



An  
Bord  
Pleanála

## Inspector's Report ABP-305388-19

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<b>Development</b>	Construction of 14-18 no. wind turbines in excess of 50 MW.
<b>Location</b>	Glenard, Inishown, Co. Donegal
<b>Planning Authority</b>	Donegal County Council
<b>Type of Application</b>	Pre-application consultation
<b>Prospective Applicant</b>	Coillte
<b>Date of Site Inspection</b>	21 <sup>st</sup> October 2019
<b>Inspector</b>	Donal Donnelly

## 1.0 Introduction

- 1.1. The Board received a request on 5<sup>th</sup> September 2019 from prospective applicant, Coillte to enter into a pre-application consultation under Section 37B of the Planning and Development Act, 2000 (as amended) in relation to a proposed wind farm development at Glenard, Inishown, Co. Donegal. A consultation meeting was subsequently held between An Bord Pleanála and the prospective applicant on 12<sup>th</sup> December 2019. The prospective applicant formally requested closure of the pre-application consultation process by written correspondence dated 3<sup>rd</sup> November 2020.
- 1.2. The primary purpose of the meeting 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; 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 to outline the procedures involved in making the application.
- 1.3. This Report provides an overview of the proposed project, a summary of the meeting and the advice provided by the Board, the legislative provisions, and an advised list of Prescribed Bodies that should be forwarded copies of the application. It recommends that the proposed development constitutes strategic infrastructure.

## 2.0 Site Location

- 2.1. The site of the proposed development is located in the townlands of Glenard, Meenyanly, Ture and Aught on the Inishown Peninsula, Co. Donegal. Buncrana is approximately 7km to the west, and Quigley's Point is situated approximately 5km to the east. The surrounding area comprises part of the Scalp Mountains upland area, which is dominated by peat bog and forestry plantations.
- 2.2. The site is made up of two separate land parcels, both of which cover an area of c. 730 hectares. The larger parcel to the north comprises a 523 hectare forestry plantation accessed by local road from the north and south-west. The plantation comprises a mix of coniferous forestry and transitional woodland scrub. The topography rises to the south towards the highest point at Crocknacraaddy (362m

OD). The Glenard River flows north within this land parcel before joining the Crana River along the northern side boundary.

- 2.3. The smaller land parcel to the south-east measures approximately 183 hectares and consists of similar forestry and scrub. This parcel is located on Crockanure which rises to a height of 346m OD. The site can be accessed from local and forestry roads from the east and west.
- 2.4. There are a number of other existing windfarms in the area at Crockahenny and Flugland to the north-west, Sorne Hill to the west and Sheeragh to the west of Sorne Hill. There is a single 100m turbine at Glackmore immediately to the east of the site. Permission has also been granted for a wind farm at Aught immediately west.

### **3.0 Proposed development**

- 3.1. The proposed development of the c. 730 hectare site would comprise:
  1. Up to 15 no. turbines with a generating capacity of approximately 4.8MW each giving a total installed capacity of 72MW.
  2. Turbines with a ground to blade tip height of approximately 170m.
  3. Associated substation, anemometry mast and borrow pits.
  4. Associated cabling and works.
- 3.2. Two of the proposed turbines would be sited in the south-eastern parcel and the remainder would be located throughout the northern parcel. Turbine locations were informed by buffer distances including a 700m set back from dwellings, 50m from rivers/ streams and 2.5m x rotor distance from neighbouring existing or permitted turbines.
- 3.3. Two options for grid connection to the existing Trillick substation to the west of the site were presented. The preferred cabling route would continue under the existing public road to the south-west of the site. The alternative route would utilise a number of forestry roads to the south of the preferred route.
- 3.4. The proposed turbine delivery route would commence at the Port of Derry and continue over the Foyle Bridge, along the A2/ R238 as far as Quigley's Point before

turning north-west onto the R240 and finally along the local road (L1731) to the site entrance at Meenaharnish.

- 3.5. The correspondence dated 3<sup>rd</sup> November 2020 included a number of design updates from that previously presented to the Board. Turbines T12, T13, T14 and T15 have been located to the west and an additional turbine (T16) is proposed to west of T6. The generation capacity of the proposed development will therefore increase to 76.8MW. The proposed grid connection is shown along the location of the preferred route.

#### 4.0 **Prospective applicant's case**

- 4.1. The prospective applicant's case is that the proposed development would constitute strategic infrastructure development (SID) within the meaning of the Planning and Development Act, 2000 (as amended). The key elements of the Applicant's submission are summarised as follows:

- Proposal would have a power output in excess of 50MW and therefore exceeds the generating capacity threshold specified in the Seventh Schedule, i.e. *“an installation for the harnessing of wind power for energy production (a wind farm) with more than 25 turbines or having a total power output in excess of 50 MW.”*
- The proposal would satisfy criteria (a), (b) and (c) of S.37A (2) of the 2006 Act and supports national, regional and local policies and objectives.

