i).

2. In relation to the conditions/limitations relating to Class 29B, the following is noted:

CLASS 29B

Condition/Limitation

The development shall be situated -

(b) not closer than 500 metres to any charging hub that forms part of any other development to which Class 29B applies.

It is noted, from a brief desktop study, that a number of electric vehicle charging points appear to be located within 500m of the proposed development site, namely, but not restricted to, within Douglas Village Shopping Centre and within O'Sullivan's Bar and Restaurant site.

The applicant is requested to address this point and provide full details documenting how the proposal complies with this condition/limitation.

Is mise le meas.

Kate Magner

**Development Management Section** 

Community, Culture and Placemaking Directorate

**Cork City Council** 

PLANNER'S REPORT

Ref. R 821/24

Cork City Council

Development Management Strategic Planning and Economic Development

Application type

SECTION 5 DECLARATION

Question

Is the construction of two EV charging units, electrical feeder pillars, electrical ducting, associated road marking, and resurfacing within the car park of McDonalds, Douglas development and, if so, is it

exempted development?

Location

McDonalds, Douglas Village, Douglas, Cork

**Applicant** 

InstaVolt Europe Limited

Date

08/02/2024

Recommendation

**Further Information Required** 

#### INTERPRETATION

In this report 'the Act' means the Planning and Development Act, 2000 as amended and 'the Regulations' means the Planning and Development Regulations, 2001 as amended, unless otherwise indicated.

#### 1. REQUIREMENTS FOR A SECTION 5 DECLARATION APPLICATION

Section 5(1) of the Planning and Development Act 2000 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.

The requirements for making a section 5 declaration are set out in the Act.

#### 2. THE QUESTION BEFORE THE PLANNING AUTHORITY

The question to the planning authority is framed using the phrasing of section 5. In my opinion the intention of the request is clear, and that it is entirely reasonable to consider the question before the planning authority as being

Is the construction of two EV charging units, electrical feeder pillars, electrical ducting, associated road marking, and resurfacing within the car park of McDonalds, Douglas development and, if so, is it exempted development?

#### 3. SITE DESCRIPTION

The site comprises an area of car-parking which serves the McDonalds restaurant/take-away in Douglas. The area is predominantly commercial in nature.

#### 4. DESCRIPTION OF THE DEVELOPMENT

The proposed development comprises of the installation of two EV charging units and associated works in the existing car-park of McDonalds in Douglas.

#### 5. RELEVANT PLANNING HISTORY

None.

#### 6. LEGISLATIVE PROVISIONS

#### 6.1 Planning and Development Act, 2000 as amended

#### Section 2(1)

"exempted development" has the meaning specified in section 4.

"structure" means any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined, and—

- (a) where the context so admits, includes the land on, in or under which the structure is situate, and
- (b) in relation to a protected structure or proposed protected structure, includes—
  - (i) the interior of the structure,
  - (ii) the land lying within the curtilage of the structure,
  - (iii) any other structures lying within that curtilage and their interiors, and
  - (iv) all fixtures and features which form part of the interior or exterior of any structure or structures referred to in subparagraph (i) or (iii).

"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.

#### Section 3(1)

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)(h)

- 4.(1) The following shall be exempted developments for the purposes of this Act—
- (h) 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;

#### Section 4(2)

Section 4(2) provides that the Minister may, by regulations, provide for any class of development to be exempted development. The principal regulations made under this provision are the Planning and Development Regulations 2001, as amended.

#### Section 4(3)

A reference in this Act to exempted development shall be construed as a reference to development which is—

- (a) any of the developments specified in subsection (1), or
- (b) development which, having regard to any regulations under subsection (2), is exempted development for the purposes of this Act.

#### Section 5(1)

See section 1 of this report.

#### Section 57(1)

Notwithstanding section 4(1)(a), (h), (i), (ia), (j), (k), or (l) and any regulations made under section 4(2), the carrying out of works to a protected structure, or a proposed protected structure, shall be exempted development only if those works would not materially affect the character of

- (a) The structure, or
- (b) Any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

#### 6.2 Planning and Development Regulations 2001 to 2018 as amended

#### Article 5(2)

In Schedule 2, unless the context otherwise requires, any reference to the height of a structure, plant or machinery shall be construed as a reference to its height when measured from ground level, and for that purpose "ground level" means the level of the ground immediately adjacent to the structure, plant or machinery or, where the level of the ground where it is situated or is to be situated is not uniform, the level of the lowest part of the ground adjacent to it.

#### Article 6(1)

Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

#### Article 9

Article 9 sets out restrictions on exemptions specified under article 6.

#### (Article 6) Schedule 2, Part 1, Classes 29, 29A and 29B

Classes 29, 29A and 29B relate to development for the provision of EV charging units, and their associated equipment, for electric vehicles.

#### Schedule 2, Part 1,

#### Exempted Development — General

Column 1 Description of Development	Column 2 Conditions and Limitations
CLASS 29 The carrying out by any electricity undertaking of development consisting of the construction or erection of a unit substation (excluding a charging point for electric vehicles) or minipillar for the distribution of electricity at a voltage not exceeding a nominal value of 20kV	The volume above ground level of any such unit substation or minipillar shall not exceed 11 cubic metres, measured externally.
CLASS 29A	

	(22.00.00)
Column 1 Description of Development	Column 2 Conditions and Limitations
bescription of bevelopment	Conditions and Emmedians
Development consisting of —  (a) the construction of a charging point for	Advertising signage or other advertising material shall not be affixed to, or placed at, charging point situated on a public
electric vehicles that –	road other than for the purpose of –  (a) identifying the charging point,
(i) in the case of a charging point situated on a public road, does not exceed 0.75 cubic	
metres by volume above ground, and (ii) in all other cases, does not exceed 3.6 cubic metres by volume above ground,	(b) providing instructions in relation to fees and to the use of the charging point, or
(b) the adaptation of a street lighting pole for the	(c) providing the contact details of the operator, manager or owner
purposes of the provision of both street lighting and a charging point for electric vehicles,	of the charging point.
(c) the adaptation of a car parking payment	
machine situated on a public road for the	
purpose of both the making of payments for	1 1
car parking and a charging point for electric	
vehicles, or	
(d) the construction of bollards not exceeding –	
(i) 1.2 metres in height, and	30 A D
(ii) 0.2 cubic metres by volume above ground,	The same of the second of the s
for the purpose of protecting such charging point,	
provided that such electrical construction or	
adaptation is carried out by a registered electrical contractor within the meaning of section 9D of the Electricity Regulation Act 1999 (No. 23 of 1999).	
CLASS 29B	( magin')
Development consisting of –	The development shall be situated –
(a) the construction of a charging hub for electric vehicles that contain —	(a) at a place (other than a public road) where parking facilities are provided, the development
(i) not more than one substation or mini pillar to which Class 29 applies, and	of which was carried out in accordance with the
(ii) not more than 4 charging points to which Class 29A applies, or	requirements of the Planning and Development Act 2000 (No. 30 of 2000), and
(b) the construction of bollards not exceeding –	(b) not closer than 500 metres to
(i) 1.2 metres in height, and	any charging hub that forms

