



An
Bord
Pleanála

Inspector's Report ABP- 310529-21

Development

Wind energy development and associated works and services

Location

Within Sheskin and adjacent townlands, Co. Mayo

Planning Authority

Mayo County Council

Applicant(s)

Sheskin South Renewables Power DAC

Type of Application

Pre-application Consultation under section 37B of the Planning and Development Act 2000, as amended

Date of Site Inspection

3rd December 2021

Inspector

Niall Haverty

1.0 Introduction

- 1.1. The Board received a written request on 16th June 2021 to enter into pre-application consultation under Section 37B of the Planning and Development Act, 2000 as amended ('the Act'), in relation to a proposed wind farm development in County Mayo. The request was submitted by MKO on behalf of the prospective applicant, Sheskin South Renewables Power DAC, which is a joint venture company formed by SSE Renewables and Future Energy Ireland (formerly Coillte Renewable Energy).
- 1.2. Two consultation meetings were subsequently held between An Bord Pleanála and the prospective applicant. The primary purpose of the meetings was to address the issue of whether or not the proposed development constitutes strategic infrastructure for the purposes of the Act 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 to outline the procedures involved in making the application. The prospective applicant formally requested closure of the pre-application consultation process in a letter dated 11th July 2022.
- 1.3. This report provides an overview of the proposed development, a summary of the meetings that took place and the advice provided by the Board's representatives at those meetings. It provides a recommendation that the Board determine that the proposed development does constitute strategic infrastructure within the meaning of the Act. The report should be read in conjunction with the meeting records that are on the Board's file.

2.0 Site Location and Description

- 2.1. The site, which has a stated area of c. 1,014 hectares, is located in a sparsely populated rural area in the north west of County Mayo, c. 6.7km north east of Bangor Erris and 11km south of the Atlantic coastline. The site is located within the townland of Sheskin, however the prospective applicant refers to the development as 'Sheskin South' to avoid confusion with the neighbouring permitted Sheskin Wind Farm.
- 2.2. The N59 National Road runs in a general east-west direction to the south of the site, while the R314 Regional Road runs in a general east-west direction to the north of

the site. The site is accessible from the N59, via the L52926 Local Road and the Western Way track. There are also existing forestry tracks/roads within the site.

- 2.3. The site is drained by the Sheskin Stream and a number of unnamed watercourses which generally flow south east to the Owenmore River. The site is bounded by the Glenamoy SAC/pNHA to the north, the Slieve Fyagh SAC/pNHA to the west and the Carrowmore Lake Complex SAC to the south west. There are a considerable number of other designated sites within the wider area (see Figure 2-3 of MKO Project Briefing Document).
- 2.4. The site is currently primarily used for commercial forestry and it ranges in elevation from 112m AOD in the south east to 295m AOD in the west. There are a number of existing and permitted wind energy developments in the vicinity, including the abovementioned Sheskin Wind Farm to the north east (permitted) and Oweninny Phase 1 Wind Farm (operational), Oweninny Phase 2 Wind Farm (under construction) and Bellacorick Wind Farm (operational) which are all to the east.
- 2.5. Other land uses in the area include agriculture, peat-cutting and dispersed residential development. The Corrib Transmission Gas Pipeline runs west-east through the southern portion of the site, while Bellacorick 38/110kV substation is located c. 6km south east of the proposed site.
- 2.6. At the two pre-application consultation meetings, the prospective applicant presented site layout maps, detailing the elements of the proposed development and the evolution of the design and layout.

3.0 Proposed Development

- 3.1. The details and layout of the proposed development have been defined and developed during the pre-application consultation. The proposed development, as described in the letter requesting closure of the consultation process, would consist of:

- 21 No. wind turbines within the following ranges:
 - Blade tip height of 189.5 – 200m.
 - Hub heights of 115 – 125m.
 - Rotor diameter of 149 – 170m.

