



An
Bord
Pleanála

Recording of Meeting 07.PC0227 1st meeting

Case Reference / Description	07.PC0227 Proposed wind farm development and associated works at Ardderroo, near Rosscahill, Co. Galway.		
Case Type	Pre-application consultation		
1st / 2nd / 3rd Meeting	1 st		
Date	04/10/16	Start Time	11 a.m.
Location	Meeting Room 3	End Time	12 p.m.
Chairperson	Anne Marie O'Connor	Executive Officer	Kieran Somers

Attendees		
Representing An Bord Pleanála		
Staff Member	Email Address	Phone
Anne Marie O'Connor, Assistant Director of Planning		
Sarah Moran, Senior Planning Inspector		
Diarmuid Collins, Senior Administrative Officer		
Kieran Somers, Executive Officer	k.somers@pleanala.ie	01-8737107

Representing the Prospective Applicant		
Jimmy Green, McCarthy Keville O'Sullivan		
Brian Keville, McCarthy Keville O'Sullivan		
William O'Connor, Ardderroo Windfarm Ltd		

The meeting commenced at 11a.m.

Introduction:

The Board referred to the letter dated the 2nd September, 2016 from the prospective applicant 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 it wished to receive advice on from the Board.

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

- 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 Board will serve formal notice at the conclusion of the process as to whether or not the proposed development is SID. It may form a preliminary view at an early stage in the process as to whether the proposed development would likely constitute strategic infrastructure.
- 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 any legal proceedings.

The Board noted the prospective applicant's opinion, as expressed in its letter dated the 2nd September, 2016, that the proposed development would constitute strategic infrastructure development. It also noted that this might be the sole meeting in this particular pre-application process given the previous application on the subject site. The Board also added that it is not the function or remit of the pre-application consultation process to discuss or expand upon the reasons for refusal for a previous application.

Presentation by the prospective applicant:

The prospective applicant began by giving a background in respect of the developer which is part of the Enerco Energy Ltd group of wind energy companies. With respect to the project itself, the prospective applicant said that a Gate 3 agreement is in place and referred to the previous pre-application consultation process (case reference number PC0159) and planning application (PA0036). The prospective applicant said that the previous and current applications are more-or-less similar in that they entail the construction of 29 turbines, one substation (revised location as per further information response), underground electricity connection cabling and associated infrastructure. With respect to the previous planning application which was before the Board as an SID case, the prospective applicant referred to the fact that there was a further information request which was responded to on the 15th May, 2015. An oral hearing on the case was held between the 14th and 15th July, 2015. Subsequent to this, the Board made a decision to refuse permission for the proposed development in December 2015.

In relation to the previous decision to refuse permission, the prospective applicant commented that there were two reasons for refusal based on perceived deficiencies in bird and bat survey data based on survey methodology/data assessed with regard to Scottish Natural Heritage guidance. Having regard to this, the prospective applicant remarked that no questions in relation to bird surveying data or methods was raised at the oral hearing or by the Board or third parties.

As a response to the previous reasons for refusal, the prospective applicant said that additional bat and bird surveying has taken place and is presently on-going. It referred in particular to some of the surveys and studies which have been carried out in this regard. The prospective applicant made the comment that none of its studies to date have added to or changed previous findings and that they had, in fact, re-informed original conclusions. However, it added that the new application would not just be a re-lodgement of the original application, but would also address the reasons for refusal given by the Board.

With respect to existing infrastructure in the vicinity of the proposed development, the prospective applicant referred to the Eirgrid Letter substation (permitted by the Board under case reference number VA0016); the Screeb to Galway City 110kV overhead line; the upgraded Doon Road access; and the significant commercial forestry and associated road network.

The prospective applicant also referred to wind farms permitted and under construction in the vicinity of the proposed development. These include the Cloosh Wind Farm; the Seecon Wind Farm; the Ugool Wind Farm; and the Lettercraffroe Wind Farm, all of which constitute the Galway Wind Park development. The Knockranny Wind Farm and Knockalough Wind Farm were also mentioned by the prospective applicant, both of which comprise of 11 wind turbines.

The prospective applicant referred to the proposed Ardderroo substation which is currently the subject of a pre-application consultation request to the Board under case reference number VC0100. A preliminary meeting has already taken place on this case. The prospective applicant stated that the site of the substation in question is the same as that proposed in the further information response to the Board under case reference number PA0036. The prospective applicant added that the proposed substation would also be assessed in the EIS produced for the instant project. Responding to the Board's query in respect of timelines, the prospective applicant said that its current intention is to lodge the formal SID application for VC0100 prior to the end of 2016. As regards this pre-application consultation request, the prospective applicant stated its current intention to lodge a planning application towards the end of Quarter 1, 2017.

