



An  
Bord  
Pleanála

## Record of Meeting ABP-307471-20 2<sup>nd</sup> meeting

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|---|--|-------------------|------------|
| <b>Case Reference / Description</b>       | ABP-307471-20 Proposed wind energy development at Ballivor Bog Group, Co. Meath and Co. Westmeath. |                   |            |
| <b>Case Type</b>                          | Pre-application consultation under S.37B of the P&D Act  |                   |            |
| <b>1st / 2nd / 3<sup>rd</sup> Meeting</b> | 2 <sup>nd</sup>  |                   |            |
| <b>Date</b>                               | 07/09/21   | <b>Start Time</b> | 11 a.m.    |
| <b>Location</b>                           | N/A  | <b>End Time</b>   | 12.15 p.m. |

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| <b>Representing An Bord Pleanála</b>                  |
| <b>Staff Members</b>                                  |
| Ciara Kellett, Assistant Director of Planning (Chair) |
| Karla McBride, Senior Planning Inspector              |
| Kieran Somers, Executive Officer                      |
| <b>Representing the Prospective Applicant</b>         |
| Brigette Priestley, Bord na Mona                      |
| Caitriona Carter, Bord na Mona                        |
| Jimmy Green, MKO Ireland                              |
| Jordan Baxter, MKO Ireland                            |
| Karen Mulryan, MKO Ireland                            |
| Sean Creedon, Bord na Mona                            |

The meeting commenced at 11 a.m.

The Board referred to its previous meeting with the prospective applicant (21<sup>st</sup> September 2020) and the record of this meeting. The Board enquired if the prospective applicant had any comments it wished to submit on the record of this meeting; the prospective applicant replied that it had no comments to make.

**Prospective applicant's presentation:**

The prospective applicant advised the Board's representatives that it is continuing to progress the design and assessment of the proposed wind farm; it noted that the site location and corresponding study area for the proposed development have not changed since the time of its previous meeting with the Board in September 2020. The prospective applicant said that it is envisaged that the proposed wind farm will comprise of 26 wind turbines; the megawatt export capacity is expected to range between 125 and 155 megawatts.

The prospective applicant recapped on the location of the subject site which is located 2.5 kilometres south-southeast of Delvin, County Westmeath, 3.7 kilometres east of Raharney, County Westmeath, and 2.2 kilometres west of Ballivor Village, County Meath. The prospective applicant stated that the study area measures approximately 2,460 hectares and that it effectively traverses four bogs.

The prospective applicant provided an update on the local planning policy context with respect to both the Westmeath County Development Plan 2021 – 2027 and the Draft Meath County Development Plan 2021 – 2027. Relevant policy objectives from both plans were referenced; it was noted that the Westmeath County Development Plan recently came into effect and that the Meath County Development Plan is currently at draft stage.

With respect to the SID status of the proposed development, the prospective applicant noted that the proposed development would exceed both the turbine quantity and generating capacity thresholds as set out under the Seventh Schedule and would also satisfy the criteria set out under Section 37A(2) (subsections (a), (b) and (c)) of the Planning and Development Act 2000, as amended.

In relation to planning consultations held to date, the prospective applicant noted its previous meeting with the Board and meetings to date with the respective local authorities (Westmeath and Meath).

With respect to the proposed development itself, the prospective applicant reiterated that it is expected the proposed wind farm will comprise of 26 wind turbines with all associated works. The prospective applicant noted that the existing 110kV Mullingar to Finglas line runs through the centre of the study area and said that it is currently proposed to site the proposed 110kV substation within the immediate vicinity of this line in order to facilitate the proposed grid connection. The prospective applicant added that the proposed grid connection would be assessed as part of the EIAR to accompany the planning application.

The prospective applicant referenced the initial design of the proposed development from 2020 and provided the Board's representatives with a current update on this. The prospective applicant advised that additional paths to facilitate more entrances into the site for members of the public have now been included in the design. The prospective applicant also noted the extent of environmental assessments that have been carried out since 2020; it added that further work and site walkovers will be conducted prior to a finalisation of the design. With respect to the proposed haul route, the prospective applicant also advised that a preferred route has also emerged.

With regard to the EIAR to accompany the planning application, the prospective applicant set out its proposed approach to this; the EIAR will include photomontages.

An update was provided on public consultations. A project website provides updated information on the proposed development and community engagement to date has

included two rounds of public consultations as well as on-going community engagement.

The prospective applicant noted the recent Derryadd High Court Judgement whereby planning permission was quashed on the basis that the developer had breached its obligation under the Planning and Development Regulations 2001, as amended, to provide sufficient details of the plans and particulars of the proposed development. The prospective applicant noted the key considerations which pertain to its own project in light of this court judgement. The prospective applicant stated that its intention would be to lodge a planning application with a limited range of options with regard to constituent elements. The prospective applicant said that its overall intention would be to ensure that best available technology is deployed when construction takes place and to also ensure that options and ranges are fully assessed in the EIAR. The Board's representatives noted this and said that that, for its part, it has to carry out a proper EIA.

Noting the matter of peat harvesting which has been carried out on the subject site to date, the prospective applicant said that it would be seeking to future-proof for the forthcoming planning application as best as possible. To this end, the prospective applicant signalled its intention to seek leave for substitute consent with regard to peat harvesting works carried out. The prospective applicant expressed its intention to lodge a leave for substitute consent application followed by a substitute consent application which would in turn be followed by the SID application. The prospective applicant said that, from a public perspective point of view, this approach would appear to be the most straightforward and would avoid potential confusion. The Board's representatives noted this intended approach.

The prospective applicant stated its current intention to lodge the subsequent planning application in Quarter 1 2022. In the meantime, it noted that environmental site surveys will be completed and EIAR and NIS prepared, as well as a final turbine layout and design proposals.

**Board's comments/queries:**

In response to the Board's query on the matter, the prospective applicant confirmed that an NIS would accompany the planning application.

With regard to the existing EPA licence which pertains to the subject site, the Board's representatives enquired as to what is the plan for this. The prospective applicant replied that its intention would be to submit an updated rehabilitation plan for the subject site as part of the planning application; this it said would demonstrate the fact that the proposed development would not have a material impact on the rehabilitation plan for the site. The prospective applicant noted that, in the event of planning permission being acquired, it would then be required to lodge an updated rehabilitation plan with the EPA. It also added that it would liaise closely with the EPA on this matter.

With respect to the preferred haul route which has emerged for the proposed development, the prospective applicant confirmed that consultations have taken place with the relevant local authorities and that a scoping report has been forwarded to Transport Infrastructure Ireland.

In response to the Board's query on the matter, the prospective applicant stated that no significant forestry felling would be involved as part of the proposed development; the prospective applicant added that a felling licence would not be required.

With respect to the Gaeltacht area in County Meath, the prospective applicant undertook to revert to the Board on any possible proximity to this.

**Conclusion:**

It was agreed that the instant pre-application consultation process will remain open for the present time and that it is open to the prospective applicant to request a further meeting if so required.

The record of the instant meeting will issue in the meantime and the prospective applicant can submit any comments it may have in writing or alternatively bring any comments for discussion at the time of a further meeting. The onus is on the prospective applicant to either request a further meeting or formal closure of the instant pre-application consultation process.

The meeting concluded at 12.15 p.m.

 9/9/21

**Ciara Kellett**

**Assistant Director of Planning**