

An
Bord
Pleanála

Record of 1st Meeting ABP-319601-24

Case Reference / Description	ABP-319601-24		
Case Type	Pre-application consultation		
1st / 2nd / 3rd / 4th Meeting	1 st		
Date	22/05/2024	Start Time	14:30 a.m.
Location	Virtually	End Time	15:30 p.m.

Representing An Bord Pleanála

Staff Members

Stephen Kay, Assistant Director of Planning (Chair)

Pauline Fitzpatrick, Senior Planning Inspector

Raymond Muwaniri, Executive Officer

Representing the Prospective Applicant

Louise Byne, Senior Planner, Tobin Consulting Engineers

John Staunton, Senior Project Manager, Tobin Consulting Engineers

Yolande McMahon, Planner, Tobin Consulting Engineers

Emer Campbell, Project Manager, FuturEnergy Ireland

Sinead O'Malley, Planning Manager, FuturEnergy Ireland

Introduction

The Board referred to the letter received from the prospective applicant on the 24th April 2024 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.

The Board's representatives noted a number of points specific to the circumstances of the subject pre application consultation as follows:

- That the Board is aware that the consultation request under s.37B relates to essentially the same development as previously the subject of consultations under Ref. ABP-315920-23, on foot of which the Board determined that the proposed development constituted SID.
- That the Board is also aware that the intention to obtain a design flexibility opinion under s.37cc of the Act has necessitated the resubmission of the pre application consultation request under s.37B.
- That it is intended to hold back-to-back pre application meetings with the current s.37B pre application consultation meeting to be followed by the design flexibility opinion meeting (ABP Ref. ABP-319602-24).
- It is intended that this meeting will outline the main issues that may be relevant to the consideration of any application that may be made to the Board, and that the record of the current meeting should be read in conjunction with the records of the two meetings held in respect of Ref. ABP-315920-23.

Presentation made by the prospective applicant:

FuturEnergy Scart Mountain Designated Activity Company is owned by FuturEnergy Ireland, and their ambition is to develop more than 1GW of renewable energy capacity by 2030. They plan to make a significant contribution to Ireland's commitment to produce 80% of electricity from renewable sources by the end of the decade. A previous application for the same project was deemed to be SID, as per the letter received from the Board dated 24th January 2024. The development now proposed will comprise of slight modifications to the grid connection route and the turbine delivery route, from that subject of the previous pre-application consultations under Ref. ABP-315920-23. The maximum output value has also been revised upwards to 108 MW. The site of the proposed development is located just over 4 kilometres northeast of Cappoquin in Co. Waterford and adjacent to the Co. Tipperary border. Most of the site is covered in coniferous forestry plantations, with the northern most areas covered in peatlands. The Blackwater River (Cork/Waterford) Special Area of Conservation passes through the northern end of the site.

Maps were presented which highlighted the key constraints on the site, including dwelling set-back distances, buffer zones from watercourses, roads, European designated sites, and telecommunications infrastructure.

Policy context includes the REPowerEU Plan, which provides a framework to accelerate the deployment of renewable energy and 51% reduction in Irish greenhouse gas emissions by 2030, Net Zero by 2050. Renewable electricity is expected to increase to 80% by 2030, 9GW from onshore wind and 6GW from offshore. The proposed windfarm will significantly contribute to these targets over the next 35 years. The prospective applicant's presentation noted how the proposed site is located within an 'exclusion' area in the Waterford City & County Council 2022-2028 Wind Energy Strategy. The site was designated as 'Open to Consideration' in the previous County Development Plan. The prospective applicant is of the view that the site zoning process is lacking in scientific analysis and the zoning is not representative of onsite characteristics and in conflict with expert site specific analysis undertaken.

A constraints analysis map of the new wind energy designations was presented with a residential buffer applied (recommended 4-times tip height) which leaves almost no developable area for wind energy development in the county. It was noted that the landscape has not changed since the previous development plan and the prospective applicant is of the opinion that the proposed site is suitable for wind energy development. The proposed scheme will comprise of 15 turbines within the following parameters: 179.5 – 185m tip height, 149 – 163m rotor diameter, 102.5 – 110.5m hub height. The project is also proposed to include a met mast 100m high, 2 temporary construction compounds, 110kV electrical onsite substation, and new and upgraded site roads. The electrical output would be between 85.5 – 108MW, exceeding the threshold of 50MW as set out in the Seventh Schedule of the Planning and Development Act.

