

An
Bord
Pleanála

Record of 1st Meeting ABP-318666-24

Case Reference / Description	Proposed development of 11 wind turbines located at Ballincor Wind Farm Co. Tipperary and Co. Offaly		
Case Type	Pre-application consultation		
1st / 2nd / 3rd / 4th Meeting	1 st Meeting		
Date	22 nd February 2024	Start Time	11:00am
Location	MS Teams	End Time	11:55am

Representing An Bord Pleanála
Paul Caprani (Assistant Planning Director) Chair
Brendan Coyne (Planning Inspector)
Lauren Murphy (Executive Officer)

Representing the Prospective Applicant
Louise Byrne, Tobin
Eirene Varghese, Tobin
John Dillion, Tobin
Sean Galvin, RWE
Cliona O'Sullivan, RWE

Introduction

The Board referred to the letter received from the prospective applicant on the 11th November 2023, requesting pre-application consultations under section 37E of the Planning and Development Act 2000, as amended, 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. The Board's representatives 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 made by the prospective applicant:

Information in relation to the applicant RWE was presented. They have been in Ireland since 2016 and have over 2,000MW of onshore and offshore projects under development. They currently have one onshore windfarm in operation and more than ten under development, two offshore windfarms in development, two battery storage facilities in operation and one in development and one operational airborne wind test site.

The prospective applicant provided a description of the proposed development. The proposed Ballincar windfarm will consist of 11 wind turbines, grid connection, turbine delivery route and a 110kV substation with battery energy storage. Each wind turbine has the potential to generate between 5.0 and 7.0 MW of power which results in maximum total power output of 77MW. Each turbine has a proposed tip height between 179m and 180m, a rotor diameter of between 149m and 155m and a hub height of between 102.5m and 105m. The prospective applicant discussed the key elements of the development but mentioned that they are provisional and subject to review as part of the design and environmental impact assessment process. The duration of the proposed developments operational life is intended to be 35 years.

The prospective applicant presented a site location map of the proposed development site. It depicted the red line boundary of the site in the context of proximity to local urban areas. The larger settlements in the vicinity are Birr to the north, Shinrone to the south and Carrig, the closest settlement to the northwest of the site.

The prospective applicant discussed the key features of the proposed site location. This proposed development is intended to be located on lands under the ownership of local landowners, who have consented to the making of the planning application.

The proposed development site covers an area approximately 530 hectares in size; this land is mainly agricultural land, forestry land, and peat land. The proposed development site is located west of the Little Brosna River with a topography of between 45m and 65m OD. The surrounding landscape of the proposed development site is mainly low lying except for Knockshigowna Hill located to the southwest. The Sharvogue Bog Special Area of Conservation located adjacent to Little Brosna River to the East of the site.

The prospective applicant presented images of the proposed development site. The prospective applicant presented map indicating all the constraints which inform the current layout of the turbines, including the location of nearby Special Areas of Conservation (SACs). The prospective applicant presented the initial turbine layout which was refined due to the proximity of constraints. The layout may still be subject to change and will be reviewed as constraint studies are being refined.

The prospective applicant briefly discussed site surveys which have been carried out. These include ecological and habitat surveys, and bird and bat surveys. Furthermore, peat probing to ascertain peat depth on site has been carried out and baseline noise and surface water monitoring are currently being carried out.

The prospective applicant has selected 30 viewpoints for the visual impact of the proposed development over a 20km radius.

The prospective applicant discussed the proposed grid connection route and is currently reviewing substation options for this proposed development. The preferred option emerging is the Dallow 110kV substation. Eight different grid connection route layouts being considered to connect the proposed development to Dallow 110kV substation. The prospective applicant has requested pre planning meetings with both Offaly and Tipperary County Council to discuss this proposed grid route connection. Site surveys, land consents and stakeholder engagement are currently

underway. The prospective applicant carried out a pre customer consultation meeting with the transmission system operator (EirGrid) in August 2023.

The prospective applicant discussed the proposed turbine delivery route. Preliminary assessment, visual assessment, and auto track analysis of all constraints along the route have been undertaken. The proposed turbine delivery route is from Foynes port in County Limerick following up the N56, the M7 and N62 using local roads to access the proposed development site.

The prospective applicant outlined EU, National and local policy in context with this proposed development. As this proposed development falls within the administrative areas of Offaly and Tipperary, local policy in both county development plans is being taken into consideration.

The prospective applicant outlined EU, National and Regional policies, all of which favour renewable energy projects. This proposed development will contribute to reaching renewable energy targets as set out in the National Climate Action Plan.

The prospective applicant presented the EIA scoping undertaken to date and provided a list of prescribed bodies in which they have or will be engaging with in relation to the proposed development.

The prospective applicant detailed the public consultations undertaken to date. The project website is live and provides the latest information and updates in relation to this proposed development. There is a dedicated Community Liaison Officer for the local community to answer any questions or concerns that may arise. Community engagement to date was detailed and the first round of community engagement was carried out in July 2023, the second round of community engagement is intended to take place in Q1 of 2024.

