



An
Bord
Pleanála

Inspector's Report ABP-303322-18

Development

Windfarm of up to 27 wind turbines and up to 2 substation compounds with battery storage units along with ancillary and electrical infrastructure.

Location

Bottlehill, Mullenaboree, Knockdoorty, Glannasack, Co. Cork

Planning Authority

Cork County Council

Prospective Applicant

Brookfield Renewable Ireland Ltd & Coilite

Inspector

Karla Mc Bride

Date of site inspection:

11th & 12th March 2019

1.0 Introduction

- 1.1. Brookfield Renewable Ireland Limited and Coilite requested Pre-Application Consultations under Section 37B of the Planning and Development Act, 2000, as amended, for the proposed development of the Coom Green Energy Park, Co. Cork. Pre-Application Consultations took place between An Bord Pleanála (the Board) and the prospective applicant on 5th June 2019 and 7th August 2019 (see appended signed Records).
- 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.

2.0 Site Location

- 2.1. The site of the proposed development is located within an upland area to the N of Cork City. It is located to the S of the N72 Mallow to Fermoy Road, W of the M8 and E of the N20, and to the S of Ballyhooley Village ACA and the Blackwater River SAC. The site comprises 4 separate plots (Bottlehill, Mullenaboree, Knockdoorty & Glennasack) which are characterised by a mix of Coilite forestry plantations, agricultural land and the area surrounding the Bottlehill landfill site (permitted by not operational). The overall area is traversed by a network of local rural roads, forestry tracks and streams.

2.2. There is a designated High Value Landscape to the immediate N and several Scenic Routes to the N, S and W, along with several Recorded Monuments, Protected Structures and other built heritage features in the vicinity. The site lies within the River Blackwater and River Bride catchments, partly within the Munster and Blackwater Freshwater Pearl Mussel Catchment, and hen harrier nests have been recorded on the overall lands. There are several agricultural buildings and dwelling houses in the surrounding area.

3.0 Proposed development

3.1. The proposed development would comprise:

1. 27 x 5MW x 169m high turbines (revised to 22)
2. 2 x substations & battery storage
3. New & upgraded access & internal roads
4. 3 x on-site borrow pits
5. 2 x underground GCR options connecting to the:
 - Barrymore 110kV substation at Rathcormac to the E of the M8, or
 - Knockoura 220kV overhead line to the E (Loop-in)
6. 2 x haul routes to the N & S which would utilise the:
 - N20 to the W via the Bottlehill landfill access (temporary upgrades)
 - M8 to they E via Fermoy, N72, Ballyhooley & forest access routes
7. Tree felling, site works & a community benefit scheme.

3.2. The project was amended during the first pre-application consultations to reduce the number of turbines from 27 to 22 and it was stated that the most likely GCR would be to the Barrymore 110kV substation. The project was further amended during the second pre-application consultations to comprise 22 turbines with a c.105MW output and a slightly amended layout.

3.3. A 10-year planning permission is being sought (30-year operational lifespan).

4.0 Prospective applicants' case

4.1. Brookfield Renewable Ireland and Coilite are proposing to develop a Green Energy Park at the lands described in section 2.0 above which would comprise the works described in section 3.0 above.

4.2. The key elements of the Applicant's submission in support of the case being designated as strategic infrastructure are summarised as follows:

- It exceeds the statutory thresholds as specified in Class 1 of the Seventh Schedule of the 2006 Planning and Development Act as amended by S.78 of the 2010 Act, and 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) and (b) of S.37A (2) of the 2006 Act and supports national, regional and local policies and objectives.

(a) It would be of strategic economic or social importance to the State and the Munster region.

(b) It would contribute substantially to the fulfilment of national and regional spatial planning objectives as set out in the National Planning Framework, National Development Plan and the SW Regional Planning Guidelines in relation to sustainable development of rural areas, sustainable management of national capital, renewable energy generation and carbon footprint.

(c) It was noted that the proposed development would not have a significant effect on the area of more than one planning authority.

4.3. Proposal is of a class of development falling within the Seventh Schedule and complies with all criteria set out in section 37(A)(2) of the Act, and the proposed development should be deemed a SID.

5.0 Pre-Application Consultations

- 5.1. Two Consultation meetings were held in the Board offices.
- 5.2. The **first** Consultation meeting was held on 5th June 2019. The prospective applicant described the site and surroundings, outlined the main elements of the proposed development and provided an update on the status of the project. This included several amendments and omissions mainly related to a reduction of the number of turbines from 27 to 22. The policy context for the project was explained (including European, national regional and local policy), the major constraints and options considered were identified, and the consultations undertaken to date were outlined. The Board representatives identified several areas of concern (including potential impacts on: - the landscape, views & scenic routes; archaeology & built heritage; peat stability, drainage & water management; and ecology including proximity a Freshwater Pearl Mussel Catchment, along with alternative GCRs). It was confirmed that initial discussions had taken place with Cork Council and a public consultation exercise was undertaken.
- 5.3. The **second and final** Consultation meeting was held on 7th August 2019. The prospective applicant provided an update on the status of the project which included several minor amendments which mainly related to the overall layout and the location of the GCR substation. A detailed visual contextual analysis was provided in relation to the Blackwater Valley Scenic designations and the key heritage sites in the area and along the turbine delivery routes were identified. An update of the preliminary site investigations was provided, the peat stability risk was stated to be low and further details were provided in relation to potential impacts along the road network (including bridges). The key ecological site was identified as the Blackwater River SAC and it was stated that the QI status of Freshwater Pearl Mussel had been downgraded as a result a continued deterioration in water quality, and the presence of hen harrier nests within the overall site was noted. Further survey details were presented in relation to ecology, birds, bats, heritage and visual amenity and it was indicated that the RESS (Renewable Electricity Support Scheme) was the preferred the community gain option. It was confirmed that further discussions had taken place with Cork Council and that a consultation with NPWS had been requested.

