

An
Bord
Pleanála

Record of Meeting ABP-318714-23 1st meeting

Case Reference / Description	ABP-318714-23 - Proposed development of 8 no. wind turbines, grid connection and associated infrastructure, located at Briskalagh and surrounding townlands, north of Kilmanagh, County Kilkenny.		
Case Type	Pre-application Consultation		
1st / 2nd / 3rd Meeting	1 st		
Date	09/02/2024	Start Time	11:00am
Location	Virtually by Microsoft Teams	End Time	12:00pm

Representing An Bord Pleanála

Stephen Kay – Assistant Director of Planning (Chair)

Kevin Moore – Senior Planning Inspector

Evan McGuigan – Executive Officer

Representing the Prospective Applicant

Jade Power – MKO

Eoin McCarthy – MKO

Alan Clancy – MKO

Jack Smith – MKO

Niall Galvin – Briskalagh Limited

William O'Connor – Briskalagh Limited

Introduction:

The meeting commenced at 11:00am.

The Board referred to the letter received from the prospective applicant on the 14th December 2023, requesting pre-application consultations under section 37B 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 by the prospective applicant:

The prospective applicant began the presentation by providing background information on and an introduction to the project team for the proposed development.

The prospective applicant stated that the proposed development would likely consist of approximately 8 wind turbines, an onsite substation, grid connection cabling, hardstands, access roads and entrances, a temporary construction compound, a permanent meteorological mast and associated site development works and apparatus. It further stated that it intends to apply for fixed turbine parameters which would have a power output of greater than 50MW and that it does not intend to request design flexibility for the proposed development.

The site for the proposed development would be located in County Kilkenny – around 8.5km west of Kilkenny city, around 2.7km south of Tullaroan village and around 1km north of Kilmanagh village. The prospective applicant stated that environmental and ecological constraints, wind resource and the Kilkenny County Development Plan had been considered in relation to selecting the site for the proposed development.

The prospective applicant stated that the initial site layout is currently being prepared and that it is taking a number of planning and environmental constraints within and surrounding the site (including physical, social, cultural, ecological, hydrological and geotechnical constraints) into consideration.

The prospective applicant referenced a proposed grid connection route, which would involve the connection of the proposed onsite substation to the national grid by way of 23km of underground cabling to the existing Ballyragget 110kV substation. It stated that the proposed grid connection would likely consist of a separate application under section 182 of the Planning and Development Act 2000, as amended, and that a final decision had not yet been taken in relation to this. It also noted that the Board has previously accepted applications under section 37 with proposed grid connections included and indicated it may submit a single application for the proposed development in this manner.

The prospective applicant outlined how the proposed development would comply with policies at European Union, national and local levels – citing REPowerEU, the

National Energy Security Framework, the Climate Action Plan, Project Ireland 2040, the Climate Action and Low Carbon Development Act, and the Kilkenny City and County Development Plan. It stated the Environmental Impact Assessment Report for the proposed development would provide a breakdown of these policies.

The prospective applicant referenced the Kilkenny Wind Energy Development Strategy (KWEDS) and stated that the site location for the proposed development would be located within areas designated as 'Acceptable in Principle' and 'Open for Consideration' in the KWEDS. It presented a drawing which indicated where the site and draft turbine locations of the proposed development would be situated in respect of the KWEDS policy areas.

The prospective applicant presented a series of drawings indicating the proximity of the proposed development to designated sites (with a 15km buffer zone) and other site constraints. The nearest designated sites to the proposed development are the Ballykeefe Wood and the River Barrow and River Nore Special Area of Conservation (SAC). The prospective applicant also presented a Zone of Theoretical Visibility (ZTV) drawing which also indicated proposed photomontage locations.

The prospective applicant stated that an EIAR scoping document, which provided details of the proposed development, was prepared and circulated to relevant bodies in November 2023. It submitted that responses were received from a number of bodies – including Geological Survey Ireland, the Department of Transport, and the Irish Aviation Authority – and that, to date, none of the response had expressed significant concerns regarding the proposed development. It also indicated that follow up scoping would take place where no response has been received from relevant bodies.

The prospective applicant stated that it had submitted a pre-application meeting request to Kilkenny County Council on 8th December 2023 and was awaiting a response.

Regarding public consultation, the prospective applicant stated that a Community Liaison Officer (CLO) had been appointed as the point of contact for any queries in relation to the proposed development and that a project website had been set up. It outlined a series of public consultation events – including door-to-door consultation,

a public information exhibition, and information letters – that had taken place within the last year. It referred to a community group that had been established in opposition to the proposed development and stated that it was trying to engage further with the group. It also stated that community consultation generally would continue.

The prospective applicant referred to the determination criteria for Strategic Infrastructure Development (SID) as laid out in the 7th Schedule and section 37 of the Act. It outlined its belief that the proposed development – as it would generate an output of greater than 50MW – would exceed the threshold as specified in the 7th Schedule and qualify as a SID.