The prospective applicant discussed the next steps which will be taken in relation to this proposed development. An EIAR and an NIS will be carried out for this project, continued environmental surveys and monitoring will be carried out in and around the proposed development site and community consultations will continue.

The prospective applicant is intending to submit a planning application in Q3 of 2024. The prospective applicant gave their opinion that they believe this proposed development falls within the scope of Section 37A of the Planning and Development Act 2000, as amended.

Discussion:

- The Boards representatives discussed the location of the proposed site and asked the prospective applicant if they have assessed wind speeds and has this been taken into consideration in the proposed turbine layout. The prospective applicant stated that they have had wind monitoring devices on site for over 2 years and have been monitoring data collected.
- The Boards representatives pointed out the presence of an airfield located northeast of the proposed development site. They questioned if this airfield is still in operation. The prospective applicant stated that they will take the airfield into account in their assessment.
- The Boards representatives noted the presence of peat on the subject site and stressed the importance that a robust assessment of peat stability be carried out as this could be a significant issue. This issue should be comprehensively addressed in the environmental impact assessment report. The prospective applicant stated that although peat partly overlies the proposed site, there is only one single turbine that will be located on peat. All other turbines will be located on lands currently occupied by forestry, notwithstanding this, the applicant will carry on a robust peat stability risk assessment for this turbine.

- The Boards representatives noted that the proposed development site is in close proximity to a Special Area of Conservation, Sharvogue Bog, and recommended that the EIAR robustly assess any drainage implications the proposed development might have for the Bog. The prospective applicant stated that the natural hydrological boundary runs between the bog and the proposed site. Water level monitoring has been carried out on the proposed site. The Boards representatives stated that there are several streams located on site and recommended that the prospective applicant take these into account in its studies particularly in relation to any European Sites located downstream that maybe hydrologically connected to the subject site.
- The Boards representatives noted the presence of other windfarms in the area, and studies undertaken by the applicant should assess all cumulative impacts. The Boards representatives also noted that there is another proposed windfarm development which is currently within the planning application stage with the Board (ABP-318689-23), this windfarm should also be included in any in-combination/cumulative impacts should it be granted.
- The Boards representatives recommended that the prospective applicant take into consideration post construction decommissioning in studies and reports accompanying the application.
- The Boards representatives recommended that the prospective applicant has secured all landowner consent from all landowners involved in the project.
- The Boards representatives noted that the site in question appears to be located in an area not deemed appropriate in either the Offaly or Tipperary development plans. This could represent a significant issue having regard to recent legal case law in respect of the primacy of the development plan in assessing applications.
- The Boards representatives recommended that the prospective applicant liaises with the National Parks and Wildlife Services and seek opinion and

recommendations in relation to the quality and content of surveys and reports they have completed to date.

- The Boards representatives recommended that due to the proximity of local residential areas, that the EIAR incorporate robust noise assessment reports. The prospective applicant stated that all local residential areas are located at least 720m from the nearest turbine. However, landowners in agreement with the proposed development are located slightly closer to the proposed site, but still more than 500m distance from the nearest turbine.
- The prospective applicant questioned if the whole proposed development can be submitted to the Board under section 37E of the Planning and Development Act 2000 (as amended) (i.e. windfarm, substation and grid connection). The Board's representatives indicated that the Board have in the past accepted the totality of the project in a single application under the provisions of S37E.
- The Boards representatives questioned if there are any constraints in relation to the turbine delivery route. The prospective applicant noted that there have been no major constraints identified but they are currently undergoing landowner agreements on third party land to be used as part of the turbine delivery route. The prospective applicant briefly discussed the proposed turbine delivery route which will utilise the N62 and onto the R492.
- The Boards representatives recommended that the prospective applicant is clear on the potential rated output of the proposed development when requesting closure of the pre application consultation to ensure the Board can make the decision if the proposed development falls above the threshold for windfarm development under the 7th Schedule of the Act.
- The Boards representatives recommended that the prospective applicant consider migratory paths between nearby Special Areas of protection (SPAs) in any ornithological assessment undertaken as part of the proposal. They

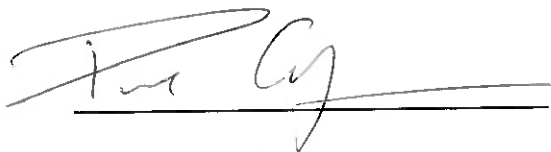
recommended that the prospective applicant carry out a detailed collision risk assessment.

- The prospective applicant raised a query in relation to the design flexibility request which they intend on submitting to the Board. The Boards representatives clarified that they must request a consultation under section 37CC of the Act.
- The Boards representatives gave their preliminary opinion that the proposed development falls within the scope of strategic infrastructure but reminded the prospective applicant that the final decision lies with the Board.

Conclusion:

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

The Meeting concluded at 11:55.

A handwritten signature in black ink, appearing to read 'Paul Caprani', is written over a horizontal line.

Paul Caprani

Assistant Director of Planning