



An
Bord
Pleanála

Inspector's Report

ABP-301740-18

Development	Wind Farm
Location	Knockaun North, Lyrenacarriga, Ballycondon Commons, Kilcalf Mountain, Ballycolman, Kilnafurrery, Kilcronat Mountain and Knockakeo - the site straddles the county boundary between Co. Waterford and Co. Cork.
Planning Authority	Waterford City and County Council & Cork County Council
Prospective Applicant	Innogy Renewables Ireland Ltd.
Type of Application	SID Pre-application – whether project is or is not strategic infrastructure development.
Inspector	Ciara Kellett
Inspector's Recommendation	Is Strategic Infrastructure

1.0 Introduction

- 1.1. This report relates to pre-application discussions held with Innogy Renewables Ireland Ltd. (prospective applicant) with respect to their proposed windfarm of up to 17 no. turbines, including a 110kV substation, on lands near the townlands of Lyrenacarriga, Co. Waterford.
- 1.2. The primary purpose of these meetings was to address the issue of whether or not the proposed development constitutes strategic infrastructure for the purposes of the 2000 Act, as amended by the Planning and Development (Strategic Infrastructure) Act, 2006, and to consider matters relating to the proper planning and sustainable development of the area or the environment which may have a bearing on the Board's decision, and procedures involved in making the application.
- 1.3. This Report provides an overview of the proposed project, a summary of the meetings and the advice provided by the Board, the legislative provisions, and it recommends a list of Prescribed Bodies that should be forwarded copies of the application should the Board agree with the recommendation that the proposed development does constitute strategic infrastructure.

2.0 Site Location and Description

- 2.1. The site is located along the Cork/Waterford border c.12km north-west of Youghal and c.6km south-east of Tallow. There are two clusters of turbines proposed with one cluster in Cork and the other in Waterford. The regional road R634 runs in a roughly north-south direction and splits the two clusters and is identified as a scenic route. It runs from the N25 north of Youghal to Tallow and further afield to the N72. The general area is c.7km west of the River Blackwater and ranges from 140 – 210 metres above ordnance datum.
- 2.2. The majority of the proposed wind farm site is currently commercial forestry, with other areas in use for agriculture. It is sparsely populated with scattered housing along the local roads. A 110kV overhead powerline crosses to the south of the Cork cluster and through the site of the Waterford cluster.

2.3. The nearest designated sites are the Blackwater Estuary SPA (Site Code 004028) and the Blackwater River (Cork/Waterford) SAC (Site Code 002170) which run to the north and east of the site.

3.0 Proposed Development

3.1. The proposed development comprises of:

- 17 no. wind turbines (initial proposal comprised of 25) of 150 metres in height producing in excess of 50MW of power with the Cork cluster comprising of 6 turbines and the Waterford cluster comprising of 11 turbines,
- A 110kV substation is proposed on the Waterford site and a grid connection looping in and out to the existing 110kV line crossing the site,
- A 20kV underground cable will connect the two clusters,
- Temporary construction compounds;
- Anemometry masts and borrow pits, and
- New and upgraded access roads.

4.0 Details of Pre-Application Consultations

4.1.1. The applicant requested two pre-application consultation meetings which were held on the 30th August 2018 and the 11th June 2019. The applicant requested that the pre-application consultation process is closed by letter dated 25th March 2020.

4.1.2. Records of both meetings are on the file.

5.0 Prospective Applicant's Case

5.1. The applicant is of the opinion that the project is Strategic Infrastructure.

5.2. The key elements of the applicant's submission in support of the case being designated as strategic infrastructure were outlined at both meetings and in the letter requesting that the pre-application consultation process is closed. They are summarised as follows:

- It exceeds the statutory thresholds as specified in the Seventh Schedule of the Planning and Development Act as amended as it would comprise:
 - An installation for the harnessing of wind power for energy production (a wind farm) with more than 25 turbines or having a total output greater than 50MW.
- It satisfies criteria (a), (b) and (c) of S.37A (2) of the Act, because:
 - (a) It would be of strategic economic or social importance to the State as the proposed development will cumulatively represent a significant economic contribution to the Region and the State as a whole.
 - (b) It is in accordance with the promotion of sustainable energy development as set out in provisions of Delivering a Sustainable Energy Future for Ireland 2008– 2020, the National Planning Framework 2018-2040 (NPF) and the National Mitigation Plan as well as the Regional Spatial Economic Strategy for the Southern Region.
 - (c) While the proposed development should not give rise to significant effects it will occur within the functional areas of both Cork and Waterford Planning Authorities.

6.0 Legislative Context

6.1. Strategic Infrastructure Development

6.1.1. Section 37A of the Planning and Development Act 2000 (as amended) states that an application for any development specified in the Seventh Schedule of the Act, strategic infrastructure, shall be made to the Board if the development would fall within one or more of the following:

- (a) the development would be of strategic economic or social importance to the State or the region in which it would be situated,
- (b) the development would contribute substantially to the fulfilment of any of the objectives in the National Planning Framework or in any regional spatial and economic strategy in force in respect of the area or areas in which it would be situated,

(c) the development would have a significant effect on the area of more than one planning authority.

6.1.2. The Seventh Schedule lists the following as infrastructure for the purposes of 37A and 37B:

An installation for the harnessing of wind power for energy production (a wind farm) with more than 25 turbines or having a total output greater than 50 megawatts.

