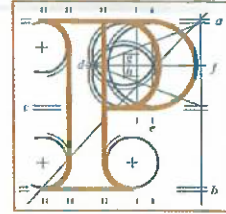


Our Case Number: ABP-314271-22

Your Reference: Knockanarragh Wind Farm Limited



**An
Bord
Pleanála**

SLR Consulting Ireland
7 Dundrum Business Park
Dundrum
Dublin 14
D14 N2Y7

Date: 15th March 2023

Re: Proposed 52.8 MW Wind Farm including 8 no. turbines, Grid Connection and 110kv loop-in/loop-out electricity substation
Located approx. 1km southwest of Clonmellon and 1.6km northeast of Devlin, in Counties Westmeath and Meath

Dear Sir / Madam,

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 second meeting of the 6th March, 2023.

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,

Doina Chiforescu
Executive Officer
Direct Line: 01-8737133

PC07

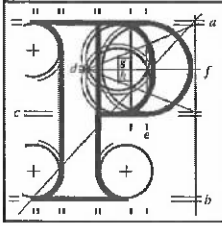
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An
Bord
Pleanála

**Record of 2nd Meeting
ABP-314271-22**

Case Reference / Description	ABP-314271-22 Proposed 52.8 MW Wind Farm including 8 no. turbines, Grid Connection and 110kv loop-in/loop-out electricity substation, located approx. 1km southwest of Clonmellon and 1.6km northeast of Devlin, in Counties Westmeath and Meath		
Case Type	Pre-application consultation		
1st / 2nd / 3rd / 4th Meeting	2 nd		
Date	06/03/23	Start Time	10:15 a.m.
Location	Virtually	End Time	11:15 p.m.

Representing An Bord Pleanála		
Staff Members		
Stephen Kay, Assistant Director of Planning (Chair)		
Máire Daly, Planning Inspector		
Eimear Reilly, Executive Officer	e.reilly@pleanala.ie	01-8737184
Representing the Prospective Applicant		
Charles Sawyer, Statkraft		
Aislinn O'Brien, SRL Consulting		
Crystal Leiker, SRL Consulting		

Introduction

The Board referred to its previous meeting with the applicant, which was held on 5th October 2022, and to the record of this meeting. The Board enquired whether the prospective applicant had any comments it wished to make on the record of this meeting. The prospective applicant replied that it had some points of clarification to make and noted that these would be made throughout the presentation at the instant meeting.

Presentation made by the prospective applicant:

The prospective applicant gave a brief recap of the proposed development, followed by a presentation on progress made since the last meeting in October. They began the progress update by noting that an informal EIAR scoping process was carried out and by explaining that an EIAR Scoping Report was then circulated to both statutory and non-statutory bodies between 9th November and 10th December 2022. It was also noted that further environmental survey work has taken place and was highlighted that there have been updates to the overall design of the proposed development.

In relation to next steps, the prospective applicant stated that a consultation with local communities is due to commence in March 2023 and noted that consultation activities will include an information website and leaflet drops. The preparation of a draft EIAR will then commence, followed by a further consultation with the public in May/June 2023. The planning application and EIAR will then be finalised, with the application expected to be submitted to the Board in Q2 of 2023.

The prospective applicant stated that it has received responses from Transport Infrastructure Ireland, Meath County Council, Inland Fisheries Ireland, and NPWS, in relation to its EIA Scoping Report. It outlined these responses as follows:

1. Transport Infrastructure Ireland (TII):

TII noted that the site adjoins the N52 national road, along with the policy concerning access to national roads. TII requested the prospective applicant consult with the Local Authority/ National Roads Design Office with regard to the N52 Cavestown to Kilrush Scheme. It also requested that the grid connection and cable routing be

developed to safeguard this road scheme. It then requested that the prospective applicant include any methods/techniques for any works traversing/in proximity to the national road network, along with consideration for whether a Road Safety Audit is required for any of the temporary works proposed. The prospective applicant informed the Board's representatives that following these requests, the prospective applicant held two meetings with the local authority/National Roads Design Office, during which, design amendments regarding depth/design of cabling have been agreed, in principle, in order to facilitate further setback of relevant turbines. It also noted that precedent for new access has been agreed by the Board in relation to Derrinlough Windfarm (Planning Authority Register Ref.:14/188, ABP Ref. PL19.244053)

2. Meath County Council:

Meath County Council asked the prospective applicant to consider the Meath County Development Plan policies, namely:

- Ch 6 Infrastructure Strategy (INF POL 41), Ch 8 Cultural and Natural Heritage Strategy, Ch 10 Climate Change Strategy and Ch 11 Development Management Standards (11.8.1 and 11.8.3 and 11.8.4), CDP Appendices (A.05, A.06, A.09, A.10) and Volume 3 Book of Maps which are associated with the Appendices (including Map 8.6 Views and Prospects, etc.) and other relevant parts of the CDP.