Column 1 Description of Development	Column 2 Conditions and Limitations
(ii) 0.2 cubic metres by volume above ground,  for the purpose of protecting each such charging point,	part of any other development to which Class 29B applies.
provided that such electrical construction is carried out by a registered electrical contractor within the meaning of section 9D of the Electricity Regulation Act 1999 (No. 23 of 1999).	

#### 7. ASSESSMENT

#### 7.1 Development

The first issue for consideration is whether or not the matter at hand is 'development', which is defined in the Act as comprising two chief components: 'works' and / or 'any material change in the use of any structures or other land'.

'Works' is defined in section 3(1) of the Act as including 'any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal'. In relation to the installation of two no. EV charging points and associated equipment and works, it is clear that that the installation of this external component comprises 'works'. As the proposal comprises 'works', it is clearly therefore 'development' within the meaning of the Act.

#### CONCLUSION

#### Is development

#### 7.2 Exempted development

The next issue for consideration is whether or not the matter at hand is exempted development. Section 2(1) of the Act defines 'exempted development' as having 'the meaning specified in section 4' of the Act (which relates to exempted development).

Section 4(3) of the Act states that exempted development either means development specified in section 4(1) or development which is exempted development having regard to any regulations under section 4(2).

I consider that the proposal comes within subsection (2) of section 4, i.e. the Regulations, and not subsection (1).

#### Section 4(1)

I do not consider that the proposal comes within the scope of section 4(1) of the Act.

#### Section 4(2)

It is therefore necessary to consider whether the proposed rear extension comes under the scope of section 4(2) (i.e. exemptions specified in the Regulations), having regard to the use of the word 'or' in section 4(3).

I consider that article 6 and Classes 29,29A and 29B apply, as it is for the installation of EV charging units, and their associated equipment, for electric vehicles.

Having assessed the proposed woks against these classes, and their conditions and limitations, I find as follows:

It is proposed to install 2 no. electric vehicle charging points and their associated equipment into an existing car-park area. The proposals comply with all conditions/limitations in relation to classes 29, 29A and 29B with the exception of the following:

#### CLASS 29B

Development consisting of -

- (a) the construction of a charging hub for electric vehicles that contain -
  - (i) not more than one substation or mini pillar to which Class 29 applies

There are two No. feeder pillars proposed for the proposed development, 'RMC 1600 Feeder Pillar' and 'CTME 400A Feeder Pillar'. In this regard, while the cumulative area of same is less than the maximum allowable volume, this clause states that not more than one substation or mini-pillar is allowed.

Further information should be requested to allow the applicant address this point and ensure that only one substation/mini-pillar is provided in accordance with Class 29B (a) (i).

#### CLASS 29B

Condition/Limitation

The development shall be situated -

(b) not closer than 500 metres to any charging hub that forms part of any other development to which Class 29B applies.

It is noted, from a brief desktop study, that a number of electric vehicle charging points appear to be located within 500m of the proposed development site, namely within Douglas Village Shopping Centre and within O'Sullivan's Bar and Restaurant site.

Further information should be requested to allow the applicant address this point and that all conditions/limitations are met in relation to this item.

#### Restrictions on exemption

I do not consider that any apply in this instance.

#### CONCLUSION

**Further Information Required** 

#### 8. ENVIRONMENTAL ASSESSMENT

I note the provisions of sections 4(4), 4(4A) and 177U(9) of the Act which state,

Section 4(4),

Notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.

#### Section 4(4A)

Notwithstanding subsection (4), the Minister may make regulations prescribing development or any class of development that is—

- (a) authorised, or required to be authorised by or under any statute (other than this Act) whether by means of a licence, consent, approval or otherwise, and
- (b) as respects which an environmental impact assessment or an appropriate assessment is required,

to be exempted development.

#### Section 177U(9)

In deciding upon a declaration or a referral under section 5 of this Act a planning authority or the Board, as the case may be, shall where appropriate, conduct a screening for appropriate assessment in accordance with the provisions of this section.

#### 8.1 Screening for Environmental Impact Assessment

Having regard to the contents of Article 103 and Schedule 7 of the Planning and Development Regulations 2001, as amended it is considered that the proposed development by reason of its nature, scale and location would not be likely to have significant effects on the environment. Accordingly it is considered that environmental impact assessment is not required.

#### 8.2 Screening for Appropriate Assessment

The applicant has not submitted an appropriate assessment screening report. The relevant European sites are the Cork Harbour SPA (site code 004030) and the Great Island Channel cSAC (site code 001058). Having regard to the location of the proposed development site relative to these European sites and related watercourses and to the nature and scale of the proposed development it is considered that the proposed development would not affect the integrity of these European sites. Accordingly it is considered that appropriate assessment is not required.

#### 9. RECOMMENDATION

It is recommended that the following further information be sought:

1. In relation to Class 29B(a)(i), the following is noted:

#### CLASS 29B

Development consisting of -

- (a) the construction of a charging hub for electric vehicles that contain –
- (i) not more than one substation or mini pillar to which Class 29 applies

There are two No. feeder pillars proposed for the proposed development, 'RMC 1600 Feeder Pillar' and 'CTME 400A Feeder Pillar'. In this regard, while the cumulative area of same is less than the maximum allowable volume, this clause states that not more than one substation or mini-pillar is allowed.

The applicant is requested to address this point and ensure that only one substation/mini-pillar is provided in accordance with Class 29B (a) (i). The applicant is

requested to submit (fully dimensioned) scaled drawings which clearly show a single substation/mini-pillar in accordance with Class 29B(a)(i).

