



An
Bord
Pleanála

Record of Meeting ABP-303322-18 2nd meeting

Case Reference / Description	ABP-303322-18 Wind farm of up to 27 no. wind turbine generators and up to 2 no. substation compounds with battery storage units along with ancillary and electrical infrastructure, Bottlehill, Mullensaborree, Knockdoorty, Glannasack, Co. Cork.				
Case Type	Pre-application Consultation				
Meeting No:	2	Location	Parnell Room		
Date	07/08/2019	Start Time	11.00 am	End Time	12.35 pm

Attendees	
Representing An Bord Pleanála	Representing the Prospective Applicant
Brendan Wyse, Assistant Director of Planning (Chair)	Jim Hughes, Fehily Timoney
Karla McBride, Senior Planning Inspector	Trevor Byrne, Fehily Timoney
Ellen Morrin, Senior Administrative Officer	James Dineen, Brookfield Renewables
Fergal Kilmurray, Executive Officer Email: f.kilmurray@pleanala.ie Phone: 01-8737266	Claire Deasy, Brookfield Renewables
	Kieran O'Malley, Coillte
	Richard Barker, Macro Works Ltd

Introduction:

Following introductions, the representatives of the Board stated that they had received the prospective applicant's comments in relation to the record of the 1st meeting held on 5th June 2019, and the comments on the record will form part of the case file.

The Board enquired if the prospective applicant intended to close the pre- application consultation today. The prospective applicant said that they envisaged that this would be the final meeting and indicated that it is intending to lodge the application in October 2019.

Presentation by the prospective applicant:

The prospective applicant gave an overview of the presentation submitted by email to the Board on the 7th August 2019 which included:

- Total of 22 turbines in three areas at Bottlehill, Mullensaborree and Knockdoorty with separate accesses to the SW and NE.
- Turbines will be c.169m high with a combined c.105MW output.
- Proposed Grid Connection substation would be at Lackendarragh.
- A preferred grid connection route for the 110kv line will be to the existing Barrymore substation.
- The proposed delivery routes have remained the same with temporary nodes at some locations.
- No significant changes to the proposed development have occurred since the last meeting, except for some minor changes to the turbine locations.

The prospective applicant gave a summary of actions taking in relation to points raised by the Board, since the first meeting with the Board on the 5th June 2019 as follows.

Environmental Impact Assessment:Visual Impact

- Maps and a detailed Contextual Analysis included in the presentation described the visual impacts from along the scenic routes and other sensitive locations.

- Blackwater Valley Scenic Designations (Scenic Views S9, S10 & S14) - Mitigation by Avoidance
- Scenic Views SV11 & SV12 adjacent to site. The value of these view is the vastness.
- The Cork County Development Plan contains 118 Designated Scenic Routes
- Further consultation with Planning Authority, meeting held in June 2019 to discuss scenic routes and other sensitive locations with photomontages
- LVIA Viewpoints VP2, VP4 and VP6 submitted to illustrate some of the mitigation measures in relation to the avoidance of the Blackwater Valley Ridge
- View of permitted Derragh and Cleanrath wind farms as seen from Scenic Route S26 submitted to show an example of a wind farm in a SAC.

Recorded Monuments, and Protected Structures along the delivery routes, and at Ballyhooly ACA

- Detailed assessment of the proposed turbine delivery route with a focus on the potential for impacts on designated cultural heritage assets are being carried out as part of the EIAR.
- Sites and Monuments Record (SMR), Record of Protected Structures (RPS) and National Inventory of Architectural Heritage (NIAH) record numerous archaeological sites and designated architectural structures within lands adjacent to the relevant sections of the TDR
- TDR does not appear to require works which would have the potential to impact on unrecorded, sub-surface archaeological features or deposits.
- The proposed delivery route diverts to the south east of Ballyhooly Village and does not extend into the Architectural Conservation Area (ACA). The route follows a local road extending outside the east edge of the ACA and contains two bridges that, while not included in the SMR or RPS, are listed in the NIAH. The route also extends in the vicinity of the Ballyhooly Lodge to the south of the bridges which is also listed in the NIAH. The proposed transport of turbines will not require any interventions to these structures.

Grid Connections

- Eirgrid advised that Barrymore 110kV substation was the most likely connection option.
- Eirgrid also advised that a new 220kV substation near the Knockraha – Killonan 220kV OHL could be feasible.
- Cable Route for full assessment in EIAR will be at Barrymore.

The Board representatives inquired whether the grid connection will be included in the red line boundary. The prospective applicant stated that it will not be included.