7.0 Recent Relevant Cases

- **ABP-304023-19:** Pre-application consultation in respect of removal of 25 wind turbines on-site and replacement with 12 turbines with total output in excess of 50MW, Keadow Upper, Barnesmore, Co. Donegal. The Board decided on 10th September 2019 that the development was strategic infrastructure.
- **ABP-303322-18:** Pre-application consultation for a windfarm of up to 27 wind turbines and up to 2 substation compounds with battery storage units along with ancillary and electrical infrastructure in Bottlehill, Mullenaboree, Knockdoorty, Glannasack, Co. Cork. The Board decided on the 1st November 2019 that the development was strategic infrastructure.
- **ABP-303157-18:** Pre-application consultation for a windfarm of up to 27 wind turbines including two substation options in Clongawny, Drinagh, and Derrinlough, Co. Offaly. The Board decided on the 20th November 2019 that the development was strategic infrastructure.

8.0 Natural Heritage Designations

8.1. The site lies to the south and west of the following natural heritage sites:

- Blackwater Estuary SPA (Site Code 004028) lies c.6.5km to the south-east of the site
- Blackwater River (Cork/Waterford) SAC (Site Code 002170) lies c.6.5km north and c.7km to the east of the site

9.0 Assessment

9.1. Strategic Infrastructure

- 9.1.1. In my opinion the proposed development comprises a Seventh Schedule development because it meets the Class 1 threshold requirement for windfarms as set out in section 6.1.2 above as it would comprise the construction of a windfarm having a total output greater than 50MW.
- 9.1.2. I consider that the proposed development meets the requirements of condition (a) of Section 37(A) (2) of the Planning and Development Act as amended, as it would be of strategic economic importance to the state and region due to its scale, location and the contribution it would make to the provision of renewable energy and reducing the States carbon footprint.
- 9.1.3. Section 37(A) (2) (b) of the above Act requires the development to contribute substantially to the fulfilment of any of the objectives in the National Planning Framework or in any regional spatial and economic strategy in force in respect of the area or areas in which it would be situate.
- 9.2. European and national policy seeks to ensure that Ireland promotes renewable energy generation and reduces its carbon footprint. In my view the proposed development is of a scale that would substantially contribute to the spatial, economic and energy objectives for the region as set out in Section 37(A)(2)(b).
- 9.3. The proposed development, which would connect to the national grid would serve the economies of, and have a significant effect on, more than one planning authority, namely Cork and Waterford, having regard to Section 37(A) (2) (c) of the above Act.
- 9.3.1. Therefore, I consider that the proposed development does comprise of Strategic Infrastructure Development and an application for development should be submitted directly to the Board for approval.

9.4. Planning and Environmental Considerations

- 9.4.1. The following matters were highlighted at the pre-application meetings:

- The locations of the turbines are proposed in areas defined as 'Preferred' or 'Open to Consideration' for wind energy purposes in the respective County Development Plans
- Constraints and buffer distances were highlighted with attention being drawn to the nearest dwellings and the scenic route along the R634
- Meetings to be held with both Planning Authorities
- Public Consultation to be held
- Forestry to be felled to make way for the proposal and replaced elsewhere to be included in the EIAR
- A separate discreet chapter to address mitigation measures to be included
- Works on identified pinch points along haul route to be identified
- EIAR and NIS will be submitted with application

9.5. **Environmental Impact Assessment**

- 9.5.1. Environmental impact assessment of the proposed development, if determined by the Board to be strategic infrastructure, is mandatory by virtue of section 37E of the Planning and Development Act 2000 (as amended). It is noted that the prospective applicant intends to submit an EIAR.

9.6. **Appropriate Assessment**

- 9.6.1. The applicant indicated their intent to submit a Natura Impact Statement having regard to the site's location and the nature of the nearest designated sites.

10.0 **Recommendation**

- 10.1.1. Having regard to the above, I am of the opinion that the proposed development comprises strategic infrastructure.

11.0 Reasons and Considerations

Having regard to the size, scale and location of the proposed windfarm development of 17 no. turbines with associated infrastructure and site works at Knockaun North, Lyrenacarriga, Ballycondon Commons, Kilcalf Mountain, Ballycolman, Kilnafurrery, Kllcronat Mountain and Knockakeo, I am of the opinion that the proposed development constitutes strategic infrastructure. In view of the above, it is therefore recommended that the Board determine that the proposed development constitutes strategic infrastructure development, as defined by section 2(1) of the Planning and Development Act 2000, as amended, and that a planning application should be made directly to the Board.

Ciara Kellett
Senior Planning Inspector

15th April 2020

12.0 Appendix

The following is a schedule of prescribed bodies considered relevant for the purposes of Section 37E (3) (c) of the Principal Act.

- Minister for Housing, Planning and Local Government
- Minister for Culture, Heritage and the Gaeltacht (DAU)
- Minister for Agriculture, Food and the Marine
- Minister for Communications, Climate Action and Environment
- Minister for Transport, Tourism and Sport
- Cork County Council
- Waterford City and County Council
- Irish Water
- Inland Fisheries Ireland
- Transport Infrastructure Ireland
- Environmental Protection Agency
- The Heritage Council
- An Taisce
- An Chomhairle Ealaíon
- Failte Ireland
- Irish Aviation Authority
- Health & Safety Authority
- Commission for Regulation of Utilities, Water and Energy