



An
Bord
Pleanála

Inspector's Report ABP-307058-20

Development	Proposed wind farm consisting of 11 4.8 MW turbines, access roads, 110 kV substation and all other associated development works.
Location	Townlands of Clonbern, Cloonarkan, Lomaunaghroe, Gortagarraun, Kilmurray and Killavoher, Co. Galway
Planning Authority	Galway County Council
Applicant(s)	Clonberne Windfarm Ltd.
Type of Application	Pre-application Consultation.
Date of Site Inspection	25 th June 2020.
Inspector	Patricia Calleary

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1.0 Site Location and Description

- 1.1. The proposed windfarm site is in a rural location in the townlands of Clonbern, Cloonarkan, Lomaunaghroe, Gortagarraun, Kilmurray and Killavoher, Co. Galway. It is located approximately 8km south west of Glenamaddy and 9km south east of Dunmore. The site is open and mainly flat and comprises agricultural uses, peatland and commercial forestry.

2.0 Proposed Development

- 2.1. The proposed development would comprise a windfarm development with a power output of 52.8 MW. It would consist of 11 no. 4.8 MW turbines, each with a tip height of 170 metres and with an overall output of 52.8 MW. The development would include all associated works, including access roads, 110kV substation, battery storage compound and temporary construction compound. It is intended to include the electrical connection in the planning application in due course and at present two routes are being progressed.

3.0 Legislative Provisions

- 3.1. The Board is asked to decide if the proposal as outlined 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 has provided an outline of the proposal together with details of some of the environmental factors and a broad outline of public consultation undertaken. Two connection options to the electricity grid infrastructure are being progressed and it is stated that they will include the selected connection in the planning application in due course.
- 4.2. There are 20 landowners involved with the site, however, it is stated that it is not the intention to disturb any farming/peat-cutting activities.
- 4.3. It is the prospective applicant's case that the proposed development, having a total output of 52.8 MW, 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 the criteria set out in section 37A (2) (a) and (b) of the Act. Consequently, it is their case that the proposal would constitute Strategic Infrastructure Development within the meaning of Section 37A of Act.

5.0 Pre-Application Consultations

- 5.1. One pre-application meeting was held between the prospective applicant and the Board's representatives on the 22nd June 2020. The details of the meeting is set out in the record of that meeting as contained on the Board's file.
- 5.2. The application site is situated in an area designated as being 'open for consideration' to windfarm developments in the Galway County Development Plan 2015-2021. It is submitted that the site has a good wind resource, is in an area with a low population density and has reasonable access to the national electricity grid. It is also submitted that the development is supported by planning policy at a national, regional and local level. In addition, and as referenced by the prospective applicant, the Climate Action Plan 2019 includes a target to increase electricity generated from renewable sources to 70% by 2030.

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 11 turbines, each with a power output of 4.8 MW, and hence would provide a total power output of 52.8MW. 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 a significant capital investment and that when taken in conjunction with commercial rates, financial contributions, community gain proposals and infrastructure improvements associated with the operation of the proposed development, the project would cumulatively represent a significant economic contribution to the Region and State in which it would be situated. It is also submitted that the proposed windfarm has the potential to generate a substantial quantity of electricity from a renewable (wind) source and would therefore result in considerable reductions in carbon emissions and assist in reducing the country’s reliance on fossil fuel.

6.2.2. Having regard to the national and regional policy context and the details of the subject proposals outlined above, I am satisfied that the development would be of strategic economic importance to the State and the Region and would therefore 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 and the provisions of the Regional Spatial

and Economic Strategy (RSES) for the Northern and Western Regional Assembly. Having reviewed the NPF, I note the following relevant National Policy Objectives (NPOs) which aim to reduce our carbon footprint and promote renewable energy:

- 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. 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 would meet relevant national policy objectives of the NPF and would serve to fulfil the relevant regional policy objectives of the RSES for the Northern and Western 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, Galway County Council. While the haul route and grid infrastructure have potential to traverse parts of other counties for a temporary period during construction, I am not of the opinion that the development would have any significant effect on any other planning authority area outside of Galway. Accordingly, I am therefore of the opinion that the proposal would not 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. 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. Therefore, in overall conclusion, the proposed development constitutes strategic infrastructure.

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, and to the policy context, it is considered that the proposed development comprising the development of a 11 turbine windfarm with associated infrastructure and an overall output of 52.8 MW and associated connection to the electricity grid infrastructure on a site in the townlands of Clonbern, Cloonarkan, Lomaunaghroe, Gortagarraun, Kilmurray and Killavoher, County Galway 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 (Development Applications Unit)
- Minister for Agriculture, Food and the Marine
- Minister for Communications, Climate Action and Environment
- Minister for Transport, Tourism and Sport
- Galway 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 standalone document (which may form part of 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

28th October 2020