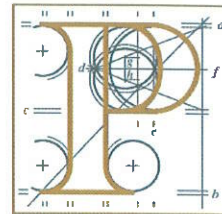


Our Case Number: ABP-311198-21

Your Ref: Cummeennabuddoge Wind Designated Activity Company



**An
Bord
Pleanála**

Richard Newsham
Atmos Consulting
CBC House
24 Canning Street
Edinburgh
EH3 8EG
Scotland

Date: 3rd December 2021

Re: Wind farm of up to 19 wind turbines with a generation capacity of up to 114MW and all associated infrastructure.

Clydaghroe and Cummeennabuddoge, Clonkeen, Co. Kerry and Ballyvourney and Millstreet, Co. Cork.

Dear Sir,

I have been asked by An Bord Pleanála to refer further to the above-mentioned pre-application consultation request.

Please find enclosed a copy of the written record of the first meeting of the 2nd December, 2021.

If you have any queries in relation to the matter please contact the undersigned officer of the Board.

Please quote the above-mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

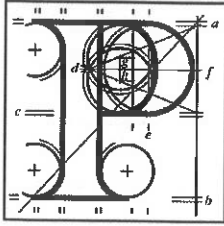
Yours faithfully,

Kieran Somers
Executive Officer
Direct Line: 01-8737250

PC07

Teil	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
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64 Sráid Maoilbhríde	64 Marlborough Street
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An
Bord
Pleanála

Record of Meeting ABP-311198-21 1st meeting

Case Reference / Description	ABP-311198-21 Construction of up to 19 wind turbines and associated works at Clonkeen, Co. Kerry and Millstreet, Co. Cork.		
Case Type	Pre-application consultation		
1st / 2nd / 3rd Meeting	1 st		
Date	02/12/21	Start Time	11 a.m.
Location	N/A	End Time	12.35 p.m.

Representing An Bord Pleanála
Staff Members
Ciara Kellett, Assistant Director of Planning (Chair)
Breda Gannon, Senior Planning Inspector
Kieran Somers, Executive Officer
Representing the Prospective Applicant
Andrew McCreddin, SSE
Eimear Lenehan, SSE
Sinead O'Malley, Coillte
Sandra Murphy, Coillte
Laura Burke, Consultant
Fionna O'Regan, Consultant

Richard Newsham, Atmos Consulting
Malcolm Sangster, Atmos Consulting
Jack Graham, Atmos Consulting

The Board referred to the letter received from the prospective applicant requesting pre-application consultations and advised the prospective applicant that the instant meeting essentially constituted an information-gathering exercise for the Board; it also invited the prospective applicant to outline the nature of the proposed development and to highlight any matters it wished to receive advice on from the Board. The Board mentioned general procedures in relation to the pre-application consultation process as follows:

- The Board will keep a record of this meeting and any other meetings, if held. Such records will form part of the file which will be made available publicly at the conclusion of the process. The record of the meeting will not be amended by the Board once finalised, but the prospective applicant may submit comments on the record which will form part of the case file.
- The Board will serve notice at the conclusion of the process as to the strategic infrastructure status of the proposed development. It may form a preliminary view at an early stage in the process on the matter.
- A further meeting or meetings may be held in respect of the proposed development.
- Further information may be requested by the Board and public consultations may also be directed by the Board.
- The Board may hold consultations in respect of the proposed development with other bodies.
- The holding of consultations does not prejudice the Board in any way and cannot be relied upon in the formal planning process or any legal proceedings.

Presentation by the prospective applicant:

The prospective applicant commenced its presentation by referring to community engagement and public consultations undertaken to date. The prospective applicant said that a community liaison officer has been appointed for the project and continues to liaise with members of the local community; a project-specific website has also been established. The prospective applicant advised that further consultations are planned going forward with the project and will be as inclusive as possible vis-à-vis the local community.

With respect to the process of environmental impact assessment (EIA), the prospective applicant advised the Board's representatives that the EIA scoping consultation process commenced in August 2021 and concluded in October 2021. A Scope of Works Report was prepared and was intended to be a framework to facilitate statutory and key consultees to provide feedback into the EIA process. The prospective applicant advised that a total of 59 organisations were engaged with in respect of this; these included relevant local authorities and Inland Fisheries Ireland. 16 responses in total were received, including from Kerry County Council, Cork County Council and Inland Fisheries Ireland. The prospective applicant said that no significant concerns were raised in these responses.

With respect to the location of the subject site, the prospective applicant advised that this is situated within the functional area of Kerry County Council and partially within the functional area of Cork County Council. The subject site is approximately 925 hectares in size and is located close to Ballyvourney and Millstreet. The existing land use is predominantly commercial forestry and a number of existing forestry tracks traverse the subject site.