2. In relation to the conditions/limitations relating to Class 29B, the following is noted:

CLASS 29B

Condition/Limitation

The development shall be situated -

(b) not closer than 500 metres to any charging hub that forms part of any other development to which Class 29B applies.

It is noted, from a brief desktop study, that a number of electric vehicle charging points appear to be located within 500m of the proposed development site, namely, but not restricted to, within Douglas Village Shopping Centre and within O'Sullivan's Bar and Restaurant site.

The applicant is requested to address this point and provide full details documenting how the proposal complies with this condition/limitation.

Eoin Cullinane

A/Senior Executive Planner

06/02/2024

# COMHAIRLE CATHRACH CHORCAÍ CORK CITY COUNCIL

Strategic Planning & Economic Development Directorate, Cork City Council, City Hall, Anglesea Street, Cork. R-Phost/E-Mail planning@corkcity.ie Fón/Tel: 021-4924564/4321 Líonra/Web: www.corkcity.ie

#### SECTION 5 DECLARATION APPLICATION FORM

under Section 5 of the Planning & Development Acts 2000 (as amended)

# 1. POSTAL ADDRESS OF LAND OR STRUCTURE FOR WHICH DECLARATION IS SOUGHT

McDonalds Douglas Village Douglas Cork T12 K840

#### 2. QUESTION/ DECLARATION DETAILS

	PLEASE STATE THE SPECIFIC QUESTION FOR WHICH A DECLARATION IS SOUGHT:							
	Sample Question: Is the construction of a shed at No 1 Wall St, Cork development and if so, is it exempted development?							
	Note: only works listed and described under this section will be assessed under the section 5 declaration.							
	Is the construction of two EV charging units, electrical feeder pillars, electrical ducting, associated road							
	marking, and resurfacing within the car park of McDonalds, Douglas development and if so, is it exempted							
	development?							
	40-010-p110-111							
	ADDITIONAL DETAILS REGARDING QUESTION/ WORKS/ DEVELOPMENT:							
Many	ADDITIONAL DETAILS REGARDING QUESTION/ WORKS/ DEVELOPMENT: (Use additional sheets if required).							
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#### 3. 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 meters (sq. M)

	(a) Floor area of existing	ng/proposed structure	/s	N/A		
	location after 1 <sup>st</sup> Oo for which planning obtained)?	res been erected at th ctober, 1964, (includin permission has been	Yes No No If yes, please provide floor areas. (sq m)			
	Existing/ previous use (plea			/existing use (p		
	N/A		N/A			
	4. APPLICANT/ CONT.	ACT DETAILS				
	Name of applicant (princ	pal, not agent):	Rachael	Kendrew		
	Applicants Address	InstaVolt Europe Li 3 Burlington Road,	mited Dublin 4,	Dublin, D04R	D68	
		planning@instavolt.c	o.uk			
	Person/Agent acting on behalf of the Applicant (if any):	Name: Address:				
		Telephone:				
. Service of the serv		Fax:	, angle and a second and analysis of the second	and the second of the second seco	en communes. Design mente application and application of the second community	
		E-mail address:				
	Should all correspondent (Please note that if the answer is 'No address)		A CONTROL OF THE PARTY OF THE P	\$EK\$955648564656555	□ No ✓	
	5. LEGAL INTEREST					
	Please tick appropriate by legal interest in the land		s A. Ov	vner	B. Other Yes	
	Where legal interest is 'O your interest in the land/	ther', please state	Less	ee		
	If you are not the legal on name and address of the		First and	CDONALD'S RESTAURANTS OF IRELAND LIMITED st and Second Floor Office Suites, 14/15/16 Mary Street, Dublin, D01DH59.  M RONAYNE of Dunlavin House, Lavelly, Mallow, County Cork		

# Signature: Rachael Kendrew Date: 09/01/2024

6.1 / We confirm that the information contained in the application is true and accurate:

#### **ADVISORY NOTES:**

The application must be accompanied by the required fee of €80

The application should 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 Development Management Section, Strategic Planning & Economic Development Directorate, Cork City Council, City Hall, Anglesea Street, Cork.

- The Planning Authority may require further information to be submitted to enable the authority to issue the declaration.
- 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 is sought.
- Any person issued with a declaration may on payment to An Bord Pleanála refer a declaration for review by the Board within 4 weeks of the date of the issuing of the declaration.
- In the event that no declaration 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 was due to be issued by the Planning Authority.

The application form and advisory notes are non-statutory documents prepared by Cork City Council for the purpose of advising as to the type information is normally required to enable the Planning Authority to issue a declaration 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.

#### DATA PROTECTION

The use of the personal details of planning applicants, including for marketing purposes, may be unlawful under the Data Protection Act 1988-2003 and may result in action by the Data Protection Commissioner against the sender, including prosecution





# Section 05 Statement McDonalds - Douglas, Cork

09 January 2024 - Rev A



#### Introduction

Provision of two new electric vehicle changing stations and associated equipment at McDonalds car park. Situated just off the N40 and the R610 in Cork, T12 K840.

This statement is to be read in conjunction with all related documents and drawings uploaded as part of this Section 05 submission.

InstaVolt Ltd are proposing a development of two electric vehicle (EV) charging stations with associated equipment. InstaVolt own, install, and operate our own rapid EV charging stations, leading the way in EV charging infrastructure. Using the latest cutting edge technology, InstaVolt are helping to make the world an easier place to own and operate an electric vehicle providing rapid charging to any EV.

#### Section 05 Application

This application contains the relevant information to support InstaVolt's proposed development of two EV charging units within the car park of fast food restaurant chain, McDonalds. The development also includes the installation of electrical feeder pillars, electrical ducting, associated road marking, and resurfacing.

This statement aims to demonstrate that InstaVolt's proposal meets the criteria for exempted development in accordance with 'Planning and Development (Exempted Development) (No.2) Regulations 2021 (S.I.115 of 2021) – Electric Vehicle Charging Points and Hubs' under the conditions and limitations of Class 29a and Class 29b.

#### Site Location

The site in question is located at McDonalds - Douglas, Cork which is just off the national primary road N40 and the R610 regional road, making it ideal to service the many passing road users. The restaurant facility has an existing vehicular drive thru, car parking, landscaping, and lighting.

This site has sufficient space for the charging units and the location has been carefully selected to not interfere with day-to-day access, deliveries, movements around the carpark and existing utilities within the site. It will also have no detrimental impact on the surrounding spaces adjacent to the site.

