



An
Bord
Pleanála

Inspector's Report ABP-306727-20

Development	Proposed wind farm consisting of 12 4.2 MW turbines, connection to the electricity grid infrastructure and all other associated development works.
Location	Townlands of Tullamore, Ballyline West, Dromlivaun and Coolkeragh, Co. Kerry.
Planning Authority	Kerry County Council
Applicant(s)	Shronowen Wind Farm Ltd.
Type of Application	Pre-application Consultation.
Date of Site Inspection	25 th June 2020.
Inspector	Patricia Calleary

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Legislative Provisions	3
4.0 Prospective Applicant's Case	4
5.0 Pre-Application Consultations.....	5
6.0 Assessment	5
7.0 Conclusion.....	7
8.0 Recommendation.....	8
9.0 Reasons and Considerations.....	8

1.0 Site Location and Description

- 1.1. The proposed windfarm site is in a rural location in the townlands of Tullamore, Ballyline West, Dromlivaun and Coolkeragh in north Co. Kerry. It is located on the east side of the R552 Regional Road, approximately 4km southeast of Ballylongford village and 6km north of Listowel town. The site is primarily situated across a relatively flat peatland site where some excavation of peat occurs on a non-commercial basis. There is also a permitted 110 kV sub-station within the site boundaries with a loop-in connection to the national electricity grid infrastructure.

2.0 Proposed Development

- 2.1. The proposal, referred to as Shronowen Wind Farm, is for a windfarm development with a power output of 50.4 MW. It would comprise 12 no. 4.2 MW turbines, each with a hub height of 82m, 136m rotor diameter and an overall tip height of 150m. In addition, it would include permanent meteorological masts, hardstand areas, underground cabling, a substation and associated control building, onsite new and upgraded access tracks, watercourse crossings, parking and welfare facilities. The proposal includes a 110kV grid connection to the grid infrastructure.
- 2.2. Other associated development works are stated to include a new/upgraded site access, localised widening along the turbine delivery route, a temporary construction site compound, conifer felling, drainage proposals, as well as sediment and erosion control measures.

3.0 Legislative Provisions

- 3.1. 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 (hereinafter referred to as 'The Act').
- 3.2. Strategic Infrastructure is defined in the Seventh Schedule of the Act and Class 1 includes the following category of development: *'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'*.

3.3. Section 37A (2) of the Act 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 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;

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

4.0 Prospective Applicant's Case

4.1. The prospective applicant provided an outline of the proposal together with details of environmental issues encountered to date and a broad outline of public consultation undertaken. Two connection options to the electricity grid infrastructure are being progressed. The first option is a loop-in connection with an existing 110kV line passing directly to the east of the site. The second option would involve a connection to a proposed solar farm at Drombeg (approximately 2.5 kms to the south of the current project site). The prospective applicant states that they are due to meet with Eirgrid to discuss the grid connection and following this, the optimum grid connection proposal would be progressed and brought forward to the planning application stage.

4.2. It is the prospective applicant's case that the proposed development, having a total output of 50.4MW, would exceed the stated threshold of 50MW set for Class 1 (Energy Infrastructure) of the Seventh Schedule of the Act and would also fall within subsections (a) and (b) of section 37A (2). Consequently, it is their contention that the proposal would constitute Strategic Infrastructure Development within the meaning of Section 37A of Act.

5.0 Pre-Application Consultations

- 5.1. Two meetings were held between the prospective applicant and the Board's representatives. The details of the pre-application consultations are as set out in the records of both meetings, which are held on the Board's file. In relation to the issue around the two components of the proposal, namely the windfarm and the electricity grid connection, the Board's representatives stated that the Board would be satisfied to consider the proposed development collectively under one application, i.e. under Section 37E of the Act (rather than requiring a separate approval application for the electricity transmission element / grid connection under Section 182A), subject to a justification for same being provided with the planning application.
- 5.2. The application site is situated in an area designated as being 'open for consideration' to windfarm developments, based on the provisions of the Kerry County Council Renewable Energy Strategy, 2012 and the Kerry County Development Plan 2015-2021.

6.0 Assessment

6.1. Section 37A (1) – Is the development specified in the Seventh Schedule of the Act?

- 6.1.1. Based on the information submitted by the prospective applicant through the consultation process, the proposed development would include 12 turbines, each with a power output of 4.2 MW, and hence would provide a total power output of 50.4MW. The proposed development would exceed the 50MW threshold of the Seventh Schedule development under Class 1 (Energy Infrastructure). Therefore, the proposed development satisfies Section 37A(1) of the Act.

6.2. Section 37A (2) - Does the proposed development specified in the Seventh Schedule fall within one or more of the paragraphs referred to as (a), (b) and (c) and outlined below?

