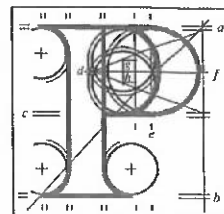


**Our Case Number:** ABP-314798-22

**Your Reference:** Ørsted Onshore Ireland Midco Limited (Ørsted)



**An  
Bord  
Pleanála**

MKO  
Planning & Environmental Consultants  
Tuam Road  
Galway  
Co. Galway  
H91 VW84

**Date:** 19th December 2022

**Re:** Repowering of the existing Kilgarvan Wind Farm. Provision of approximately 11 wind turbines and all associated works.  
Townlands of Inchincoosh, Inchee, Lettercannon, Coomacullen and Cloonkeen, Co. Kerry and Inchamore, Co. Cork

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 first meeting of the 7<sup>th</sup> December, 2022.

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

Teil  
Glao Áitiúil  
Facs  
Láithreán Gréasáin  
Ríomhphost

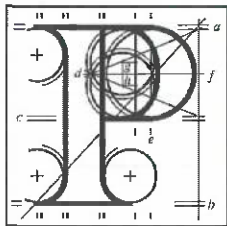
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**An  
Bord  
Pleanála**

**Record of Meeting  
ABP-314798-22 and  
ABP-314799-22 1<sup>st</sup>  
meeting**

<b>Description</b>	<p><b>ABP-314798-22</b> – Repowering of the existing Kilgarvan Wind Farm. Provision of approximately 11 wind turbines and all associated works at townlands of Inchincoosh, Inchee, Lettercannon, Coomacullen and Cloonkeen, Co. Kerry and Inchamore, Co. Cork</p> <p>ABP-314799-22– Proposed upgrades to the existing 110kV Coomagearlahy substation at the Kilgarvan Wind Farm at Coomagearlahy, Inchee, Co. Kerry</p>		
<b>Case Type</b>	Pre-application Consultation		
<b>1st / 2nd / 3<sup>rd</sup> Meeting</b>	1 <sup>st</sup> Meeting		
<b>Venue</b>	Virtually by Microsoft Teams		
<b>Date</b>	7/12/2022	<b>Time</b>	11:00am – 11:55am

<b>Representing An Bord Pleanála</b>
Ciara Kellett, Assistant Director of Planning (Chair)
Mairead Kenny, Senior Planning Inspector
Doina Chiforescu, Executive Officer

<b>Representing the Prospective Applicant</b>
Aine Bourke – MKO
Órla Murphy – MKO
Niamh McHugh – MKO
Patrick McMorrough – Applicant – Ørsted Onshore Ireland Midco Ltd.( Ørsted)

## **Introduction:**

The Board referred to the letter received from the prospective applicant on the 11<sup>th</sup> October 2022, 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 that it wished to receive advice on from the Board. It was noted that two separate pre-application consultations have been submitted by the prospective applicant, pursuant to section 182E and section 37B of the Planning and Development Act, 2000, as amended. Both cases will be discussed at the instant meeting.

The Board mentioned the following general procedures in relation to the pre-application consultation process:

- 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 in any legal proceedings.

### **Presentation by the prospective applicant:**

The prospective applicant opened its presentation by giving some background information into the applicant company Ørsted Onshore Ireland Midco Ltd (Ørsted).

The two proposed developments are:

1. **ABP-314798-22** – Repowering of the existing Kilgarvan Wind farm development under section 37B of the Planning and Development Act 2000, as amended.
2. **ABP-314799-22** – Proposed upgrades to the existing 110kV Coomagearlahy substation at the Kilgarvan Wind Farm under section 182E of the Planning and Development Act 2000, as amended.

### **Proposed Wind Farm Development (ABP - 314798-22)**

The proposed wind farm development involves decommissioning of the existing 28 no. turbines and replacing them with 11 no. new turbines, up to 200m tip height. The proposed wind farm is located within the footprint of the existing Kilgarvan Wind Farm, which is made up of 2 no. wind farms – Kilgarvan I and Kilgarvan II. A total of 34 turbines were granted permission, with 28 being built. The site is within the townlands of Inchincoosh, Inchee, Lettercannon, Coomacullen and Cloonkeen, Co. Kerry and Inchamore Co. Cork. The site is located approximately 5.5km northeast of Kilgarvan Town in Co. Kerry and 6km west of Coolea in Co. Cork. The site is accessed from the N22, using existing access points and roads.

The prospective applicant referenced a number of EU and national policy documents which support and encourage the development of renewable energy sources and replacement of fossil fuels.

From a local policy context the prospective applicant stated that the Kerry County Development Plan 2022-2028 (KCDP), is currently subject to a Draft Ministerial Direction relating to energy policies but this does not directly affect this proposal in principle. The site is located in a Repower Area zone which is not impacted by the Draft Ministerial Direction. Cork County Development Plan 2022 – 2028 is also subject to Ministerial Direction not relating to policies affecting this proposal. The only development proposed within Cork will be road upgrade works.

As noted above the site is designated as being located within a repower area in the KCDP. There is, therefore, policy support at local level for such development. In relation to the Cork County Development Plan 2022-2028 (CCDP), while it is only road infrastructure upgrades proposed in County Cork, it is noted that the subject area is designated as “Open to Consideration” in the Wind Strategy Map.

The prospective applicant presented a drawing indicating the detailed site constraints analysis, including buffer zones from residential dwellings, watercourses, designated sites and other constraints.