The site area of the proposed development measures 61.52sqm and sits entirely within the landowner's ownership. The proposed chargers will sit on the top end of the middle row of parking bays, halfway around the car parks one way system.





Figure 1: Aerial snapshot of site location

# Site Description

There are no existing EV charging stations within the McDonalds car park. There is a one way vehicular system around the car park which includes 41 existing parking bays, not including the drive thru waiting bays.

Three existing parking bays will be utilised to install two EV charging stations, one to service each EV parking space. The EV parking bays will be clearly marked on the ground using line painting. The parking bays are measured at 4.6m x 7.2m and 4.5m and 7.2m.



Figure 2: Existing restaurant entrance



Figure 3: Existing location of proposed development



# Planning History

The below table demonstrates the recent planning history for the site in question.

Application Reference Number	Description	Decision		
084400	Construction of single storey extension to front of existing Drive- Thru Restaurant premises to accommodate play area and cafe, material alterations incorporating the re-cladding of all external walls and replacement of existing roof finishes, replacement of existing signage with new internally illuminated signage to three elevations.	Conditional 25/03/2008		
096064	Alterations to existing elevations & roof finishes, replacement of existing building signs with new signs, alterations to existing drivethru lane & new site signage to replace existing site signage.	Conditional 24/02/2010		
116572	Provision of 2 no. canopies over customer order points and sign at entrance of drive thru lane for advance notice of special offers and promotions.	Conditional 02/03/2012		

# Outline of Development

Section 05 Exempted Development consent is being sought for this development. As previously described, this development consists of the installation of two EV charging stations, electrical feeder pillars, electrical ducting, associated road marking, and resurfacing.

The proposed chargers are to be located on the top end of the middle row of diagonal parking bays. It will sit within the footprint of three existing parking bays.

There will be no increase in hardstanding or removal of existing landscaping/vegetation as the charging stations and electrical feeder pillars are to be positioned on the existing tarmac and block paving. The chargers will be installed flush to ground level.

Underground ducting will be completed to service all electrical infrastructure. The EV charging stations are powered by the electrical feeder pillars which are powered by the main ESB network.

Once complete, the development will provide two individual EV charging stations with their own dedicated parking bay.

# **Electric Vehicle Charging Stations**

InstaVolt's primary goal is to provide a fast and reliable rapid charge network. InstaVolt only use the latest DC rapid charging technology on its sites. Each station is equipped with two connecting plugs: CHAdeMO and CCS. These are the two most common types of connectors used on all EV's for DC charging.

To ensure ease of use for customers, InstaVolt chargers accept contactless payment via a debit or credit card. To use the chargers, there is no requirement to sign up to any apps or subscription services, users can simply tap and go to only pay for what is used.



The charging stations are safe, secure, and have 24-hour monitoring. Should an issue occur with a charging station, our control centre will be notified, and an engineer dispatched to the site. In addition to this, there is a telephone number of which the user can call for 24-hour support.

The charging units are 2.2m tall and 0.8m in width. For a more detailed breakdown of measurements, please refer to InstaVolt drawing titled '001\_29 BYD 160Kw charger'.



Figure 4: BYD 160 charger

#### **Electrical Feeder Pillars**

Along with the EV charging units, two electrical feeder pillars will be installed. These boxes provide housing for the point of connection from the EV charging units to the local distribution network operator, ESB.

The CTME 400A Feeder Pillar sits at 1.9m tall and 1.3m in width. For a more detailed breakdown of measurements, please refer to InstaVolt drawing titled '001\_49 CTME 400A – Feeder Pillar'.

The RMC2100 Feeder Pillar sits at 2.3m tall and 2.1m in width. For a more detailed breakdown of measurements, please refer to InstaVolt drawings titled '001\_27 Feeder Pillar – RMC2100 (with spacer)'.

# Drainage

The proposed installation will not have any impact on the hydrodynamic regime which currently exists on the site or the surrounding area. There will be a small amount of concrete installed for the foundations of the units, however this will not have any impact on the surface runoff associated with the site. The drainage which already occurs on the site will continue to operate as normal and will not be affected by the development.

In addition, the proposed infrastructure is raised off the ground to increase flood resistance. Equipment in the feeder pillar is at least 500mm above ground level as dictated by DNO installation guidelines. Further to this, there are many safety features built into the chargers which mean they would shut down in the event of a flood to protect the equipment. We are also able to remotely shut down the chargers in the event of an emergency or a developing flood situation.



#### Exempted Development No.2 Regulations 2021 S.I.115 of 2021

After a review of the 'Planning and Development (Exempted Development) (No.2) Regulations 2021 (S.I.115 of 2021) – Electric Vehicle Charging Points and Hubs' legislation, it is observed that this EV development can fall under exempted development, considering the limitations and conditions under Class 29a and Class 29b. These conditions and limitations are set out in the table below, taken from the Local Authority – Electrification of Fleet and EV Charging Guidance Document.

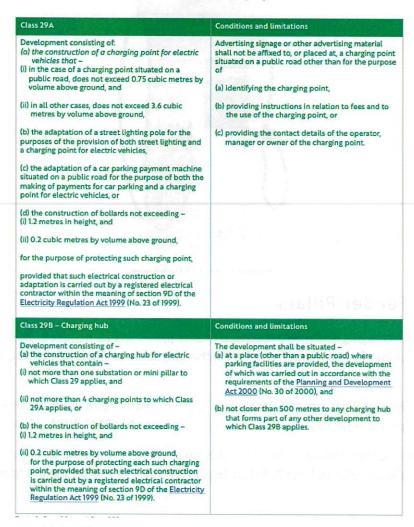


Figure 5: Table highlighting the conditions and limitations of Class 29a and Class 29b

# Justification of Exempted Development

Below is a breakdown of how this proposal complies with constraints set out within Exempted Development Regulations S.I.115. Please refer to Figure 5 for the full list of conditions and limitations.

#### **Off Street Parking**

To comply with Exempted Development Regulations, our development must be located 'at a place (other than a public road) where parking facilities are provided'. As the site is located within a McDonald's car park, which is private property, this condition can be met.



#### Single Charging Unit (being less than 3.6 cubic metres)

As per the measurements detailed on the equipment elevations drawing titled '001\_29 BYD 160Kw charger', it is calculated that a single charging unit does not exceed 3.6 cubic metres above ground. A single charging unit is 1.2 cubic metres above ground resulting in this proposal being compliant with the requirement in Class 29a.