Proposed Biodiversity Enhancement lands are to be included within the site boundary and will comprise of felling of forested areas and managing of farmed lands to benefit biodiversity. The EIA Scoping has been completed. Consultations have been held with Waterford City & County Council, several government departments, Irish Aviation Authority, environmental organisations, communications, tourism and health authorities and Inland

Fisheries Ireland. Consultation remains open should the need arises. In terms of Public Consultations, 3 newsletters were distributed to all residents within 4km of the site, and a website providing the latest information to encourage public engagement. There are 2 Community Liaison Officers available for face-to-face meetings with residents.

The prospective applicant's presentation set out how detailed ecological and habitat surveys have been carried out. Bird surveys are mostly complete, including breeding wader, hen harrier, and general breeding and wintering bird surveys. Bat surveys have been carried out, as have aquatic habitat assessments on the potential for downstream effects on SAC. Surveys and recording of other protected fauna have also been carried out. In terms of Annex 1 habitats the scheme proposes to avoid the best areas with compensation through restoration/enhancement.

The landscape and visual assessment comprise a 20km study area, with over 30 selected Viewshed Reference Points. It was noted that there are other wind farms in the areas that need to be taken into consideration because of the cumulative impact. The EIA Report and Planning Application will be finalised in the Autumn of 2024.

Discussion:

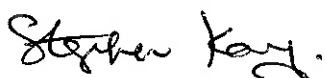
- The Board's representatives commenced by commenting on the application being submitted in the Autumn, and enquired when the prospective applicant will close the pre-application process. The applicant replied they will be continuing with surveys, but they have enough information to close off the process once the Board has sent out the record and there are no comments from the applicant.
- The Board's representatives stated that from a planning context, the prospective applicant will need to submit a robust justification for the proposal having regard to the fact that the site is within an 'exclusion' zone and is deemed not suitable for windfarm development in the Waterford City and County Development Plan.

- The prospective applicant confirmed that the nearest sensitive receptor would be beyond the recommended 4-times tip height separation distance and located approximately 740 metres from the nearest turbine. The Board's representatives stated noise, shadow flicker and visual impact need to be fully assessed.
- The Board's representatives advised the prospective applicant to check the local planning register for any new proposed residential developments in the area to ensure the proposed set back distances can be achieved.
- The Board's representatives noted the applications for windfarm development currently before the Board (Counnagappul and Dyrick Hill) in addition to the permitted windfarm at Lyrenacarrriaga. Due to the proximity of these proposed projects, there is potential for intervisibility, that will need to be assessed.
- The Board's representatives noted the proximity of the proposed turbines to adjoining developments and whether there was potential for wind take issues to arise. The prospective applicant stated that this issue had been examined in detail in the project design.
- The prospective applicant mentioned there are sections of peat across the site, but they are quite shallow. The Board's representatives advised the prospective applicant to be cognisant of peat stability and said this should be addressed in the EIAR.
- The Board's representatives noted the Blackwater River SAC which traverses the northern section of the site and said that the potential impacts of the development on this site needs to be robustly assessed. The Board representatives noted the potential presence dry heath habitat on the site and the potential for this habitat to be suitable for hen harrier and golden plover species in particular. The Board's representatives asked the prospective applicant if there have been any further consultations with Waterford City & County Council since the pre-application process. The prospective applicant replied that there had not.

- The Board's representatives further asked the prospective applicant to explain what modifications they are going to make to the roads, and if they have been in discussion with Transport Infrastructure Ireland (TII) regarding same. The prospective applicant stated they will be widening the junction of the local and national road where the route leaves the national road, they added that they have not been in touch with TII but will contact them for a follow up.
- The prospective applicant advised that there is no further update on when the Renewable Electricity Planning Spatial Framework can be expected.

Conclusion:

The Board's representatives advised that 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.



Stephen Kay

Assistant Director of Planning