The prospective applicant said that scoping was carried out and a scoping document, providing details of the proposed development, was prepared and circulated to prescribed statutory bodies in July 2022. A follow up scoping letter was issued on 9th November 2022 and responses were received including from An Taisce, the Department of Agriculture, Food and the Marine, the Department of Defence, the HSE and Inland Fisheries Ireland. Responses were also received from Kerry County Council Environment Department, Kerry Airport and Cork County Council Roads Department.

The prospective applicant said that pre-application consultations were requested with both Cork and Kerry County Councils. Cork County Council issued a written pre-application response note on 23rd November 2022 and they advised that the development is considered acceptable at this point. A meeting with Kerry County Council is anticipated in early January 2023.

In relation to the public consultation, the prospective applicant appointed a Community Liaison Officer (CLO) at an early stage to introduce the proposal to the community and to provide an interface for addressing any queries or concerns .

The proposed chapter headings to be included in the EIAR were presented.

The prospective applicant presented a map which detailed preliminary viewpoint locations and a Zone of Theoretical Visibility. A cumulative impact drawing was presented.

In relation to the project timelines the prospective applicant highlighted that in Q2 2018, the ecological and ornithological studies began on the study area, and in Q1 2021 the environmental and planning consultants were appointed. In Q1 2022 detailed environmental and engineering studies began and initial site layouts were designed.

It is the prospective applicant's current intention to lodge a planning application in Q1 2023.

#### Grid Connection (ABP - 314799-22)

The existing on-site Coomagearlahy 110kV substation is located within the existing Kilgarvan Wind Farm site, in the townland of Inchee, Co. Kerry. It is not located proximate to a road or any residential development and is only accessible via the existing private wind farm access roads.

The prospective applicant consider that the connection to the national grid already exists and is not proposed to be altered in any way, remaining via the existing Coomagearlahy 110kV substation. The upgrade works to the existing substation at Coomagearlahy and the repowering to the existing wind farm, will be developed alongside each other in the future. These works are required to extend the capacity of the existing substation to cater for the proposed Repowering of the Kilgarvan Wind Farm, will be located within the existing substation footprint and requires the existing 110kV Coomagearlahy substation to be upgraded only.

It is the prospective applicant's opinion that the proposed upgrade works to the existing on-site substation do not fall within the scope of SID as set out under Section 182A of the Act.

## Discussion

The following matters were discussed:

- The prospective applicant considers that the proposed upgrade works to the existing on-site substation do not fall within the scope of SID as set out under Section 182A of the Act. The connection to the national grid already exists and is not proposed to be altered in any way, remaining via the existing Coomagearlahy 110kV substation.
- The Board's representatives offered a preliminary opinion that the proposed electrical work does not constitute SID, but noted that the ultimate decision is a matter for the Board.
- The Board's representatives stated their preliminary opinion is that the proposed development of repowering the existing Kilgarvan Wind farm development would constitute SID but noted that the ultimate decision is a matter for the Board.
- If the Board confirm that the substation works do not constitute SID, the option of incorporating both the windfarm development and the substation upgrade projects into one planning application was discussed. The Board's representatives noted that this approach had been adopted in other cases. An amendment to the development description to provide that it is clear that works to the substation are included in the windfarm application (assuming that the Board determine that this development is SID) will be required. This amendment would be made before the request for closure of the section 37A pre-application case. If this option is pursued the submitted application would be accompanied by an EIAR that covered both project elements.
- In response to a query on the matter, the prospective applicant said that the Ministerial Directive relevant to the KCDP is currently in draft form and more details will be supplied to the Board. The applicant noted that it is mainly relating to the areas that are open for consideration for windfarm development and not to the area of the existing windfarm.

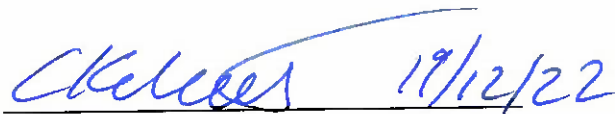


- The Board's representatives requested the prospective applicant to provide further information relating to the planning history of the other two re-power applications. Any future application should also address the Derryadd judgement.
- Regarding the potential significant landscape and visual effects, the Board's representatives drew attention to the protected views along the N22. The Board's representatives also indicated that the LVIA section of the EIAR may benefit from a robust written justification for additional visual impacts which may result. The selection of viewpoints should be robustly defended and consideration should be given to some of the recreational assets in the area including the forest to the west and walking routes in the area. The Board's representatives requested that A3 photomontages be included with the application.
- The Board's representatives noted the importance of cumulative impact assessment and referred to a live planning application.
- In response to a query on the matter, the prospective applicant said that a NIS is needed.
- The Board's representatives advised that formal contact with NPWS should be requested and noted the importance of this consultation.
- Regarding the site entrance the Board's representatives advised the applicant to consider its suitability to cater for the proposed development.
- The Board's representatives noted that the provisions relating to design options for Seventh Schedule SID projects contained in the Planning and Development Maritime and Valuation (Amendment) Act, 2022 have not to date been commenced.
- The Board's representatives advised that the prospective applicant could submit an application accompanied by an EIAR that assessed options proposed by the applicant.

- The Board's representatives said the same record will be issued for both cases. Closure for the S182E pre-application case could be requested once the record of meeting is received from 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. It will be a matter for the prospective applicant to revert to the Board if it requires a further meeting or if it wishes to close the pre-application consultation process.

 19/12/22

**Ciara Kellett**

**Assistant Director of Planning**