Peat Stability drainage and water management

- Peat stability risk is considered low risk on the site.
- Preliminary site investigations have been completed at the majority of proposed infrastructure locations. With respect to the risk posed from peat stability within the development boundary a review of the requirement for peat landslide hazard and risk assessment was carried out in accordance with the Scottish Executive – Peat Landslide Hazard and Risk Assessments (2017).
- Limited areas of peat deposits have been identified (typically peaty topsoil) with maximum thicknesses of between 0.2 – 0.4m. However, given that slopes $>2^\circ$ are present within the site, a preliminary peat stability assessment is in preparation. The assessment combines infinite slope stability analysis with the potential probability of contributory factors to peat failure.
- Intrusive S.I to include Geophys, boreholes and trial pits near completion.
- In terms of drainage and water management, the design shall include an outline drainage design, a stormwater management plan as well as a soil management plan, which shall be prepared as part of a comprehensive Outline Construction and Environmental Management Plan (oCEMP).

The road network including bridges, scenic routes and narrow rural roads

- The road network will be maintained by completing pre-construction surveys and post-construction surveys to assess and quantify any impact on the road structure.
- Any defects created by the project would be remedied by the prospective applicant, in agreement with Cork County Council Roads Department.
- The turbine delivery routes have been chosen with a view to minimising the impact on the road network used. Improvement works such as road widening shall be either fully reinstated to original condition or adopted by the local authority as permanent road network improvements under agreement with Cork County Council.
- A Traffic Management Plan (TMP) will be agreed with Cork County Council in advance of construction and a comprehensive Outline TMP (oTMP) shall be included in the planning application.
- The TMP will ensure that local narrow roads are not used where unsuitable for the delivery of construction materials to the site by identifying designated haul routes. This is to limit the use of narrow local roads by the development.
- Cork County Council have been consulted in relation to the bridge crossing at Ballyhooly. Follow up consultation has taken place with Cork County Council Roads Department, TII and Direct Route to discuss the TDR and proposed development.
- The route is not expected to require the construction of road diversions or new bridge crossings which would have the potential to impact on unrecorded, sub-surface archaeological features or deposits.

Appropriate Assessment

Proximity to Freshwater Pearl Mussel Catchment

- Freshwater Pearl Mussel surveys have been completed within morphologically suitable habitat within the study area.
- The project is predominantly located within the River Bride sub-catchment. Only the Blackwater (Munster) main channel holds historic records of this species.

- No FPM were recorded in any of the watercourses surveyed, no watercourses directly affected by the project support this species.
- The Project is indirectly connected to the Blackwater (Munster) main channel with hydrological pathways for impacts arising via indirect or secondary project effects on tributaries of the main channel, none of which support FPM.
- The Project will include design measures and effective mitigation to ensure ecological Status, in terms of WFD status, will not be deteriorated and future restoration where appropriate will be achievable.

The prospective applicant stated that the Freshwater Pearl Mussel is no longer listed as a Qualifying Interest for the Blackwater River SAC although this omission has not yet been reflected in the Conservation Objectives for the site.

Consultations & Community Gain

- Carried out door to door consultation with residents living within 2km of the proposed development.
- Issued letter to recently elected public representatives, local councillors, MEP's and TD's. informing them about the project and offering to meet to discuss further if they so wished.
- Follow up consultation with Planning Authority to discuss scenic views raised during ABP SID Pre-APP meeting on 5th June 2019
- Follow up consultation with Cork County Council Roads Department, TII and Direct Route.
- Follow up consultation meeting request made to IFI.
- NPWS Consultation
 - Consultation with the DAU commenced in 2017 (letter issued November 2017). (No formal response on Biodiversity has been received to date.)
 - A pre-planning meeting was formally requested in January 2019.
 - IEC has since this, formally contacted the DAU via email in 2019, requesting whether any written observations are forthcoming.
 - A complete chronology has been maintained of all correspondence and efforts are continuing to obtain some formal response.
- Consultation meetings with Eirgrid in June 2016, March 2017 & July 2018

- Community Gain:
 - The current guidelines require a fund of €1,000/MW to be available annually to the local area. Based on the Irish Government's draft publication relating to rules around future market support mechanisms (RESS: Renewable Electricity Support Scheme) it is anticipated that for projects to qualify for such support, an annual community fund of €2/MWh should be made available to the nearest community.
 - This will be provided if the project is successful at the competitive RESS auction

Discussion:

The following matters were discussed:

The Board representatives inquired whether there were any significant changes to the road delivery route.