#### Mini Pillar or Substation

Class 29b details that developments should consist of 'not more than one substation or mini pillar to which Class 29 applies'. Further to this Class 29 states:

'The carrying out by any electricity undertaking of development consisting of the construction or erection of a unit substation (excluding a charging point for electric vehicles) or mini pillar for the distribution of electricity at a voltage not exceeding a nominal value of 20kV.' and

'The volume above ground level of **any such unit substation or mini pillar shall not exceed 11 cubic metres,** measured externally.'

Considering these guidelines and the cubic metre measurement of the two electrical feeder pillars combined (4.34m3), this is significantly below the 11m3 measurement set out in Class 29. Each of InstaVolt's sites are carefully considered to ensure maximum safety and efficiency so the two proposed electrical feeder pillars effectively act as one larger unit, but we have the benefit of two much smaller units.

#### Charging Units within a Charging Hub

In order to conform with the Class 29b requirement of a charging hub being 'not more than 4 charging points to which Class 29a applies', all developments must propose no more than 4 charging points. To remain consistent with Exempted Development Regulations, this proposal includes only 2 charging points.

#### **Distance Between Charging Hubs**

As defined in Class 29b, for Exempted Development a charging hub development must not be located within 500m of another charging hub that Class 29b applies to. After a review of the local area, InstaVolt cannot find another charging hub within 500m of our proposed development developed under S.I 115.

#### **Bollards**

To be compliant with Exempted Development Regulations, bollards used for protecting charging units must not exceed 1.2m in height and 0.2 cubic metres by volume above ground. With reference to drawing titled '005\_02 Mitred Top Bollard Detail', it is clear the bollards protecting the charging units do not exceed these limitations as set out in Class 29b further confirming our compliance with Exempted Development Regulations.



# Suitability

All of InstaVolt's sites are driven forward with security, safety, accessibility, and sustainability in mind so Cork City Council can rest assured that our development proposal will aide their local communities in the transition to a low carbon economy for years to come.

By installing this infrastructure within a McDonalds car park, there are already customer facilities available including refreshments and bathroom facilities, plus other neighbouring retail outlets. Users can easily reach this site as it is ideally positioned close to the regional road R610 and major road N40. Having EV infrastructure situated close to major roads enables EV drivers to travel across Ireland with the same ease as petrol and diesel drivers.

The site has adequate space available for an installation like this and as two charging stations are being installed, single point of failure issues will be avoided. The development as a whole is small in scale meaning disruption on site during construction will be minimal and any visual harm to the area will be kept to a minimum.

# Local Planning Policy

Within the Cork City Council Development Plan 2022 – 2028, one of the strategic objectives for growth includes many Climate Change and Environment objectives which aim to

"to support transition to a low-carbon, climate-resilient and environmentally sustainable future."

Objective 5.22 on Electric Vehicles highlights that the use of electric vehicles is encouraged and supported through the provision of charging infrastructure within car parks. With InstaVolt's proposal to install two charging stations this is positively contributing to Cork City Council's demand for EV infrastructure to be implemented.

Within the same development plan, objective 5.1 within the Climate Change and Environment chapter aims to create a more climate resilient and low carbon city where communities participate in measures which have benefits on biodiversity. Objective 5.2 wishes to surpass the implementation of international policy in reducing carbon emissions to be net zero by 2050.

It is widely known that transport is a major contributor to carbon emissions which are a major cause in global warming and climate change. Councils can encourage the uptake of EVs by ensuring the relevant infrastructure is installed within popular and easily accessed locations. EVs run, either partially or wholly, on electricity meaning the adoption of EVs is crucial in reducing greenhouse gas emissions by 2050.

#### **Documents Submitted**

To comply with the requirements of Section 05 of the Planning and Development Act, 2000 (as amended), this application includes the following:

- Section 05 Application Form including relevant fee.
- Section 05 Statement.
- Drawing Register.
- Drawings including location plan, block plan, site layout and elevations and specifications for all equipment.



#### Conclusion

This section 05 application refers to the installation of two individual charging stations, electrical feeder pillars, electrical ducting, associated road marking, and resurfacing within the car park of McDonalds in Douglas, Cork which will provide essential infrastructure within the local area. Having regard to the above consideration, InstaVolt trust Cork City Council will review this submission as Exempted Development. We look forward to your acknowledgement of this section 05 application and if you require further information or clarification on anything contained within this request, do not hesitate to contact us.

Rachael Kendrew

Head of Project Development

InstaVolt

Email: <a href="mailto:planning@instavolt.co.uk">planning@instavolt.co.uk</a>
Telephone: +441256 305924