The prospective applicant noted the recent planning decisions of the Board in relation to Knockranny Wind Farm (case reference number 243094) and Galway County Council in relation to Knockalough Wind Farm (case reference number 14/1273). The prospective applicant noted that both developments are adjacent to the subject site and pointed out that both projects had been considered by the previous application in relation to cumulative impacts. The prospective applicant stated that cumulative impacts would be included in the EIS and NIS of the current proposal. It was noted that the adjacent Knockranny decision is currently subject to judicial review. The prospective applicant stated that cumulative impacts would be included in the EIS and NIS of the current proposal.

The prospective applicant referred to current county development plan policy and pointed out that it is generally supportive of renewable energy developments. With regard to the 7th Schedule of the Planning and Development Act 2000, as amended, the prospective applicant stated that the proposed development exceeds the threshold set out for wind energy development in that it consists of 29 turbines with a total minimum output of 65MW. The prospective applicant was advised that it would be necessary to demonstrate that the development is SID with regard to the criteria set out in section 37A (2) of the Planning and Development Act 2000, as amended.

Responding to the Board's query on the matter, the prospective applicant said it was confident that the proposed development does comprise strategic infrastructure development in that it satisfies the criteria under (a) and (b) of Section 37A (2) of the Planning and Development Act 2000, as amended. The prospective applicant expanded on this point saying that the proposal would be of strategic, economic and social importance in that it will constitute a significant investment which will be augmented by commercial rates, community gain proposals, contributions and additional employment that will be provided by the project. The prospective applicant added that the proposed development will also significantly contribute towards meeting sustainable energy targets and objectives at county, regional and national level. The prospective applicant mentioned in particular the West Regional Planning Guidelines 2010-2022 which refer to giving effect at regional level to national policies and that renewable and sustainable energy lies at the heart of the Government's environmental and economic policies. The Guidelines also acknowledge that the West Region is particularly well-placed to assist in achieving these policies with a wide range of renewable energy generating resources, including wind power.

The prospective applicant said that additional environmental assessments are underway and being updated, the project design is largely complete, the preparation of an EIS and NIS and other related documentation is underway and preliminary discussions have been initiated with the planning authority. With respect to the National Parks and Wildlife Service (NPWS), the prospective applicant said that a scoping document has been forwarded, but that no formal meeting has, as of yet, been arranged.

Board comments/queries:

The Board advised the prospective applicant to submit as much up-to-date information as possible on the proposed development and other developments in the area when preparing its planning application. This would be important as regards both EIA and AA processes the Board added. Similarly, the Board said that any changes in the layout for the proposed development, as opposed to the previous application, should be clearly set out. Assessments of the effects of the proposed development on any European Site and the environment as a whole ought to be robust the Board advised. The prospective applicant was advised to highlight additional information provided updating the previous EIS and NIS documents.

Responding to such advice, the prospective applicant said it would also be seeking to adhere to the requirements of the Scottish Natural Heritage guidance. Having regard to the updated Wind Farm Guidelines, the Board said it was unsure when these might be coming into effect. This could occur during the lifetime of the application and, if so, the Board pointed out that there is a provision to request further information in relation to this or any other matter. The prospective applicant expressed a concern in this regard in relation to the previous application when the Scottish Natural Heritage guidance was considered by the Board in its decision to refuse permission. The prospective applicant pointed out that this was particularly pertinent in relation to the matter of bird survey work and that the final decision to refuse came as a surprise to it. It articulated an overall concern that any further

guidelines or guidance documents might emerge during the course of the planning application. Noting this, the Board commented that the legislative and guidance framework is changing on a fairly constant basis and that court decisions are also changing the approach to wind farm applications. It undertook to revert to the prospective applicant on this matter, but said that, at the current time, it is not aware of any new guidance documents or guidelines which the Board has cited in any recent planning decision. The prospective applicant made the comment that it was unfortunate that the SID process did not allow any mechanism to engage with the Board once the decision to regard a project as SID was made.

Conclusion:

The Board suggested that a further meeting might be useful towards the end of 2016 if the prospective applicant requires it. It advised the prospective applicant not to seek closure to the process at this point in time in case it might require further advice and/or a meeting. It will be a matter for the prospective applicant to revert to the Board and indicate whether or not it requires a further meeting. If not, the Board said it would be able to issue the formal planning application procedures to the prospective applicant. The Board also advised the prospective applicant to pursue its engagement with representatives of the NPWS.

The meeting concluded at 12 p.m.

Anne Marie O'Connor
Assistant Director of Planning