5.4. The Board's advice to the prospective applicant during the pre-application consultation meetings is summarised below:

- (a) Consult with the NPWS and IFI in relation to potential impacts on the Blackwater River SAC and associated watercourse, the current QI status of Freshwater Pearl Mussel, and the proximity of infrastructure to recorded hen harrier nests; assess all potential visual impacts on sensitive landscapes, views and scenic routes; and potential impacts on built heritage and the local rural road network (including bridges) should also be assessed.
- (b) Detailed assessment of construction, design and phasing of the project is required.
- (c) Have regard to current national advice in relation to the implementation of EIA Directive 2014/52/EU in relation to EIS developments.
- (d) A comprehensive and detailed EIAR should be prepared which has particular regard to the impact of the proposed development on ecology and biodiversity (aquatic and terrestrial including birds), archaeology and built heritage, peat stability, drainage and water quality, and traffic management (including any new or modified road proposals).
- (e) A comprehensive and detailed NIS should be prepared having regard to the presence of European sites in the surrounding area.
- (f) Due consideration should be given to in-combination effects on the environment with other existing and proposed developments in the wider area.
- (g) Public consultation should be as extensive as possible and consultations should take place with Prescribed Bodies and the local community.

6.0 Legislative provisions

6.1. The Board is asked to decide if the proposal is or is not Strategic Infrastructure Development as defined by Section 37A of the Planning and Development Planning Act 2000 as amended by Section 5 of the Planning and Development (Strategic Infrastructure) Act 2006 and by Section 78 of the Planning and Development (Amendment) Act 2010.

6.2. Strategic Infrastructure is defined in the Seventh Schedule of the 2006 Act as amended by S.78 of the 2010 Act and under Class 1 as:

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.

6.3. Section 37A of the Planning and Development Act, 2000, as amended by the Planning and Development (Strategic Infrastructure) Act, 2006 and the Local Government Reform Act 2014, requires that any development specified in the Seventh Schedule should be made to the Board if the proposed development falls 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 situate;
- (b) the development would contribute substantially to the fulfilment of any of the objectives in the National Spatial Strategy or in any regional spatial and economic strategy in force in respect of the area or areas in which it would be situate;
- (c) the development would have significant effect on the area of more than one planning authority.

7.0 **Assessment**

7.1. In my opinion the proposed development comprises a Seventh Schedule development as it meets the Class 1 threshold requirement for windfarms as set out in section 6.1 above as it would comprise the construction of a windfarm having a total output greater than 50MW.

7.2. I consider that the proposed development meets the requirements of condition (a) of Section 37(A) (2) of the Planning and Development (Strategic Infrastructure) Act 2006 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.

- 7.3. 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 Spatial Strategy (Project Ireland 2040-National Planning Framework, February 2018) or in any regional spatial and economic strategy in force in respect of the area or areas in which it would be situate.
- 7.4. 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).
- 7.5. 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, having regard to Section 37(A) (2) (c) of the above Act.

8.0 Recommendation

I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 37(B)(4) Planning and Development Act 2000, as amended, stating that it is of the opinion that the proposed development constitutes a strategic infrastructure development for the following reason:

Reasons and considerations

Having regard to the size, scale and location of the proposed Green Energy Park and related development it is considered that the proposed development comprising the development of a 22 x turbine windfarm with associated infrastructure and site works at Bottlehill, Mullenaboree, Knockdoorty & Glennasack constitutes development that falls within the definition of transport infrastructure in the Seventh Schedule and is considered to be of strategic importance by reference to the requirements of Section 37A (2) (a), (b) & (c) of the Act. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under S.37E of the Act.

9.0 Prescribed Bodies

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

- i. Minister for Housing, Planning and Local Government
- ii. Minister for Culture, Heritage and the Gaeltacht (DAU)
- iii. Minister for Agriculture, Food and the Marine
- iv. Minister for Communications, Climate Action and Environment
- v. Minister for Transport, Tourism and Sport
- vi. Cork County Council
- vii. Irish Water
- viii. Inland Fisheries Ireland
- ix. Transport Infrastructure Ireland
- x. Environmental Protection Agency
- xi. The Heritage Council
- xii. An Taisce
- xiii. An Chomhairle Ealaíon
- xiv. Failte Ireland
- xv. Irish Aviation Authority
- xvi. Health & Safety Authority

Further notifications should also be made where deemed appropriate.

Note: The prospective applicant should be advised to submit a separate document (to the EIAR) with the planning application which outlines the mitigation measures, in the interest of convenience and ease of reference.

Karla Mc Bride

Senior Planning Inspector

24th October 2019