- Generating capacity of 105 – 143MW.
- 1 No. anemometry mast.
- 3 No. potential borrow pits.
- 4 No. temporary construction compounds.
- Internal road network and entrances.
- Turbine components laydown area.
- Peat placement areas around turbine bases.
- Site drainage infrastructure.
- Associated cabling and works.

3.1.1. An associated on-site 110kV substation and 110kV grid connection to the existing 110kV Bellacorick substation is also proposed, however this will not form part of the planning application for the wind farm. It is stated that these elements will, however, be assessed in the EIAR as part of the overall project.

3.2. The updated site layout is included as Figure 2 of the prospective applicant's letter requesting closure of the consultation process.

4.0 Planning History

4.1. Prospective Application Site

4.1.1. I am not aware of any relevant planning history on the prospective application site.

4.2. Surrounding and Wider Area

- **Glenora Wind Farm (ABP-310528-21):** Current pre-application consultation case relating to proposed wind farm with 22 No. turbines in the townland of Glenora and adjacent townlands c. 7km north east of the Sheskin South site. The prospective applicant is another joint venture between SSE renewables and Future Energy Ireland.
- **Oweninny Wind Farm Phase 3 (ABP-309375-21):** The Board determined in April 2022 that the proposed Oweninny Wind Farm Phase 3 consisting of 18

wind turbines and associated development would comprise strategic infrastructure development.

- **Oweninny Wind Farm Phase 1 and 2 (ABP Ref. 16.PA0029):** Permission granted by the Board in 2016. Phase 1 comprising 29 turbines is operational and Phase 2, comprising 31 turbines is under construction.
- **Cluddaun Wind Farm (ABP Ref. PA16.PA0031):** Permission refused by the Board in 2015 for a wind farm which would comprise 48 No. wind turbines and associated development on a site at Moygownagh.
- **ABO Sheskin Wind Farm (Reg. Ref. 15/825, 19/457):** Permission granted by Mayo County Council in 2016 for a wind farm with 8 No. wind turbines and associated development. Permission was subsequently granted to increase the height of the turbines.
- **Tawnanasool Wind Farm (ABP Ref. PL16.245355; Reg. Ref. 14/666):** Permission refused by the Board in 2016, following a first party appeal against refusal, for a wind farm comprising 8 No. wind turbines and associated development in the townlands of Tawnanasool, Croaghaun, Tullaghaunnashammer.
- **Tawnaghmore Wind Farm, Sheskin (ABP Ref. PL16.226433; Reg. Ref. 07/2392):** Planning permission refused by the Board in 2008, following a first party appeal against refusal, for a wind farm comprising 3 No. wind turbines and associated development at Sheskin, Co. Mayo.
- **Airtricity Sheskin Wind Farm (ABP Ref. PL16.206378; Reg. Ref. 03/1298):** Planning permission refused by the Board in 2004, following a first party appeal against refusal, for a wind farm comprising 31 No. wind turbines and associated development on lands at Barroosky, Glenamoy and Sheskin, Co. Mayo.
- **Barroosky Wind Farm (Reg. Ref. 01/360):** Planning permission refused by Mayo County Council for wind farm consisting of 13 No. wind turbines and associated development at Barroosky, Glenamoy, Co. Mayo.
- **Bellacorick Wind Farm:** Planning permission granted by Mayo County Council and constructed in 1992.

5.0 Legislative Provisions

5.1. The Board is asked to decide if the proposal as outlined is or is not Strategic Infrastructure Development. Section 37A of the Act provides that an application for permission for any development specified in the Seventh Schedule shall be made directly to the Board if the proposed development would fall within one or more of the following paragraphs:

- (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 a significant effect on the area of more than one planning authority.

5.2. Class 1 of the Seventh Schedule relates to energy infrastructure and 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 50 megawatts.”

6.0 Prospective Applicant's Case

6.1. With regards to whether the proposed development would fall within the scope of Strategic Infrastructure Development, the prospective applicant put forward their view that it would satisfy the relevant development threshold specified in the Seventh Schedule of the Act, as it would have a total output greater than 50MW.