The prospective applicant provided an environmental context for the subject site and referred to pertinent constraints and environmental considerations factored into its assessments. The prospective applicant noted that there are no specific designations which are pertinent to the subject site. The prospective applicant noted that the matter of water quality is a key consideration relevant to the subject site. A cumulative context was also provided which referred to permitted wind farm developments and wind farms which are already operational vis-à-vis the proposed

development. There are a cluster of wind farms adjacent to the subject site and the prospective applicant said that the design and location of proposed turbines is cognisant of this factor.

The prospective applicant provided an overview of the proposed development which is for up to 19 wind turbines with a total output of up to 114 megawatts and associated works. The proposed development will also include the construction of substation and grid connection. The prospective applicant expressed its opinion that the proposed development would comprise strategic infrastructure development.

The prospective applicant provided an indicative site layout with the locations of proposed turbines (19 turbines currently proposed but subject to change and refinement of the proposed development).

With regard to the legislative and planning framework, the prospective applicant referred to relevant documents in a national and regional context; these included the National Planning Framework, the Draft Revised Wind Energy Development Guidelines, the current Kerry County Development Plan and the current Cork County Development Plan. The prospective applicant stated its opinion that the proposed development would be in compliance with national and regional objectives apropos matters such as climate change and renewable energy.

With respect to the current Kerry County Development Plan, the prospective applicant noted that the subject site is located in a Secondary Special Amenity Area with an archaeological landscape valley to the north of the site. The prospective applicant noted Objective NR 7-38 of the Renewable Energy Strategy 2012 whereby wind energy development was 'not normally considered' outside Strategic Site Search Areas and areas Open-To-Consideration. The prospective applicant noted the RES Landscape Character Assessment as it pertains to the Upper Clydagh River and the Derrynasaggart Mountains Landscape Character Area and also noted that, as per RES 2012, the wind designation was removed from the Upper Clydagh River; RES 2012 also pertains to the current county development plan. The prospective applicant also noted that the draft Kerry County Development Plan 2022-2028 is due to be published in December 2021.

The prospective applicant noted RES-LCA with regard to the Upper Clydagh River and the Derrynasaggart Mountains Landscape. With regard to the matter of development capacity, this notes the prevalence of coniferous forestry in the area (which is considered to detract from the quality of the landscape) and the fact that population levels are generally very low in the area. It was noted that the area in question was not zoned for windfarm development as there is an ecological sensitivity (the Lough Leane Catchment). With regard to Objective NR 7-38, the prospective applicant noted the fact that wind energy developments will not normally be considered in areas outside those indicated on Map 7.6 as Strategic Site Search Areas and areas Open-To-Consideration. Notwithstanding this, the prospective applicant stated its opinion that the Board would not be precluded from a grant of permission in respect of the proposed development; it noted, in particular, that the issue of water quality – the sole reason for de-zoning – can be robustly addressed in any forthcoming planning application.

The prospective applicant referred to the planning history of the subject site (six wind turbines permitted in the vicinity) and noted, in particular, planning register reference number 10/75 which was the subject of an appeal to the Board under reference number 236593; although refused permission, the prospective applicant noted that landscape and visual impact matters were not the reasons for refusal; it re-stated that the sole reason for refusal in this particular instance (water quality) can be robustly addressed in any forthcoming planning application.

With regard to the planning context of the subject site, the prospective applicant noted the prevalence of commercial forestry and the visual seclusion of the site. The prospective applicant stated its opinion that the landscape is sufficiently robust to assimilate the scale and capacity of turbines proposed as part of the project. With respect to neighbouring wind farm developments, the prospective applicant stated its opinion that there is a landscape suitability and that turbines constructed in the vicinity have not resulted in any significant environmental effects.

The prospective applicant listed the key environmental considerations which pertain to the proposed development; these included hydrology and water quality impacts, peat stability, noise and vibration and ecology and ornithology. The prospective applicant also listed the key topics which the EIA process will address.

With respect to the matter of hydrology and water quality, the prospective applicant noted that the subject site is drained by several watercourses discharging to the Clydagh and Flesk Rivers (Kerry National Park, Magillicuddy's Reeks and Caragh River Catchment Special Area of Conservation of relevance) and into Lough Leane. The prospective applicant noted the history of hydrology and water quality in the area and noted, in particular, issues with regard to water quality at Lough Leane. The prospective applicant noted a 2003 report conducted by the EPA in respect of this which identified agriculture as the main phosphorous source, and not forestry. The prospective applicant noted that water quality has since improved with respect to Lough Leane. The prospective applicant also noted that tree felling has been ongoing in the catchment area since 1997 and that this has not impacted on the water quality of Lough Leane. The prospective applicant stated that all of its assessments and surveys would address previous water quality matters and would seek to calculate the pollutant concentrations resulting from tree felling and from the construction of the proposed wind farm that might impact on the nearby SAC rivers. The prospective applicant added that cumulative effects arising will be considered as part of its assessments. The prospective applicant advised the Board's representatives that water quality sampling has been completed to capture a representative overview of seasonal variance; also, that a series of seasonal snapshot samples have been undertaken, including post-storm sampling for summer and winter. A rain gauge has also been installed on the site for the gathering of relevant data. The prospective applicant said that it is satisfied that it will be able to demonstrate that the construction of the proposed wind farm would not have any adverse effects on downstream watercourses or Lough Leane.