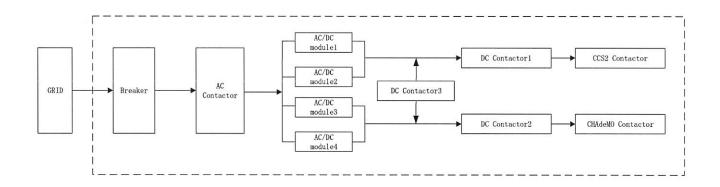


# EVD160KU/C01 Parameters of the manual V3.0

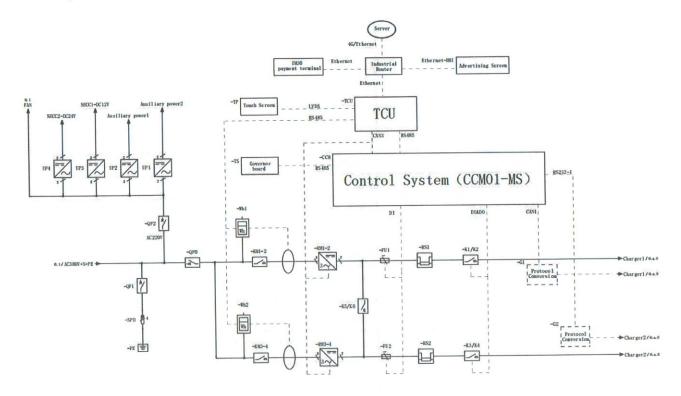
Part 1: Picture



Part 2: System Architectures



Part 3: System communication topology



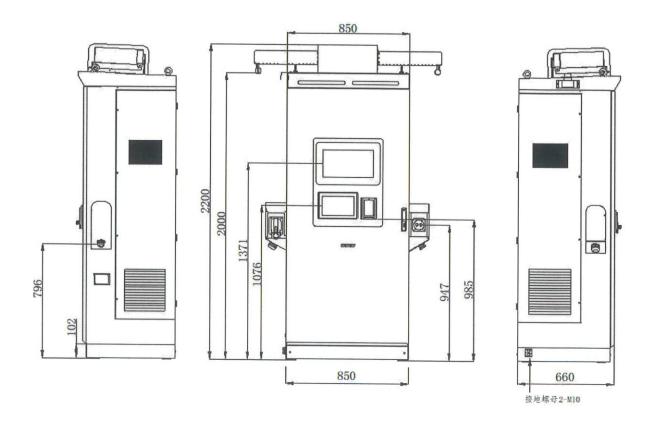
**Part 4: Main Technical Parameters** 

Specification	Model	EVD160KU/C01				
Power Input	Phases / Lines	3 phase + Neutral + PE	3 phase + Neutral + PE			
	Voltage	AC 400 V ± 10%	AC 400 V ± 10%			
	Frequency	50Hz				
Power Output	Voltage	DC 200~1000V	DC 200~500V			
	Current	Max. 400A	Max. 125A			
	Power	Max.160kW	Max. 62.5KW			
	Charging way	Simultaneous Charging				
Structure Design	Installation Method	Floor-stand	Floor-stand			
	Charging Outlet	DC CCS 2	DC CHAdeMO			
	Cable Length	4.8M	4.8M			
	LED Indicator	Yes				
	НМІ	10.1 in Color touch scre	een			
	LCD Screen	15.6 in Android screen				
	RFID Function	MIFARE Classic				
		NEMA EV 2018 standar	rd .			
		Apple VAS				
		Google Smart Tap				
	Energy meter	MID				

	Efficiency	> 94%( > 15KW)			
	Power Factor	> 0.98 (50% ~ 100% load)			
	Harmonics	iTHD < 5%			
	RCD	Yes			
Communication	Charger v.s. EV	PLC (DIN 70121: 2014-12/ ISO15118)			
	Communication Protocol	OCPP 1.6J			
Environmental Index	Operating Temperature	-30 °C ~ +50 °C			
	Working Humidity	5%~95% without condensation			
	Working Altitude	<2000M			
	Protection Grade	IP54			
	Application Site	Indoor/Outdoor			
	Cooling Method	Air-blast cooling			
	Noise	≦65dB			
Safety Protection	Multiple Protection	Over/Under voltage protection, Overload protection, Short Circuit Protection, Over/Under Temperature Protection, Grounding Protection, Surge Protection			
	Certification	CE marking: Complies with IEC 62196, IEC 61851EMC Compliance EU: EN55011, EN55022 and IEC61000-4Surge Protection: IEC 6100-4-5, Level 5 (6 kV @ 3,000A) or Greater			
Package Information	Net Weight	≤360KG			
	Gross Weight	≤440KG			
	External Packing	Wooden case			

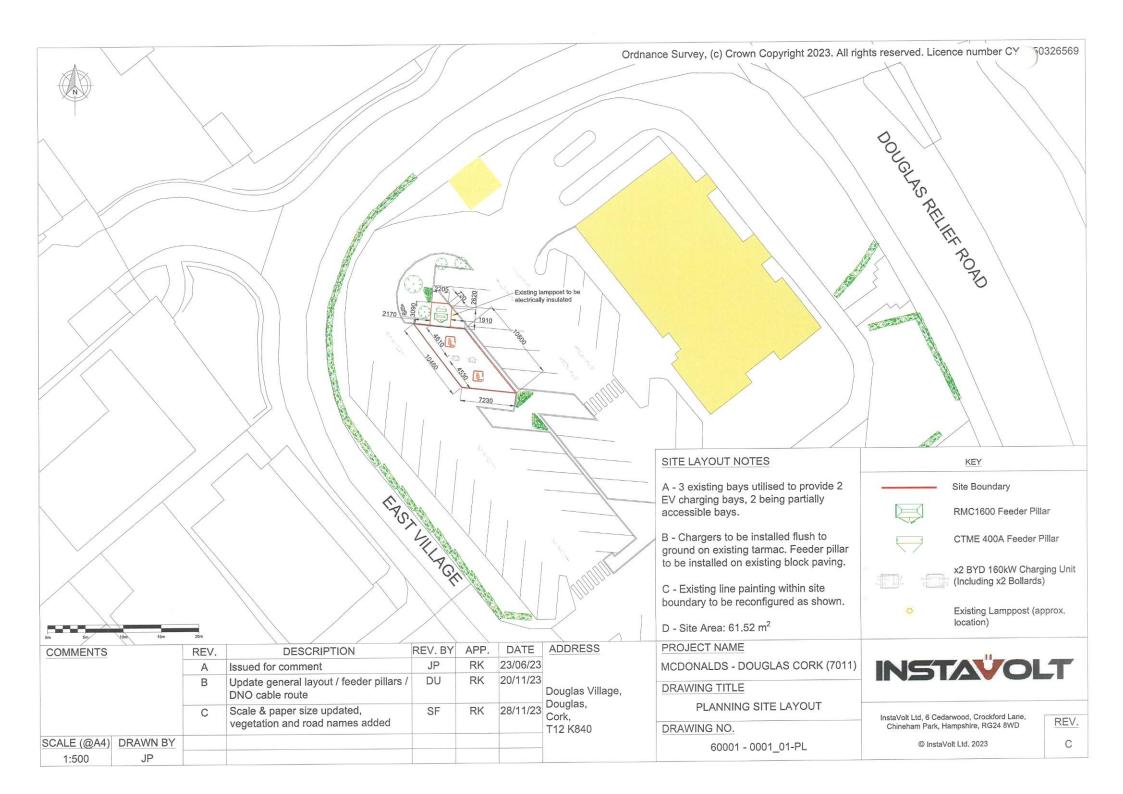
Trace C

Part 5: Dimension parameter

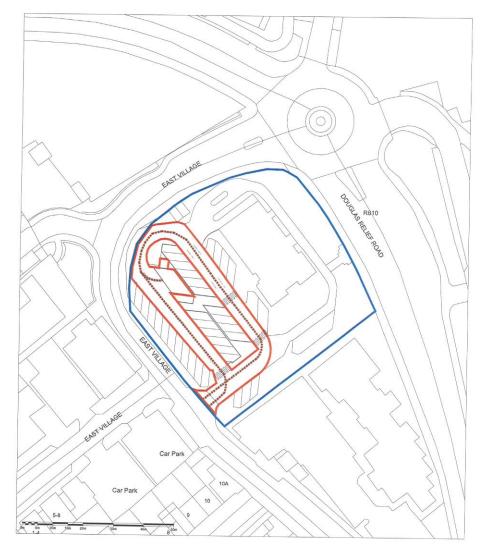


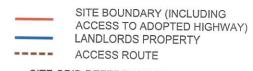
Dimension parameter: 850mm(W)\*2200mm(H)\*660mm(D)