6.2. The prospective applicant also considers that the proposed development would be of strategic economic and social importance to the Northern and Western Region and the State. They contend that the capital investment, commercial rates, development contributions and infrastructural improvements to the transmission network will represent a significant economic contribution to the Region and the State as a whole.

- 6.3. It is also contended that the proposed development is in accordance with the promotion of sustainable energy development as set out in Ireland's Transition to a Low Carbon Energy Future 2015-2030, National Planning Framework, Climate Action Plan and the Climate Action and Low Carbon Development (Amendment) Act 2021 and would significantly contribute to meeting renewable energy targets and objectives at National, Regional and Local levels. With regard to the NPF, the prospective applicant notes Strategic Outcome 8 which supports the transition to a low carbon economy and Policy Objective 55 which supports renewable energy at appropriate locations. With regard to the RSES for the Region, the prospective applicant notes Policy Objectives 4.17 and 4.18 which support renewable energy development.
- 6.4. The prospective applicant notes that the site is contained within County Mayo and contends that the proposed development will not give rise to significant effects on the area of any other planning authority.
- 6.5. Overall, it is the prospective applicant's case that the proposal would constitute Strategic Infrastructure Development within the meaning of Section 37A of the Act.

7.0 Pre-Application Consultations

- 7.1. Two pre-application meetings were held between the prospective applicant and the Board's representatives on 22nd September 2021 and 3rd February 2022. The details of the meetings are set out in the records, as contained on the Board's file and summarised below.
- 7.2. The Board should note that, in the interests of expediency, joint meetings were held to discuss both the proposed development and a separate wind farm proposal by another joint venture company formed by SSE Renewables and Future Energy Ireland in Glenora and adjacent townlands, Co. Mayo (ABP-310528-21). The Glenora Wind Farm site is c. 7km north east of the proposed Sheskin South Wind Farm site.
- 7.3. **First Consultation Meeting (22nd September 2021)**
- 7.3.1. The prospective applicant gave a presentation to the Board's representatives, outlining the site location, the proposed development, the policy context, issues

arising and the progress of their assessments to date (refer to PowerPoint presentation on file). Following the presentation, the following issues were discussed:

- **Wind Energy Designations:** The prospective applicant stated that the current CDP encourages turbine development to be provided within Tier 1 (preferred) and Tier 2 (open for consideration) designated areas but there is no policy prohibiting development outside of these locations. The Board's representatives advised that a strong justification would be required in the planning applications for the positioning of turbines on lands outside of Tier 1/Tier 2 designated areas.
- **Cumulative Impacts/In-Combination Effects:** The Board's representatives advised the prospective applicant to be cognisant of matters such as cumulative impacts and in-combination effects particularly given the number of wind farms in the area.
- **Turbine Delivery:** The prospective applicant said an Autotrack analysis has been completed in relation to the larger components to be delivered to the site. Should junction accommodation works be required these would be assessed/considered and engagements held with landowners if required. The Board's representatives noted that details of any works required on the turbine delivery route and letters of consent, where required, should be included. The prospective applicant agreed that pinch points on delivery routes to Sheskin South may have been addressed due to existing wind farms in the area.
- **Amenities:** The prospective applicant said it is intended to create looped trails for pedestrians and cyclists. It said the local community is encouraged to provide feedback in relation to types of recreational amenity they would welcome.
- **Tree Felling:** Details of tree felling and replanting will be clarified once the final layout design has been agreed and will be included in the EIAR for the purposes of cumulative assessment.
- **Historic Landslides and Peat Stability:** The Board's representatives noted that historic landslides are recorded within the Sheskin South lands. The

prospective applicant said buffers have been created around these areas and geotechnical consultants are currently assessing the site. The Board's representatives recommended comprehensive peat stability assessments be conducted and reminded the prospective applicant to be cognisant of the number of bog related SAC's in the vicinity and the potential for impacts arising from changes to drainage.