With regard to the matter of peat stability, the prospective applicant reported that peat thickness across the subject site is an average of 1.5 metres (up to 2.7 metres in certain areas) and that the peat is well drained. The prospective applicant said that on-going risk assessment process will include further investigation and an analysis of other key peat risk factors. The prospective applicant advised that a low peat landslide risk pertains to the subject site based on its preliminary assessments.

With respect to the matter of ornithology, the prospective applicant noted the proximity of the site to an SPA (hen harrier is the qualifying interest) and reported that two-and-a-half years of survey work has been undertaken and that 13 target species were recorded during vantage point surveys, of which the Golden Plover and Kestrel species were the most commonly recorded. The prospective applicant said that there has been no evidence of hen harrier breeding taking place on the subject site.

With regard to ecological surveys, the prospective applicant reported on survey work conducted to date; this included aquatic surveys and bat surveys. Only one Freshwater Pearl Mussel was located during survey work and this was downstream of the proposed development site. The prospective applicant said that best practice guidelines will be observed with regard to aquatic assessments. With regard to bats, the prospective applicant said that mitigation will take place in the event of any significant findings.

With respect to the matter of noise and vibration, the prospective applicant reported that six weeks of baseline noise monitoring was completed in July 2021. Cumulative impacts will be considered with regard to residential dwellings.

With regard to the matter of landscape and visual impact, the prospective applicant presented the Board with some sample visualisation viewpoints with respect to the proposed wind farm (Viewpoints 5, 6, 10, 11 and 26). Other surveys which have been completed or are on-going relate to matters such as cultural and archaeological heritage and material assets (shadow flicker, aviation and telecommunications). In spite of the elevated nature of the subject site, the prospective applicant stated its opinion that it can be relatively self-contained from a visual perspective. The prospective applicant also noted that there are no scenic routes within the site; it

noted the existence of such scenic routes to the south and east of the site. A shadow flicker model will also be run and appropriate mitigation will take place with respect to various worse case scenarios.

The prospective applicant outlined its intended next steps vis-à-vis the proposed development which include further public and stakeholder consultations and further design iterations (next stage due to shortly commence). The prospective applicant said that environmental site investigations will continue and that an EIAR will be produced in due course. The prospective applicant stated its current intention to lodge a planning application circa Quarter 2 2022.

Finally, with regard to the Seventh Schedule and the criteria set out under Section 37A(2) of the Planning and Development Act 2000, as amended, the prospective applicant re-stated its opinion that the proposed development would comprise strategic infrastructure development.

Board's comments/queries:

The Board noted the landscape designation and asked if this will be the same in the Draft Kerry County Development Plan. The prospective applicant said that it is awaiting the publication of the draft county development plan to see if this will be the case.

The Board noted that the cumulative effects of tree felling for the proposed development and nearby developments will need to be considered in the EIAR; also the matter of traffic and transportation matters arising from the proposed development and other developments in the vicinity.

The prospective applicant said that existing tracks/roads will be upgraded within the site in order to deal with the issue of turbine delivery.

In response to the Board, the prospective applicant said that it would address the matter of carbon losses and savings associated with the proposed wind farm.

The Board advised the prospective applicant to engage with the NPWS with regard to the Designated sites and the presence of hen harrier.

The Board emphasised the need for a robust planning application in order to avoid any significant delays with the processing and determination of the planning application.

With regard to peat stability, the Board also emphasised the requirement for robust survey work.

The Board noted the fact that the publication of the draft Kerry County Development Plan is pending and will be of relevance.

The Board noted the matter of tree felling and said this should be addressed with regard to cumulative and in-combination effects which pertain. The prospective applicant noted this.

The Board's representatives stated their preliminary opinion that the proposed development would be SID noting that it will be the Board that make that decision. In response to the Board's query on the matter, the prospective applicant confirmed that the proposed substation and grid connection would be included in the planning application.

With regard to the Derryadd court judgement, the prospective applicant indicated its current intention to submit a limited range of turbine specifications. The Board noted this approach and advised that all such options should be addressed in the EIAR to accompany the planning application.

Conclusion:

The record of the instant meeting will issue shortly and it will then be open to the prospective applicant to request a further meeting or formal closure of the pre-application consultation process. The prospective applicant indicated that it may seek a further meeting prior to the closure of the pre-application process. The Board said that this can be facilitated.

The meeting concluded at 12.35 p.m.

 2/12/21

Ciara Kellett

Assistant Director of Planning