



An
Bord
Pleanála

Inspector's Report ABP- 312282-21

Development

Proposed Kilsallagh Windfarm consisting of 13 no. wind turbines and ancillary equipment including 110kV substation infrastructure.

Location

Kilsallagh and adjacent townlands, Kilcommon, Co. Mayo.

Prospective Applicant(s)

EDF Renewables Ireland Limited

Type of Application

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

Planning Authority

Mayo County Council

Date of Site Inspection

19th April 2023

Inspector

Niall Haverty

1.0 Introduction

- 1.1. The Board received a request dated 21st December 2021 to enter into pre-application consultations under Section 37B of the Planning and Development Act 2000, as amended, in relation to the proposed development of a wind farm comprising 13 No. wind turbines and associated development on lands at Kilsallagh and adjacent townlands, Kilcommon, Co. Mayo.
- 1.2. The prospective applicant sought closure of the pre-application consultation by correspondence dated 13th May 2025.

2.0 Site Location

- 2.1. The site forms part of a study area of 1,047 hectares, located c. 8.5km south east of Bangor Erris and 17km west of Crossmolina, Co. Mayo. The site is stated to be within the townlands of Kilsallagh, Bellacorrick, Muingaghel and Uggool.
- 2.2. The site is accessible via local roads from the N59 which travels in an east-west direction from Bangor Erris to Crossmolina and via the R312, which travels in an south west – north east direction from the N59 at Bellacorrick towards Castlebar, Co. Mayo. Existing commercial forestry tracks are located within the site.
- 2.3. The Owenmore River flows east to west along the site's northern boundary, eventually discharging into the Atlantic Ocean to the west. Several lake waterbodies and numerous smaller waterbodies are identified within the site.
- 2.4. Current land uses on the site include forestry, transitional woodland scrub and areas of untouched peat bog.

3.0 Proposed Development

- 3.1. The proposed development is described as follows:
 - 13 No. wind turbines with an electricity output of c. 65 – 91 MW.
 - Ancillary development including:
 - 110kV substation infrastructure.
 - Wind farm control buildings.

- Underground cabling connection to the existing Bellacorrick 110kV substation.
- Cabling, ducting, internal site roads, site entrance, borrow pits, construction compound, laydown area and drainage infrastructure.

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

- 4.2.1. There are a considerable number of existing and permitted wind farms in the surrounding area, and wind farms that have been deemed to constitute SID. Details are provided in the applicant's presentations at the pre-application consultation meetings.

5.0 Precedent Decisions

- 5.1. None.

6.0 Pre-Application Consultation Meetings Held

- 6.1. Two pre-application meetings were held between the prospective applicant and the Board's representatives on 2nd March 2022 and 20th April 2023. The details of the meetings are set out in the records, as contained on the Board's file and summarised below.

6.2. First Consultation Meeting (2nd March 2022)

- 6.2.1. 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).

6.2.2. Following the presentation, the following issues were discussed:

- **Policy:** Strong justification required for development on 'Tier 2 open for consideration' lands instead of 'Tier 1 preferred' areas. This would be the first wind farm located south of the N59 and this should be fully considered as part of the EIAR.
- **Cumulative Impacts/In-Combination Effects:** Prospective applicant advised to be cognisant of these matters given the number of existing, permitted and proposed wind farms in the area. A robust assessment will be required.
- **Turbine Type:** Prospective applicant advised that options were being considered but it was hoped to identify a particular turbine for the application. If a range of hub and tip heights were instead brought forward, this would be fully assessed in the EIAR. The Board's representatives advised that the prospective applicant review how this issue was dealt with in recent wind farm decisions.
- **Peat Stability and Hydrology:** Board's representatives noted that the site appears to be particularly wet, with numerous small ponds/lakes and is underlain by peat, with historic landslides recorded on GSI mapviewer in the vicinity. Prospective applicant advised that comprehensive peat stability assessments required and to have regard to bog-related SACs in the area and the potential for impacts due to changes to drainage patterns. Board's representatives noted that site appears to drain to the Owenmore River and that water pollution prevention and water quality issues should be comprehensively considered.
- **Replant Lands:** Will be required and cumulatively assessed within the EIAR. The Board's representatives noted that this is only required where there is the potential for cumulative impacts with reference to the proposed wind farm.
- **National Monuments:** Prospective applicant advised none on site.
- **Proposed Bridge on N59:** Prospective applicant advised that two site access options were under consideration and consultations with TII were ongoing.
- **Grid Connection:** Discussions ongoing with EirGrid and yet to be finalised. Nature of connection (overhead or underground) still under review.