- **Peat Management:** The prospective applicant said it is currently reviewing the level of peat to be managed on both sites and whether peat depository areas need to be identified.
- **Peat Extraction:** The prospective applicant said there is no current peat extraction. It noted that there are some peat extraction activities in the wider area however this would not be deemed as industrial.
- **Major Accidents:** The Board's representatives reminded the prospective applicant to include details in relation to major accidents as part of the EIAR.
- **Archaeology:** The prospective applicant said there are no recorded sites or monuments within either site. They confirmed that the nearby Sheskin Lodge is not an archaeological feature, but a buffer has been implemented to avoid this area.
- **Biodiversity and AA:** The Board's representatives highlighted the density of designated sites (SACs, SPAs, NHAs, pNHAs) surrounding the site.

7.4. Second Consultation Meeting (3rd February 2022)

7.4.1. The prospective applicant gave a presentation to the Board's representatives, outlining progress on the design and layout of the proposed development, policy updates, consultation update, and an overview of the habitats, species and designated sites in the area (refer to PowerPoint presentation on file). Following the presentation, the following issues were discussed:

- **Timeline:** Prospective applicant advised that it anticipated lodging a planning application towards the end of Q2 2022. They were advised to be cognisant of both the Mayo CDP 2014-2021 (which is extended until September 2022) and the Draft Mayo CDP 2021-2027. The Board's representatives noted that the

current Renewable Energy Strategy is referenced in the Draft CDP, with a commitment to renew it over the lifetime of the Plan.

- **Turbine Locations:** The Board's representatives advised that a strong justification and assessment would be required in the planning application for the positioning of turbines on lands outside of Tier 1/Tier 2 designated areas in the Renewable Energy Strategy. The Board also advised addressing material contravention (if relevant), in the planning documents.
- **Western Way:** The Board's representatives advised the prospective applicant to be mindful of the potential impacts on human beings from construction traffic along the Western Way trail.
- **Peat:** The Board's representatives noted that the management of peat and surface water would be a key consideration, given the nature of the site and the potential for peat slippage, contamination of watercourses with runoff, potential need for peat deposition areas etc. The prospective applicant noted that the watercourses and the peatland were identified at a very early stage as major constraints and were fully considered and incorporated into the design for each site.
- **Habitat Enhancement:** The prospective applicant confirmed habitat enhancement measures will be carried out. The Board's representatives advised highlighting this in the report and suggested providing a quantitative analysis of the biodiversity losses and gains.
- **Bogs and Drainage:** The Board's representatives reminded the prospective applicant to be cognisant of the number of bog related SAC's in the vicinity, and the potential for impacts arising from changes to drainage.
- **Red Line Boundary:** The Board's representatives advised maintaining clarity between the two developments (i.e. Sheskin South and Glenora) and providing clear distinguishment in the red line boundary.

8.0 Assessment

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

- 8.1.1. Based on the information submitted by the prospective applicant through the consultation process, the proposed development would include 21 No. turbines with a total power output in the range of 105 - 143MW. Consequently, the proposed development would exceed the 50MW threshold for wind farms set out in Class 1 (Energy Infrastructure) of the Seventh Schedule of the Act.
- 8.1.2. The proposed development would therefore satisfy section 37A(1) of the Act.

8.2. Section 37A(2): Does the Proposed Development Fall within one or more of Sections 37A(2)(a), (b) and (c)?

8.2.1. Strategic Economic or Social Importance to the State or Region (S.37A(2)(a))?

- 8.2.2. The prospective applicant's case is that the proposed development satisfies the condition under section 37A(2)(a) of the Act due to its scale and the power output of 105 – 143MW which is considered to be of strategic economic and social importance to the Region and State.
- 8.2.3. The project would assist in meeting national renewable energy targets and would also result in significant reductions in carbon emissions from electricity generation, while serving a strategic economic function by reducing the country's reliance on imported fossil fuel. It would also entail a significant capital investment in the Region and when taken in conjunction with development contributions, commercial rates, transmission system upgrades, employment etc. the project would represent a significant economic contribution to the region.
- 8.2.4. Having regard to the national and regional policy context and the nature and scale of the proposed development, as outlined above, I am satisfied that the development would clearly be of strategic economic importance to the State and the region and would therefore satisfy the condition set out in section 37A(2)(a) of the Act.