It recommended that an Ecological Impact Assessment, Invasive Species Management Plan, and Habitat and Species Management Plan be carried out as part of the EIA process.

In relation to the proposed substation, the location of which has been amended and now falls within its jurisdiction, the Meath Co Co response also noted the elevated position of the site in the landscape and ringfort which adjoins the site. They have also asked the prospective applicant to consider the viewpoints from localised high points such as Peoples Park (Kells) and have requested consideration of character areas in the region of the site and potential capacity for the South-West Kells Lowlands. They also requested that the EIAR considers tourism assets/impacts in

the region, including those identified in Failte Ireland's Hidden Heartlands and Ancient East strategies.

Meath County Council advised the prospective applicant to avoid locating turbines within a fen peat/Annex 1 habitat but stated that this is to be explored in the Natura Impact Statement. They have identified an area of the site to be a flood risk area and have requested a number of elements to be included in the Construction

Environment Management Plan:

- Surface Water Quality Management Plan, Water Protection and Monitoring Protocol, Site Drainage Management and Emergency Silt Control and Spillage Response Procedures.
- Dust Control Suppression Strategy
- The use of a Windfarm Carbon Assessment Tool.
- An Archaeological Assessment to be carried out.
- Consideration given to noise (max) limits in draft Wind Energy Guidelines 2019
- Traffic / Transportation Management Plan required

The prospective applicant stated that it has addressed some of these requests to date by carrying out further micro siting and by avoiding sensitive habitat i.e. Annex 1 and Marsh Fritillary near T1. It has also carried out a Stage 3 flood risk assessment and are currently finalising a Detailed Drainage Survey to consider appropriate mitigation and to inform the CEMP. A geophysical survey is currently underway for the substation site while landscape mitigation being developed for this site will include 2 / 3 additional viewpoints.

3. Inland Fisheries Ireland

Inland Fisheries Ireland (IFI) noted the potential for the proposed development to impact a wide range of fisheries waters on the Rivers Stonyford, Athboy and Boyne including areas designated as SAC's, angling waters, adult holding areas, nursery and spawning waters, etc. forming parts of the Eastern River Basin District. IFI also noted that some turbines are sited adjacent to a range of smaller watercourses which act primarily as contributories to downstream habitat for juvenile salmonids, lampreys and other species as well as macrophytes, algae and macroinvertebrates which as drift form a significant part of the food supply to the downstream fisheries.

IFI have requested the following:

- that all watercourses that traverse the proposed development during site development and road construction works should be effectively bridged prior to commencement,
- that works in rivers, streams and watercourses be carried out during the period of July-September in order to minimise adverse impacts (except in exceptional circumstances and with the agreement of IFI),
- that the soil type and structure at the proposed turbine locations, and along the route of any proposed access track(s)/road(s) including areas where temporary or permanent stock piling of excavated material takes place, be assessed and reviewed. IFI noted that this is particularly important if the areas concerned contain peat soils.
- That systems be put in place to ensure that there shall be no discharge of suspended solids or any other deleterious matter to watercourses during the construction / operational phase and during any landscaping works. IFI noted that a number of requirements for construction and operation were listed in relation to this concern.
- That pre-cast concrete be used wherever possible during construction to avoid alteration of pH of water,
- that biosecurity measures be put in place during construction phase to avoid spread of invasive species, and
- that no in-stream works take place without written approval from IFI.

In response to these requests, the prospective applicant stated that it has avoided the need for river-crossings and has carried out the Stage 3 flood risk assessment, and the Detailed Drainage Survey.

4. NPWS

The NPWS requested that bird surveys include the use of avian radar systems to detect nocturnal birds, and the use of avian acoustic sound meters to record and interpret sonograms in the context of the flightlines of migrating geese. It also requested that bat surveys be carried out to account for species such as Leisler bat which mostly fly at a high altitude. It also requested that the EIAR assess impacts on

amber and red-listed species; areas of High Nature Value (HNV) land; compliance with Article 10 of the EU Habitats Directive in terms of protection of stepping stones and wildlife corridors in the landscape.