**(a) Proposal would be of strategic economic or social importance to the State or the Region in which it would be situate:**

- Cumulation of commercial rates, development contributions and infrastructure improvements will represent a significant economic contribution to the Region and State as a whole.
- Potential for local investment through Renewable Electricity Support Scheme will further increase the economic and social importance of the project to the Region.
- Proposal represents capital investment of €80 million.

- Proposal will assist in meeting national renewable energy targets and a reduction in carbon emissions.

**(b) Proposal would contribute 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 in which it would be situate:**

- Proposal is in accordance with the provisions of Delivering a Sustainable Energy Future for Ireland 2008-2020, the National Planning Framework and the Regional Spatial and Economic Strategy for the Northern and Western Region, 2020.
- Proposal will contribute to the fulfilment of the NPF National Strategic Outcome 8, which states that *“new energy systems and transmission grids will be necessary for a more distributed, renewables focused energy generating system, harnessing both the considerable on-shore and off-shore potential from energy sources such as wind, wave and solar and connecting the richest sources of that energy to the major sources of demand.”*
- National Policy Objective 55 in the NPF seeks to “promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050.”
- The following regional policy objectives are outlined in the RSES:
  - RPO 4.16: The NWRA shall co-ordinate the identification of potential renewable energy sites of scale in collaboration with Local Authorities and other stakeholders within 3 years of the adoption of the RSES. The identification of such sites (which may extend to include energy storage solutions) will be based on numerous site selection criteria including environmental matters, and potential grid connections.
  - RPO 4.17: To position the region to avail of the emerging global market in renewable energy by *(inter alia)* stimulating the

development and deployment of the most advantageous renewable energy systems...”.

- RPO 4.18: Support the development of secure, reliable and safe supplies of renewable energy, to maximise their value, maintain the inward investment, support indigenous industry and create jobs.
- Proposal would contribute substantially to fulfilment of objectives of NPF and RSES.

**(c) Proposal would have a significant effect on the area of more than one planning authority:**

- Proposal will not have a significant effect on the area of more than one planning authority.
- Border with N. Ireland is located approximately 4.5km from the proposed development – potential for transboundary effects cannot be ruled out at this stage. Any transboundary matters will be considered by the Board as part of the SID determination process.

4.2. The prospective applicant concludes that the proposal exceeds the relevant thresholds set out in the Seventh Schedule and complies with all criteria set out in section 37(A)(2) of the Act. It is therefore considered that the proposed development should be deemed a SID.

## **5.0 Pre-Application Consultations**

5.1. A pre-application consultation meeting was held in the offices of An Bord Pleanála on 12<sup>th</sup> December 2019. Full details of the meeting and matters raised are contained in the Board’s Record.

5.2. The prospective applicant gave an overview of the case that included details on site selection; policy context; wind farm design process and emergence of optimal layout; public consultation; and scoping for EIAR. The following matters were discussed after the presentation:

- Cumulative impacts of proposed windfarm and other windfarms in the area on nearby residential properties should be fully addressed in any application.

- Prospective applicant considers that turbines with tip height of 170m are suitable for the area taking into account the wind resource, distance to nearby dwellings and existence of other turbines in the area.
- The proposed grid connection would be underground and both proposed routes would be fully assessed. The proposed connection would eventually link into an existing 110kV substation at Trillick.
- Minor accommodation works are expected along the turbine delivery route – no effect on any protected structures, bridges, etc.
- There is currently lacuna in Donegal County Council’s wind energy policy as a result of a legal ruling.
- Contact should be made with all relevant prescribed bodies including City of Derry Airport.
- Advised that EIAR headings should reflect the criteria set out in the Directive.
- Issue of climate should be fully assessed having regard to the Climate Action Plan and including carbon balance calculations, alternatives, production and transportation of the turbines themselves, felling of trees, ‘do nothing’ scenario, etc.
- Different wind farms should be colour-coded on maps submitted with the application and viewpoints/ photomontages should be taken from local communities and relevant roads and locations marked as “high scenic amenity”.
- Prospective applicant should have regard to GSI mapping on landslide susceptibility in terms of peat stability at the locations of certain turbines. Prospective applicant contends that site has been investigated and peat instability is not foreseen at steeper gradients.
- The Board queried as to whether there were any ecology issues such as whooper swans, plover birds, etc. having regard to nearby SPAs. Issues such re-location, pathways between SPAs and assessment of qualifying interests should all be addressed.
- Transboundary matters should be addressed accordingly.