- **Major Accidents:** Prospective applicant advised to address this in the EIAR, including in relation to peat stability.

6.3. Second Consultation Meeting (20th April 2023)

- 6.3.1. The prospective applicant gave a presentation to the Board's representatives, outlining progress on the design and layout of the proposed development, site access proposals, policy updates and consultation update (refer to PowerPoint presentation on file).
- 6.3.2. Following the presentation, a number of the same issues were discussed as in the first meeting (refer to meeting record), as well as the following issues:
- **Policy:** The commitment in the new Development Plan to review the Renewable Energy Strategy within one year was noted. Prospective applicant advised to be vigilant of any updates prior to submitting the planning application. The potential for a change in RE policy during the course of the assessment was noted.
 - **Turbine Type:** The prospective applicant said a specific turbine and dimensions will be proposed.
 - **Site Conditions:** The Board's representatives noted the particularly wet nature of the site and reminded the prospective applicant to be cognisant of peat-related SACs and relevant SPAs in the vicinity of the site and to consider any potential hydrological/hydrogeological links or impacts on those sites. The prospective applicant noted the failed forestry and drainage on site and that it will be fully considered within the EIAR. Peat depths vary across the site, averaging c. 2.3m. Areas of deep peat will be avoided and a peat stability assessment and peat and soil management plan submitted.
 - **Biodiversity:** The prospective applicant said no nesting sites for Merlin or Golden Plover have been identified following site surveys. Biodiversity gain is being considered including encouraging new habitats and the rehabilitation of the site. The Board's representatives queried the type of Annex I habitat recorded within the site. The prospective applicant advised that this included dystrophic pools and bog/heath habitat areas between the forestry areas. The prospective applicant was advised to consider this with regard to the adjacent

SACs and to address matters such as habitat fragmentation and connectivity and ex situ impacts.

- **Site Access:** Prospective applicant advised to engage with TII in relation to the new N59 access point and the grid connection and to have regard to the Spatial Planning and National Roads Planning Guidelines. Southern access point will only be used for initial construction traffic to facilitate the bridge construction. This forms part of the Western Way and prospective applicant advised to fully address this within the CEMP.
- **Grid Connection:** The prospective applicant said the on-site substation and grid connection will form part of the planning application. No works proposed to the existing Bellacorrick substation.
- **River Crossing:** Prospective applicant advised to engage in pre-application consultation with OPW and IFI regarding the proposed new bridge crossing on the N59 national road. Clear span bridge is proposed over the river with hydrological modelling to ensure sufficient clearance of the river.
- **Dark Skies:** Mayo Dark Sky Park is situated within the Wild Nephin National Park and prospective applicant advised to address this within the application with regard to lighting.

7.0 Legislation

7.1. Planning and Development Act 2000, as amended

- 7.1.1. Section 2(1) of the Planning and Development Act 2000, as amended ('the Act'), defines 'strategic infrastructure' as including, inter alia:

(a) any proposed development in respect of which a notice has been served under section 37B(4)(a),

- 7.1.2. Section 37A of the Act states that:

(1) An application for permission for any development specified in the Seventh Schedule (inserted by the Planning and Development (Strategic Infrastructure) Act 2006) shall, if the following condition is satisfied, be made to the Board under section 37E and not to a planning authority.

(2) That condition is that, following consultations under section 37B, the Board serves on the prospective applicant a notice in writing under that section stating that, in the opinion of the Board, the proposed development would, if carried out, fall within one or more of the following paragraphs, namely—

(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.

7.1.3. 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.”

7.2. Environmental Impact Assessment

7.2.1. Section 37E(1) of the Act requires that an application for permission for development in respect of which a notice has been served under section 37B(4)(a) shall be made to the Board and shall be accompanied by an environmental impact assessment report in respect of the proposed development. Therefore, the submission of an EIAR is mandatory.

7.3. Appropriate Assessment

7.3.1. There are a considerable number of Natura 2000 sites in the vicinity of the proposed site. This includes Bellacorrick Bog Complex SAC (Site Code 001922) immediately to the east, Owenduff./Nephin Complex SAC and SPA (Site Code 000534/004098) immediately to the west, Carrowmore Lake Complex SAC (Site Code 000476) to the north west and the River Moy SAC (Site Code 002298) to the south east.

- 7.3.2. The applicant intends to submit a Natura Impact Statement with the application.

