



An
Bord
Pleanála

Recording of Meeting 05.PC0228 1st meeting

Case Reference / Description	05.PC0228 Proposed wind farm at Meenbog, Lismullyduff and surrounding townlands, Co. Donegal.		
Case Type	Pre-application consultation		
1st / 2nd / 3rd Meeting	1 st		
Date	17/10/16	Start Time	11 a.m.
Location	Meeting Room 3	End Time	12.25 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		
Suzanne Kehely, Senior Planning Inspector		
Marcella Doyle, Senior Executive Officer		
Kieran Somers, Executive Officer	k.somers@pleanala.ie	01-8737107

Representing the Prospective Applicant		
Jimmy Green, McCarthy Keville O'Sullivan		
Neil O'Brien, Planree Ltd		

The meeting commenced at 11a.m.

Introduction:

The Board referred to the letter dated the 20th 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 20th September, 2016, that the proposed development would constitute strategic infrastructure development. 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 a grid connection node is at the Eirgrid Clogher Substation. The prospective applicant also referred to the previous planning application (case reference number 05.PA0040) and pre-application consultation (case reference number 05.PC0170).

The prospective applicant made reference to the Donegal County Development Plan 2012 – 2018 which identifies two areas in relation to wind farm development, namely Areas Open to Consideration and Not Favoured Areas.

With respect to the site selection methodology, the prospective applicant said that its preferred project format is for a single site or else close clusters of turbines. It said this is premised on the desire to minimise duplication of infrastructure. The prospective applicant added that a single jurisdiction application is also preferred.

With regard to the Strategic Site Search Area (SSSA), the prospective applicant said that this has been identified on the basis of the primary project facilitator (that is the grid connection point) and the 20-kilometre boundary established surrounding the Eirgrid Clogher Substation. The prospective applicant said that the main constraints identified under SSSA relate to development plan designations, environmental designations, population and jurisdiction. It noted that Not Favoured Areas under the current county development plan include Natural Heritage Areas, Special Protection Areas, Special Areas of Conservation and also Areas of Especially High Scenic Amenity. With respect to populations, the prospective applicant noted that higher populated lowlands have also been excluded from SSSA at a strategic level.

The prospective applicant said that the outcome of the site selection process has identified six potential locations as follows:

- Knockletteragh
- Leagan Hill
- Carrickaduff Hill and Lismullyduff
- Tievemore and Groushall Hill
- Binna Hill and Crockmore
- Finmore Hill

With regard to the previous planning application which was lodged with the Board following pre-application consultations, the prospective applicant noted the process in relation to this which included the applicant's written response to third party submissions. The prospective applicant noted that an alternative layout consisting of 38 turbines was submitted to the Board for its consideration. The submission also included a response to third party submissions and concerns.

The prospective applicant noted that the Board refused permission on case reference number 05.PA0040 for one reason. Following on from this, it said that it set up a Peer Review of the assessments and documentation undertaken by the project team. With respect to bird surveying, as cited in the Board's reason for refusal, the prospective applicant said that such surveying is currently on-going. It also noted that this is being informed by Scottish Natural Heritage guidance. The prospective applicant outlined to the Board some of the dedicated bird surveys which have been carried out and are in progress.

The prospective applicant confirmed to the Board that the site location for the proposed development will be the same as the previous planning application. It added that the site layout has not yet been finalised. With respect to the Eirgrid Clogher Substation, the prospective applicant informed the Board that this is currently undergoing final commissioning.

The future planning application will seek to go beyond addressing the previous refusal reason and review all relevant issues raised during the course of the previous application. This will also extend to matters raised in the Inspector's Report and addressed such matters under the following headings:

- Landscape
- Noise
- Residential Amenity
- Ecological Surveying
- Water
- Forestry/Replanting Lands
- Geotechnical Studies
- Traffic
- Cultural Heritage

With respect to the matter of Forestry/Replanting Lands, the prospective applicant said that it intends to address this item more thoroughly in the EIS. It asked the Board whether this issue should be considered as a cumulative effect or an indirect effect. The Board said it would consider this might be appropriately considered as an indirect effect of the proposed wind farm development in terms of EIA.

The prospective applicant also commented as follows:

- Ecological surveying will include any hedgerow removal which may be necessitated.
- The National Parks and Wildlife Service (NPWS) will be consulted in relation to any walkways or trails which might be associated with/ affected by the proposed development.
- There is on-going engagement with other prescribed bodies and stakeholders.

- Consideration is being given as to how best to engage with members of the public so as to inform its eventual site layout for the proposed development.
- The procedural arrangements for pre-application consultation with the relevant bodies within Northern Ireland have recently changed, but will be undertaken once the matter has been clarified.

Finally, the prospective applicant referred to the Seventh Schedule of the Planning and Development Act 2000, as amended. Although the exact number of turbines has not yet been determined, the prospective applicant said that it will exceed the thresholds of more than 25 turbines and with an output in excess of 50 MW. In relation to the criteria set out under Section 37A(2) of the Act, the prospective applicant stated its confidence that the proposed development would constitute strategic infrastructure development in that it fulfils all three criteria.

Board comments/queries:

The following matters were raised by the Board:

- The importance of consultations with the Northern Ireland Planning Service.
- The importance of consultations with NPWS. The prospective applicant said that consultations with the NPWS have commenced, although no formal meeting has yet taken place. The prospective applicant confirmed that the NPWS will receive all ecological data in respect of the proposed development.
- In relation to consultation with Donegal County Council, the prospective applicant said that the first formal meeting with the planning authority is to take place within the next few days.
- Attention was drawn to the need to discuss potential impacts on the Lough Mourne Reservoir and the Lough Derg Water Scheme (NI) with the relevant bodies.
- With respect to public consultations, the Board recommended that the prospective applicant should approach this matter as robustly as possible. It noted the prospective applicant's position in terms of such consultations potentially informing its final site layout for the proposed development.
- The EIS/ NIS should have regard to all relevant new and proposed development since the time of the previous planning application. The prospective applicant responded that all surveys and assessments will be cognisant of any such development.
- Responding to the Board's query on the matter, the prospective applicant said that all haul routes and turbine delivery routes will form part of the planning application and more clarity will be forthcoming in this regard.
- The need for a robust noise assessment was highlighted.

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 it has the provision to request further information if there is a change in policy or other such matter which might have a bearing on the Board's consideration of the application. The prospective applicant 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 subject to change and that court decisions are also informing 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 said that its current intention is to lodge a formal planning application sometime in Quarter 1 of 2017.

The prospective applicant said that it would wish to have a further meeting with the Board prior to the lodgement of any planning application. The Board suggested that the prospective applicant continue with its consultations with the various bodies and stakeholder groups and also firm-up its final layout for the proposed development.

Conclusion:

As regards a further meeting, it was agreed that it will be a matter for the prospective applicant to revert to the Board on this. No likely date for such a meeting was set in this regard.

The meeting concluded at 12.25 p.m.

Anne Marie O'Connor

Assistant Director of Planning