## 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). Strategic Infrastructure is defined in the Seventh Schedule of the Act and Class 1 (Energy Infrastructure) thereunder includes:

- 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.

6.2. Section 37A of the Planning and Development Act, 2000 (as amended) requires that any application for 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. Compliance with the Seventh Schedule

7.2. The proposed development for a wind farm comprising of 16 no. turbines with total generating capacity of 76.8MW would be in excess of the 50MW threshold set out in the Seventh Schedule for wind farm infrastructure development. On this basis, the proposal falls within the scope of Strategic Infrastructure Development.



**7.3. Section 37A(2)(a) – Strategic Economic or Social Importance to the State or Region**

- 7.3.1. The proposed development will contribute towards sustainable energy targets and objectives set out at national and regional level. The proposal will also be in accordance with the Climate Action Plan, 2019 by reducing greenhouse gases and the State’s reliance on fossil fuels. The proposed capital investment is of strategic importance to the Region and the cumulation of commercial rates, development contributions and infrastructure improvements will represent a significant economic contribution to the Region and State as a whole.
- 7.3.2. I am therefore satisfied that the proposed development would comply with condition s.37A(2)(a), as it would be of strategic economic and social importance to both the State and the Northern and Western Region in which the development would be situated.

**7.4. Contribute substantially to the fulfilment of any objectives of the National Planning Framework or any Regional Spatial and Economic Strategy**

- 7.4.1. Section 37A(2)(b) of the Act requires the development to contribute substantially to the fulfilment of any of the objectives in the National Planning Framework (NPF) or in any regional spatial and economic strategy (RSES) in force in respect of the area or areas in which it would be situate.
- 7.4.2. National Policy Objective 54 in the NPF seeks to *“reduce our carbon footprint by integrating climate change action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions.”* Furthermore, under NPO55 it is an objective to *“promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050.”* National Strategic Outcome 8 of the NPF also recognises that new energy systems and transmission grids will be necessary that will harness the considerable on-shore and off-shore wind potential.
- 7.4.3. The RSES contains a number of regional policy objectives which seek to identify potential renewable energy sites (RPO 4.16), stimulate the development and deployment of the most advantageous renewable energy systems (RPO 4.17), and

to support the development of secure, reliable and safe supplies of renewable energy (RPO 4.18).

7.4.4. The proposal to generate 76.8MW of renewable energy will help to reduce greenhouse gas emissions and will contribute significantly towards the achievement of a low carbon economy. In my view the proposed development is of a scale that would substantially contribute to the fulfilment of energy objectives for the region and state as set out in the NPF and RSES. The proposal would therefore fall within Section 37(A)(2)(b).

#### **7.5. Development would have a significant effect on the area of more than one planning authority**

7.6. Section 37A(d) requires that any application should be made to the Board if the proposed development would have significant effect on the area of more than one planning authority.

7.6.1. Derry and Strabane District Council and Causeway Coast and Glens Borough Council areas are situated to the east of the site on the opposite side of Lough Foyle. It is proposed that turbine parts will be transported to the site via the Port of Derry.

7.6.2. It is not clear from the legislation whether potential for significant effects on planning authorities located outside the State fall under the scope of Section 37A(2)(c). The Board may consider that it is unnecessary to determine this point as the proposed development would fall under paragraphs (a) and (b) of Section 37A. Notwithstanding this, the potential for significant effects will be the subject of transboundary arrangements for consideration of environmental assessments.

### **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 wind farm and related development, it is considered that the proposal comprising 16 no. turbines with a total generating capacity of 76.8 MW at Glenard, Meenyanly, Ture and Aught on the Inishown Peninsula, Co. Donegal, constitutes development that falls within the definition of energy infrastructure in the Seventh Schedule of the Planning and Development Act, 2000 (as amended), thereby satisfying the requirements set out in Section 37(A)(1) of the Act. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A (2) (a) & (b) 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.

- Minister for Housing, Local Government and Heritage
- Minister for Culture, Heritage and the Gaeltacht (Development Applications Unit)
- Minister for Agriculture, Food and the Marine
- Minister for Communications, Climate Action and Environment
- Minister for Transport, Tourism and Sport
- Donegal County Council
- Irish Water
- Inland Fisheries Ireland
- Transport Infrastructure Ireland
- Environmental Protection Agency
- The Heritage Council
- An Taisce

- An Chomhairle Ealaíon
- Fáilte Ireland
- Irish Aviation Authority
- Health & Safety Authority
- Office of Public Works

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.

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Donal Donnelly  
Senior Planning Inspector

2<sup>nd</sup> December 2020