Regarding the EIAR, the prospective applicant provided a breakdown of the volumes and chapters that would be included – as well as some of the issues that would be addressed, including shadow flicker, bat surveys and bird studies.

The prospective applicant provided a project timeline for the proposed development. It stated that work regarding public consultation, development design, site surveys, pre-planning consultation, the EIAR and Natura Impact Statement (NIS) and planning documents would continue during the first quarter of 2024. It also stated that it intends to submit an application for the proposed development in the second quarter of 2024.

Discussion:

- In response to a query from the Board's representatives, the prospective applicant stated that it has a preferred turbine model in mind for the proposed development and that the estimated power output from the turbines would be 56MW. The Board's representatives advised that the prospective applicant provide as much clarity as possible in relation to turbine details – including the number of turbines involved in the proposed development, the turbine model, the measurements of the turbines, and power output – so to enable the Board to make a clear and informed determination regarding the SID status of the proposed development.

- The Board's representatives advised the prospective applicant that it should state clearly, and as soon as is possible, if the proposed grid connection element of the project would be included in an application for the proposed development or not. The Board's representatives stated that applications under section 37 with grid connection elements included had been accepted by the Board previously and advised the prospective applicant to be aware of the wording in section 182A of the Act in relation to this before proceeding. In response to a query from the prospective applicant, the Board's representatives stated that as a minimum the Board would require clarification as to whether the proposed grid connection element would be included or not in writing prior to the closure of the pre application consultation process.
- The Board's representatives noted that the applicant does not intend to request design flexibility for the proposed development.
- The Board's representatives advised the prospective applicant to be aware of other projects and pre-applications in the vicinity of the proposed development and Kilkenny generally, particularly in relation to cumulative impacts.
- In response to a query from the Board's representatives, the prospective applicant stated that the site location of the proposed development consists entirely of agricultural land with free-draining soils. The prospective applicant also stated that there is nothing significant of note in relation to flora, fauna or ornithology on the site – apart from an area of woodland indicated in one of the drawings presented and a stream, for which it stated there will be mitigation measures included.
- In response to a query from the Board's representatives, the prospective applicant stated that it is continuing investigations in relation to borrow pits and specific volumes involved. It also stated that rock material would largely be obtained on site.
- The Board's representatives advised the prospective applicant to consider issues in relation to noise – and specific measures on how to deal with them – in the EIAR for the proposed development, with reference being made to the need to address specific measures relating to amplitude modulation and infrasound.

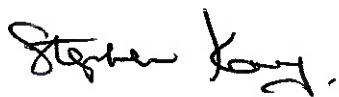
- Following a query from the Board's representatives, the prospective applicant stated that the EIAR and NIS would cover the proposed grid connection.
- The Board's representatives queried the prospective applicant as to whether, given the site constraints shown in the drawing provided, 8 turbines would be the maximum number of turbines workable within the site location for the proposed development. The prospective applicant stated that it is proceeding on the basis that 8 would be the maximum number for the site and stated that it would confirm in writing to the Board as to whether that will be the confirmed number of turbines for the proposed development.
- A discussion was held between the Board's representatives and prospective applicant regarding public consultation and the community group that had been established in opposition to the proposed development. The prospective applicant outlined some of the concerns expressed by the community group and stated that it intends to engage with them further. It stated that a significant number of households and dwellings within the local area had been consulted and that there was a good attendance at the public information exhibition. It further stated that it intends to present more field work to the community in upcoming consultations.
- Regarding scoping, the Board's representatives enquired if bodies such as the Development Applications Unit (DAU), the National Parks and Wildlife Service (NPWS) and Inland Fisheries Ireland (IFI) had responded. The prospective applicant stated that these bodies had not replied, and that the DAU acknowledged receipt of its request but stated that they could not comment at this time. It also stated that it was seeking to engage with the NPWS at a local level regarding the proposed development. The Board's representatives recommended to keep pushing with the DAU and other bodies for a response and to attempt to close off as many issues with them as possible.
- The Board's representatives acknowledged the prospective applicant's upcoming engagements with Kilkenny County Council and recommended getting the council's view regarding the proposed grid connection and impact on the road along the proposed route of the grid connection.
- The Board's representatives reiterated the need for more detail regarding the proposed development and stated that a second meeting may be preferable,

subject to the work carried out by the prospective applicant in relation to final designs and documentation in the meantime. The Board's representatives also stated that the prospective applicant would – should it wish to close off consultations – need to provide as much detail as possible regarding the design of the proposed development, specifically the scope of the pre application consultation (inclusion or not of grid connection) and information around the final number and layout of turbines and the design and capacity of same. The prospective applicant agreed to proceed on this basis.

Conclusion:

The record of the meeting will issue in due course and 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 onus is on the prospective applicant to either request a further meeting or formal closure of the pre-application consultation process.

The meeting concluded at 12:00pm.



Stephen Kay

Assistant Director of Planning