The prospective applicant responded;

- There were no significant changes to the route and no major works were required on the road.
- A number of nodes along the route will be assessed
- There will be a temporary widening of narrow roads and some hedge removal which will be reinstated.
- Night time delivery of turbines to the site with Garda escort.
- Due to hold a meeting with the TII on 8th August 2019 to discuss direct route.
- A Traffic Management Plan will identify the preferred haul routes.

The Board representatives inquired about the bird and bat surveys, migratory birds and the status of the Freshwater Pearl Mussel.

The prospective applicant responded that they had data for 3 years of Bird and Bat surveys. No nesting of the Hen Harrier or occupancy by the Merlin were found on site and no significant flight paths were identified. Roost surveys show low usage by

bats. The site does not lie within the flightpath of any migratory bird species. The project will be designed to ensure the protection of Freshwater Pearl Mussel downstream of the works, notwithstanding its change in status as a Qualifying Interest for the SAC. The conflict between the older NPWS Conservation Objectives document and the more recent removal of Qualifying Interest status will be addressed in the EIAR and NIS.

Procedures:

Procedures in relation to the making of a formal planning application were given by the Board as follows:

- An application can only be lodged after formal notice has been received by the prospective applicant from the Board.
- The application must be made by way of full completion of an application form to the Board.
- The Board requires as a minimum that the public notice of the application would be in two newspapers circulating in the area to which the proposed development relates, one of which should be a national newspaper. A site notice in accordance with the protocols set out in the Planning and Development Regulations must also be erected. The date of the erection of the site notice is to be inserted; otherwise it should contain the same information as the newspaper notices and should remain in place for the duration of the period during which the public can make submissions to the Board.
- The documentation relating to the application is to be available for public inspection at the offices of the relevant planning authority and the offices of An Bord Pleanála. In this regard, the requirements in terms of the number of copies of the documentation to be lodged with the relevant planning authority and the Board is as follows:

Planning Authority – 5 hard copies and 2 electronic copies.

An Bord Pleanála – 3 hard copies and 7 electronic copies.

- The Board also requires the prospective applicant to provide a stand-alone website containing all of the application documentation. The address of this website is to be included in the public notice.
- The public notice of the application is to indicate that the application documentation will be available for public inspection after 5 working days from the date of the publication of the notice so as to ensure that the documentation is in place for such inspection.
- The time period for the making of submissions by the public is to be at least seven weeks from the date the documents become available for inspection (not from the date of publication of the public notices). The Board requires that the public notice must indicate the deadline time and date for the making of submissions to the Board. The Board said that it can offer administrative advice on procedural matters relating to the public notice which would include the confirmation of last dates for the making of written submissions.
- The service of notice of the application on any prescribed bodies must include a clear statement that the person served can make submissions to the Board by the same deadline as specified in the public notice.
- The service letter on the planning authority with the necessary copies of the documents should be addressed to the Chief Executive and should also alert the authority to the Board's requirement that the application documentation be made available for public inspection/purchase by the planning authority in accordance with the terms of the public notice (copies of any newspaper/site notices should be provided to the planning authority). It is the Board's intention that all of the application documentation will remain available for public inspection during the currency of the application.
- The depositing of the application documentation and the making of the application to the Board should take place immediately after the publication of the notice and the completion of the service requirements. The application documentation should include a copy of all letters serving notice of the application on prescribed bodies and the local authority, copies of the actual newspaper notices as published and the site notice.

- The fee for lodging an application is €100,000. The fee for making a submission in respect of an application is €50 (except for certain prescribed bodies which are exempt from this fee). There is an existing provision enabling the Board to recover its costs for processing any application from the applicant. In addition, it was pointed out that the legislation also enables the Board direct payment of costs or a contribution towards same to the planning authority and third parties.
- The Board also drew the prospective applicant's attention to the fact that the EU(Planning and Development)(EIA) Regulations 2018 requires applicants to register EIA development on a central portal on the Department of Housing, Planning and Local Government's website prior to lodging an application for planning permission. An acknowledgement from the Department in this latter regard will be required to accompany the planning application to the Board.

Conclusion:

The record of the meeting will issue to the prospective applicant and it will then be a matter for the prospective applicant to submit any comments on this if it wishes to do so. Following this, the prospective applicant may seek a further meeting with the Board or request closure to the pre-application process.

If closure to the pre-application process is requested, the reporting inspector will complete the report and recommendation which will be forwarded to the Board for determination. A decision will then issue to the prospective applicant.

Brendan Wyse

Assistant Director of Planning