In response to these requests, the prospective applicant stated that the NPWS were consulted annually on bird surveys methodology and that no issues were raised during these consultations. They also stated that their respective ecology team have noted that meaningful nocturnal surveys for birds is not feasible and that this is consistent with the NatureScot, 2022 guidance. It stated that guidance recommends that radar is only used to assess sites where there is likely to be high nocturnal activity of important species, especially if a SPA qualifying species is potentially affected and subsequently that there is no evidence to suggest the site has a high level of nocturnal bird activity. Finally, they noted that a bat detector will be deploying at a height from May to September 2023.

The prospective applicant then provided updates on the following surveys:

1. Ecology – Aquatic baseline report & Fisheries report (February 2023)

This survey concluded that watercourses at the site had been historically (and often extensively) straightened and deepened, impacting their hydromorphology and exacerbating agricultural pressures. It also noted that the majority of riverine sites (11 no.) in the vicinity of the proposed development were evaluated as international importance by virtue of their location within the River Boyne and River Blackwater SAC (002299) but these were not always of inherently high aquatic value (e.g. sites A2, B1, B2, B4). The survey also concluded that the majority of pond sites were evaluated as local importance (lower value) due to agricultural activity and poor connectivity to adjoining high quality habitat.

In relation to aquatic habitats, the survey concluded that there were no examples of Annex 1 aquatic vegetation habitats, nor were any rare/protected aquatic macrophytes, macroinvertebrates (other than whiteclawed crayfish), or aquatic bryophytes recorded. It noted that Salmonids and Lampetra species were widespread but in low densities, that white-clawed crayfish were recorded on in Athboy river, and that a crayfish plague was recorded in D'arcy's Crossroads stream

and Stonyford River. There were low numbers of otters recorded, but no holts or couches.

The survey concluded less than satisfactory biological water quality at all but four sites, and noted that European eel was recorded at Newtown Lough while, with the exception of crayfish, there were no recorded invasive species.

2. Soils and Geology - Peat Landslide Hazard and Risk Assessment (January 2023)

This survey found that two peat areas at the site required further investigation: north of the site, underlying T1, and south of the site, underlying T7. Previous mapping by Teagasc has identified the northern peat area as fen peat, and the southern area as cut peat. These areas were selected for further investigation. Peat probing and sampling was carried out in October 2022. The peat survey at the south area, mapped as cut bog, found no peat. In the northern area, the peat was found to vary in terms of thickness and coverage but generally limited to flat expanses. Peat across the area varies in terms of thickness, from 0.1m to 4.0m. 87% of the area surveyed either has no peat developed or has a peat thickness of <1.5m. There is one small area (c. 35m by 25m) of relatively thick peat identified immediately south proposed turbine location T1.

These results recommended that the proposed access track be adjusted to avoid this area, and that further probing should be used to identify an alternative route. It should be noted that the required adjustment is likely to be minimal. The prospective applicant noted that the hazard from peat instability at the site will be negligible if the recommendations are to be adopted.

3. Water and Hydrology – Flood Risk Assessment (January 2023) & Detailed Drainage Survey (March 2023)

This survey noted a flood depth of 0.04m is minimal / marginal at T1. Following this, the prospective applicant intends to raise the base of the turbine for at least 500mm above the design flood level to compensate for assumptions applied in the hydraulic model. It also noted that the hardstanding and access track to T1 should be at existing ground level so that it will not impact on flood levels.

The prospective applicant noted that both the at height monitoring for bats survey (May – Sept 2023), and the Geophysical Survey at the substation location (March 2023) are yet to be completed.

The prospective applicant provided a design update, stating the changes to each turbine and that it is now proposed to have an increased tip height of up to 180m and an increased rotor diameter of up to 162m, and the potential to generate up to 7.2MW of power. They noted that Impact Assessment in relation to this will be based on “worst case” dimensions.

They also stated that a revised access area to the northern cluster is proposed via the N52 and the local road L5542 which passes through the townland of Carnybrogan, while access to the Southern cluster is proposed via the N52 and the local road L5542.

In addition to this, the substation is now relocated west of Clonmellon, near the existing 110 kV Overhead Line and the grid route has been revised from a 110kV underground grid connection to a 33kV grid route. This relocation reduces impact on the N52, when compared to 110kV grid connection. The prospective applicant noted that engagement with National Roads Authority and National Roads Design Office was undertaken and is ongoing in relation to this.