8.2.5. Fulfilment of NPF or RSES Objectives (S. 37A(2)(b))?

- 8.2.6. It is submitted by the prospective applicant that the proposed development would contribute to the objectives of the National Planning Framework (NPF) and the

provisions of the Regional Spatial and Economic Strategy (RSES) for the Northern and Western Regional Assembly (NWRA) 2020-2032. Having reviewed the NPF, I note the following relevant National Strategic Outcome 8 (NSO 8) and National Policy Objectives (NPOs) 54 and 55:

- **NSO 8:** New energy systems and transmission grids will be necessary for a more distributed, renewables focus 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.

As part of this NSO, the following is set out: 'Deliver 40% of our electricity needs from renewable sources by 2020 with a strategic aim to increase renewable deployment in line with EU targets and national policy objectives out to 2030 and beyond. It is expected that this increase in renewable deployment will lead to a greater diversity of renewable technologies in the mix'.

- **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.

8.2.7. At a regional level, consideration of policy in the NWRA's RSES is relevant to consider and includes the following Regional Policy Objectives (RPOs):

- **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.

8.2.8. The proposal to generate between 105 – 143MW of renewable energy by using wind as a resource would assist in reducing greenhouse gas emissions and would contribute significantly towards the achievement of a low carbon economy. In this regard, I am satisfied that the development would meet relevant NPOs of the NPF and would serve to fulfil the relevant RPOs of the RSES for the Northern and Western Region. The development would therefore satisfy the requirement set out in section 37A(2)(b) of the Act.

8.2.9. **Significant effect on the area of more than one planning authority (S.37A(2)(c))?**

8.2.10. The site is fully contained within the area of one planning authority, Mayo County Council. While the haul route has the potential to traverse parts of other counties for a temporary period during construction, I am of the opinion that the proposed development would not have any significant effect on any other planning authority area outside of Mayo. Accordingly, I am of the opinion that the proposed development would not fall within the scope of section 37A(2)(c) of the Act.

9.0 Conclusion

9.1. 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 Act and therefore satisfies the requirements of section 37A(1) of the Act. It can also be determined that the development is of strategic importance by reference to the requirements of sections 37A(2)(a) and (b) of the Act. Accordingly, the proposed development constitutes strategic infrastructure.

10.0 Recommendation

- 10.1. I recommend that the Board serve a notice on the prospective applicant, pursuant to section 37B(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.

11.0 Reasons and Considerations

- 11.1. Having regard to the size, scale and location of the proposed wind farm and related development, and to the policy context, it is considered that the proposed development 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.
- 11.2. The proposed development is also considered to be of strategic importance by reference to the requirements of sections 37A(2)(a) and (b) but not (c) 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 Planning and Development Act 2000, as amended.

Niall Haverty
Senior Planning Inspector

21st July 2022

Appendix A:

Note 1: 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 Tourism, Culture, Arts, Gaeltacht, Sport and Media (Development Applications Unit).
- Minister for Agriculture, Food and the Marine.
- Minister for the Environment, Climate and Communications.
- Mayo County Council.
- North and West Regional Assembly.
- Transport Infrastructure Ireland.
- An Taisce
- An Chomhairle Ealaíon
- Fáilte Ireland
- The Heritage Council
- National Parks & Wildlife Service.
- Inland Fisheries Ireland.
- Irish Water.
- Irish Aviation Authority.
- Health Service Executive.
- Commission for Regulation of Utilities.
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

Note 2: The prospective applicant is advised to submit a standalone document (which may form part of the EIAR) with the planning application, which outlines all proposed mitigation measures, in the interest of convenience and ease of reference.

Note 3: The prospective applicant is advised to submit sufficient drawings and details, including turbine dimensions, to fully describe the nature and extent of the

proposed development and to allow its potential impacts to be adequately assessed.