(a) – Strategic Economic or Social Importance to the State or Region

- 6.2.1. The prospective applicant's case is that the proposal satisfies the conditions under 37A(2)(a) of the Act in that it would make an investment of in excess of €50 million in

renewable energy infrastructure and would produce enough electricity to service 33,000 households with clean, indigenous power. It would also provide a fund of 2€/MWh to the local community as well as the opportunity for residents to invest in the wind farm. Additionally, the project is estimated to provide 85 direct local jobs during the construction phase and 20 highly-skilled jobs during the 25-year operational phase. The prospective applicant states that Shronowen Wind Farm would contribute to Ireland's national and EU energy targets, as outlined in the National Energy and Climate Plan (2021-2030). According to this plan, renewables are intended to account for 70% of Ireland's electricity consumption by 2030, with wind accounting for the majority. On that basis, it is submitted that the proposal would make a meaningful contribution to the objectives of the National Planning Framework (Project Ireland 2040) (NPF). The proposed substation for Shronowen Wind Farm would provide for a 110kV loop-in connection to the existing 110kV line. As a 110kV node, it is submitted that this infrastructure would contribute to Ireland's national transmission system capacity and can therefore be considered of strategic and social importance to the State.

- 6.2.2. I concur with the prospective applicant's points presented throughout the pre-application consultations and summarised above and I am satisfied that the development would comply with the condition set out in section 37A(2)(a) of the Act.

(b) - Fulfilment of Objectives in the National Planning Framework or in any regional spatial and economic strategy

- 6.2.3. It is submitted by the prospective applicant that the proposed development would contribute to the objectives of the NPF broadly based on its contribution to the National Energy and Climate Plan (2021-2030). Having reviewed the NPF, I note the following relevant National Policy Objectives (NPOs):

- NPO 54: 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;
- NPO 55: 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.

- 6.2.4. In their submission to the Board, the prospective applicant did not specifically refer to the Regional Spatial and Economic Strategy (RSES) for the southern region in which the proposed windfarm would be based. The RSES for this region recognises and supports opportunities for onshore wind energy as a major source of renewable energy. Regional Policy Objective (RPO) 99 (Renewable Wind Energy) contained in the RSES is an objective to support the sustainable development of both renewable wind energy and related grid infrastructure at appropriate locations in the region in compliance with the national Wind Energy Development Guidelines (2006).
- 6.2.5. Having regard to the above, I am satisfied that the development, in addition to contributing to renewable energy targets of the National Energy and Climate Plan (2021-2030), would meet relevant national policy objectives including NPO 54 and NPO 55 of the NPF. I am also satisfied that the proposed development would serve to fulfil the relevant regional policy objectives including RPO 99 of the RSES for the Southern Regional Assembly. The development would therefore satisfy the requirement set out in section 37A(2)(b) of the Act.

(c) - Significant effect on the area of more than one planning authority.

- 6.2.6. The site is fully contained within the area of one planning authority; Kerry County Council. While the haul route has potential to traverse parts of Counties Clare and Limerick for a temporary period during construction, I am not of the opinion that the development would have any **significant** effect on the planning authority area of Limerick and Clare or any other planning authority area outside of Kerry. Accordingly, I am not of the opinion that the proposal would come within the scope of this requirement to be considered as complying with section 37A(2)(c) of the Act.

7.0 Conclusion

- 7.1. Based on the above assessment, it can be concluded that the proposed development would exceed the threshold set out in the Seventh Schedule of the Planning and Development Act 2000, as amended and therefore satisfies Section 37A(1) of the Act.
- 7.2. It can also be concluded that the development is of strategic importance by reference to the requirements of Section 37A(2)(a) and Section 37A(2)(b) of the Act.

8.0 Recommendation

- 8.1. I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 37(B)(4) of the Planning and Development Act 2000, as amended, stating that it is of the opinion that the proposed development constitutes a strategic infrastructure development within the meaning of Section 37A of the Act for the reasons and considerations set out below.

9.0 Reasons and Considerations

- 9.1. Having regard to the size, scale and location of the proposed windfarm and related development, it is considered that the proposed development comprising the development of a 12 turbine windfarm with associated infrastructure (including a 110 kV grid connection) and site works within the townlands of Tullamore, Ballyline West, Dromlivaun and Coolkeragh, County Kerry 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 37A(1) of the Act.
- 9.2. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a) and 37A(2)(b) of the Planning and Development Act 2000, as amended. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under Section 37E of the Act.

Note 1: Prescribed Bodies

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

- Minister for Housing, Local Government and Heritage
- 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
- Limerick County Council
- Clare 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 2: 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.

Patricia Calleary
Senior Planning Inspector

18th September 2020