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						UMBER:	60001 - 00	01		
	DAY									
			M	HTNC	1					
				YEAR	24					
DWG NO.	SIZE	DRAWING TITLE	SCALE	REV						
60001 - 0001_01-PL	A4	PLANNING SITE LAYOUT	(1:500)	D	Х					
60001 - 0001_02	A4	LOCATION PLAN	(1:1250)	D	Х					
60001 - 0001_03	A4	BLOCK PLAN	(1:500)	D	Х					
001_27	A3	FEEDER PILLAR - RMC2100 (WITH SPACER)	(1:25)	Α	Х					
001_29	АЗ	BYD 160kW CHARGER	(1:25)	А	Х					
001_49	А3	CTME 400A - FEEDER PILLAR	(1:25)	Α	Х					
005_02	A4	MITRED TOP BOLLARD DETAIL	(1:5/1:10)	В	Х					
					i e		1			









SITE GRID REFERENCE: W 70171 69586

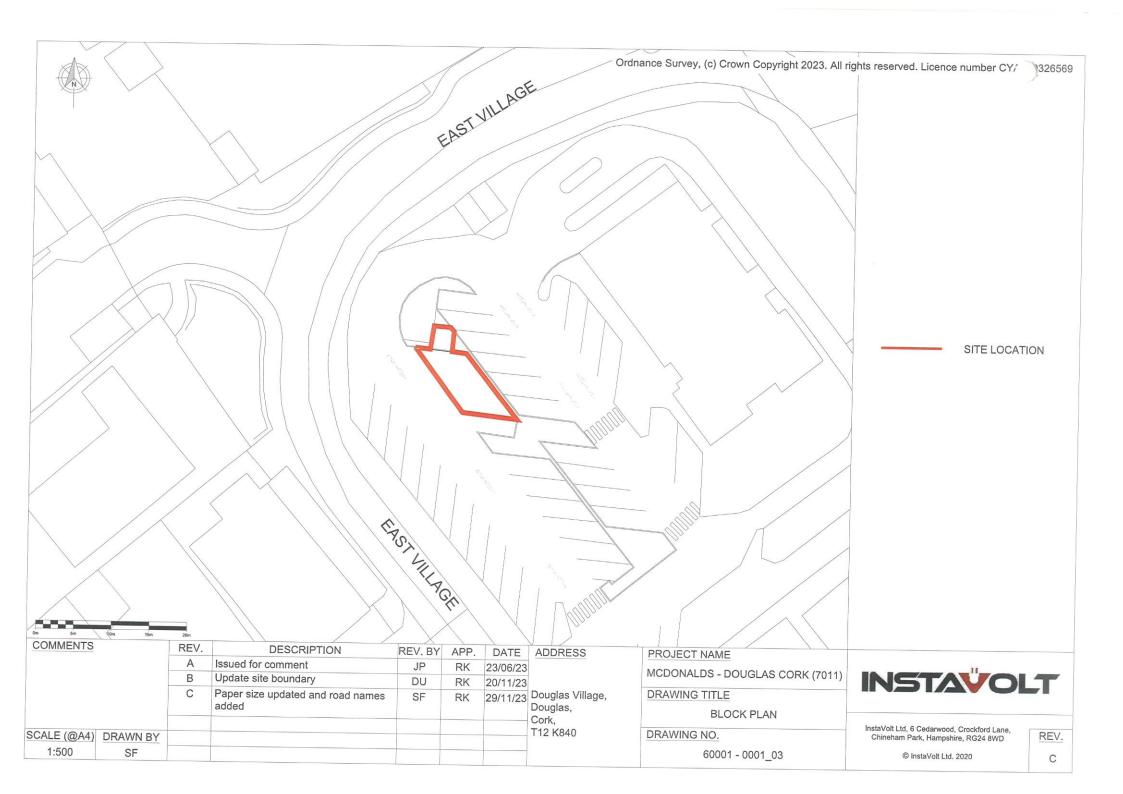
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			reference				Douglas Village,	DRAWING TITLE
		С	Paper size and access route updated and road names added	SF	RK	/9/11//3	Cork,	LOCATION PLAN
SCALE (@A4)	DRAWN BY						T12 K840	DRAWING NO.
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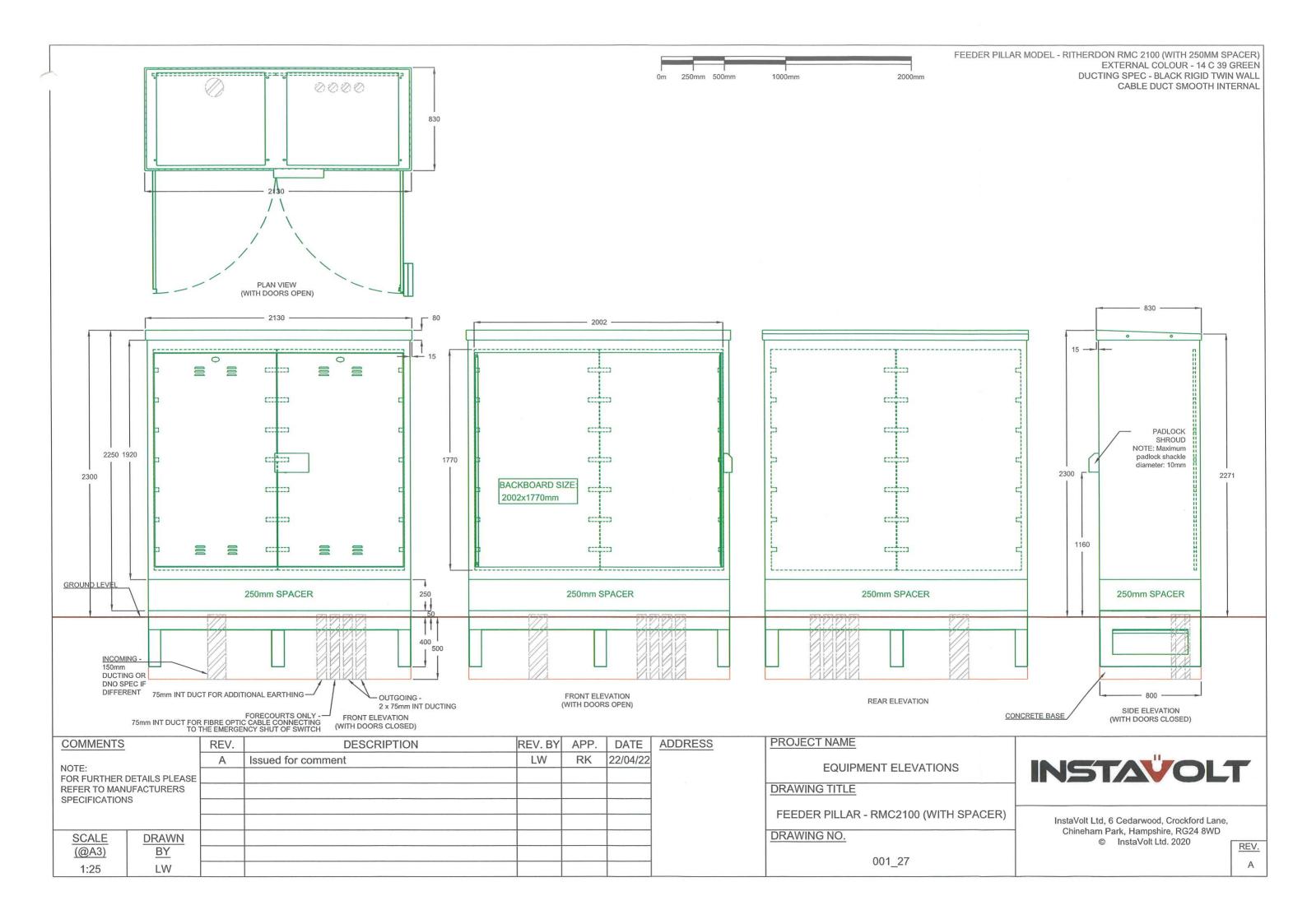
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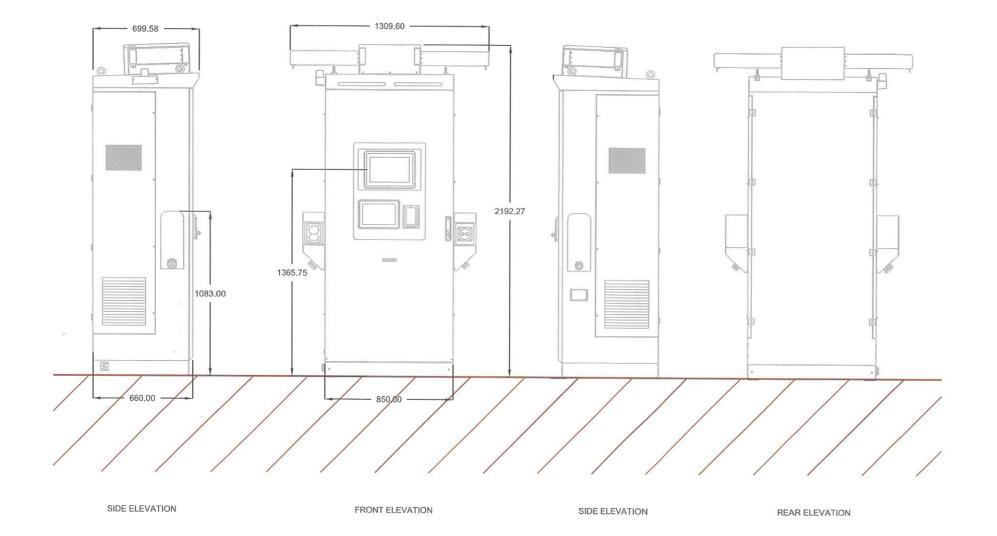
InstaVolt Ltd, 6 Cedarwood, Crockford Lane, Chineham Park, Hampshire, RG24 8WD