The prospective applicant outlined some recent legislative updates which it deems significant in relation to the proposed development. They provided a recap on the changes made to the REPowerEU Plan which focuses on accelerating the rollout of renewables, as well as changes made to Irish legislation which included the enactment of Planning and Development, Maritime and Valuation (Amendment) Act 2022 and the Draft Planning and Development Bill 2022. They also outlined policy changes in relation to the Climate Action Plan 2021 and Climate Action Plan 2023, which aims to increase the proportion of renewable electricity to up to 80% by 2030 and a target of 9 GW from onshore wind, 8 GW from solar, and at least 5 GW of offshore wind energy by 2030.

In relation to the Westmeath Planning Policy and its Ministerial Direction, the prospective applicant explained that the wind energy policy objective CPO 10.143 was to be deleted and additional policy objective was to be added regarding an

assessment of how the “implementation of the Development Plan will contribute to realising overall national targets on renewable energy and climate change mitigation, and in particular wind energy production and the potential wind energy resource (in megawatts) within 6 months of the date of the Minister’s Direction”.

The prospective applicant highlighted that part 2(ii) of the Draft Direction is now excluded from the direction due to Action 102 of the Climate Action Plan 2021 – this relates to the commitment to publish a framework to set out targets for onshore renewable electricity development to inform spatial plans. The timeline for the publication of the framework is Q1 of 2023.

The prospective applicant outlined some policy objectives in relation to the Meath Planning Policy, including an objective to encourage the development of wind energy, in accordance with Government policy (INF POL 41) and to support Ireland’s renewable energy commitments outlined in national policy by facilitating the development and exploitation of renewable energy sources such as solar, wind, geothermal, hydro and bio-energy (INF OBJ 39).

The prospective applicant maintained their opinion that the proposed development would likely constitute strategic infrastructure development, stating that the development falls within the scope of s.37A(2) (a), (b), and (c) of the Planning and Development Act, 2000 (as amended).

Discussion:

The following matters were discussed:

- The Board’s representatives acknowledged the prospective applicant’s intention to submit the planning application for the proposed development in Q2 of 2023, however, they also queried if this would be possible as the bat surveys are scheduled to take place from May to September 2023. The prospective applicant replied that there is a possibility that this target could be delayed due to finalising of the surveys but clarified that it is still operating on the intent to lodge in Q2 and that any additional survey information may be provided following submission.

- The Board's representative's sought clarity regarding the design flexibility of the proposed turbines. In response to a specific query from the Board's representatives, the prospective applicant replied that the three design options would be outlined and assessed in the EIAR and that the results presented would be based on the "worst-case" option.
- The Board's representatives advised that their initial opinion that the proposed development would constitute strategic infrastructure development remains following the information provided by the prospective applicant at the instant meeting.
- Following a query regarding consultation with Westmeath County Council, the prospective applicant clarified that it has met with and presented the outline of proposed development to the local authority, and that it will provide a further update on the changes discussed in the instant meeting. It also noted that it met with Westmeath County Council's Road Design Office twice but did not receive a written response to its scoping report.
- In relation to archaeology of the site, the Board's representative's queried whether a response was received from the Department. The prospective applicant confirmed that no response was received.
- Following a query from the Board's representatives, the prospective applicant confirmed that the bat surveys would be deployed for a continuous period between May and September. In response, the Board's representatives advised the prospective applicant to provide rationale in the application if its view was that the advice provided by NPWS is not warranted to be undertaken in relation to the nocturnal bird surveys.
- The prospective applicant confirmed that the new proposed access point is 400m further south of that originally proposed. In response, the Board's representatives asked if TII gave any indication that it would object to this access point. The prospective applicant replied that TII was provided with a detailed info pack including drawings of the access points and that in response, it noted the policy and asked the prospective applicant to revert to the Road Design Office in line with the road alignment scheme.
- The prospective applicant stated that it intends to keep the pre-application consultation process open until its draft EIAR chapters are finalised. It stated

that it will begin to draft these chapters following a community consultation which is due to take place at the end of March 2023.

- In relation to a question from the prospective applicant regarding the commencement date of design flexibility as provided for in the Planning and Development Maritime Valuation (Amendment) Act, 2022, the Board's representatives advised that the Board has not been given clear indication as to when the provisions relating to applications under s.37 of the Act will commence. In lieu of this information, the Board's representatives advised the prospective applicant to proceed on the basis that the identified potential design options will be assessed and presented in the EIAR.

Conclusions

The Board's representatives advised that the record of the meeting will issue to the prospective applicant, and that the onus is on the prospective applicant to submit any comments on this if it wishes to do so. The onus is also on the prospective applicant to request a further meeting or to request closure of the pre-application consultation process.



Stephen Kay

Assistant Director of Planning