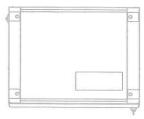
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REV.









PLAN VIEW

	1000		Section 1	
0m	250mm	500mm	1000mm	2000m

COMMENTS		REV.	DESCRIPTION	REV. BY	APP.	DATE	ADDRESS	PROJECT NAME	
		Α	Issued for comment	BL	RK	17/02/23		EQUIPMENT ELEVATIONS	
								DRAWING TITLE	
								BYD 160kW CHARGER	
SCALE	DRAWN							DRAWING NO.	
(@A3)	<u>BY</u>							001_29	
1:25	BL							001_20	



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REV.

#### FRONT ELEVATION **REAR ELEVATION** SIDE ELEVATION SIDE ELEVATION 1300 330 330 Air Flow Air Flow 795 Air Flow 1900 1900 1900 1755 2450 2450 2450 096 500 530 ▼ Air Flow ✓ Air Flow Air Flow 250 300 550 550

**PLAN VIEW** 

1300

STEEL GRADE DD11 CUT ON PLATE PLASMA AND MIG WELDED HOT DIP GALVANISED COATED FINISH TO ISO EN 1461

PLINTH INFORMATION TO BE ADDED ONCE IN RECIEPT

REV.

COMMENTS		REV.	DESCRIPTION	REV. BY	APP.	DATE	ADDRESS	PROJECT NAME	INSTAVOL
NOTE: FOR FURTHER DETAILS PLEASE REFER TO MANUFACTURERS SPECIFICATIONS		Α	Issued for comment	AE	RK	13/11/23		EQUIPMENT ELEVATIONS  DRAWING TITLE	
			A						
								CTME 400A - FEEDER PILLAR	InstaVolt Ltd, 6 Cedarwood, Crockford Lane,
SCALE (@A3)	DRAWN BY							DRAWING NO.	Chineham Park, Hampshire, RG24 8WD  © InstaVolt Ltd. 2020
1:25	AE .							001_49	