8.0 Assessment

8.1. Seventh Schedule Development

- 8.1.1. The proposed development would comprise a wind farm with 13 No. wind turbines with a total power output in the range of 65 – 91 MW.
- 8.1.2. The current SID thresholds are set out within the Seventh Schedule of the Act. The relevant thresholds for the proposed project type are 25 No. turbines or a total output greater than 50MW.
- 8.1.3. Having regard to the capacity of the proposed development, I am satisfied that the development accords with Section 37A(1) of the Act.

8.2. Section 37A(2) Criteria

- 8.2.1. Under Section 37A(2), the proposed development must fall within one or more of the following conditions:
- 8.2.2. **(a) the development would be of strategic economic or social importance to the State or the region in which it would be situate**
- 8.2.3. 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 65 – 91 MW which is considered to be of strategic economic and social importance to the Region and State.
- 8.2.4. 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.
- 8.2.5. Having regard to the national and regional policy context and the details of the subject proposal 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.

8.2.6. **(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,**

8.2.7. 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. Since the second meeting with the applicant, the National Planning Framework, First Revision 2025 has been adopted. Having reviewed the new NPF, I note the following extracts from National Strategic Outcome 8 (NSO 8) and National Policy Objectives (NPOs) 69 and 70:

- **NSO 8:**

“The Climate Action and Low Carbon Development (Amendment) Act enacted in 2021 commits to a binding target to reduce greenhouse gas emissions by 51% and increase the share of electricity generated from renewable sources to 80% over the decade (2021 – 2030), and to achieve net-zero emissions no later than 2050.

[...]

The electricity sector faces a significant challenge to meet its requirements under the targets set out in Climate Action Plan 2024. Electricity will also play a key role in the decarbonisation of other sectors through electrification, including transport, heating, and industry.

The accelerated delivery of additional renewable electricity generation is therefore essential for Ireland to meet its climate targets, reduce its greenhouse gas emissions, and improve its energy security by reducing reliance on imported fossil fuels and diversifying its electricity supply.

[...]

The development of onshore and offshore renewable energy is critically dependent on the development of enabling infrastructure including grid

facilities to bring the energy ashore and connect to major sources of energy demand. We also need to ensure more geographically focused renewables investment to minimise the amount of additional grid investment required, for example through co-location of renewables and grid connections.

Green Energy

- Deliver 80% of our electricity needs from renewable sources by 2030 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 69:** Reduce our carbon footprint by integrating climate 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 as expressed in the most recently adopted carbon budgets.
- **NPO 70:** Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a climate neutral economy by 2050.

8.2.8. At a regional level, I note the following Regional Policy Objectives (RPOs) in the NWRA’s 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.

- 8.2.9. The proposal to generate between 65 – 91 MW 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.
- 8.2.10. 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 Region. The development would, therefore, satisfy the requirement set out in section 37A(2)(b) of the Act.
- 8.2.11. **(c) the development would have a significant effect on the area of more than one planning authority.**
- 8.2.12. The site is fully contained within the area of one planning authority, Mayo County Council.
- 8.2.13. I am satisfied that the proposed development would not have a significant effect on the area of more than one planning authority. Accordingly, I am 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.

8.3. **Note to Board**

- 8.3.1. The Board will note that the last meeting held on this case was in April 2023. The current Mayo County Development Plan was adopted in 2022, prior to that meeting, while the review of the Mayo Renewable Energy Strategy, which was noted at the second meeting, has not yet been published.
- 8.3.2. With regard to the issue of design flexibility, the prospective applicant confirmed in the second meeting that they intended to apply for a particular turbine size and that would be assessed in their EIAR. Given the passage of time, should the prospective applicant wish to make a design flexibility request at this juncture, I note that this cannot be made without an active pre-application consultation case. The prospective applicant would therefore need to make a new pre-consultation request should they wish to have flexibility regarding turbine size.

8.4. Prescribed Bodies

- 8.4.1. In view of the scale, nature, and location of the proposed development, as described in this report, it is recommended that the prospective applicant should consult with the prescribed bodies listed in the attached Appendix in respect of any future application for approval.
- 8.4.2. The prospective application is advised to submit a standalone document (which may form part of the EIAR) with the planning application, which outlines all mitigation measures, in the interest of convenience and ease of reference.

9.0 Recommendation

- 9.1. Based on the foregoing 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.
- 9.2. 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.

10.0 Reasons and Considerations

- 10.1. Having regard to the size, scale and location of the proposed development, and to the policy context, it is considered that the proposed development comprising a wind farm with 13 No. wind turbines and ancillary equipment, including 110kV substation infrastructure 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.

- 10.2. 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.
- 10.3. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under Section 37E of the Act.
- 10.4. I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.



Niall Haverly
Senior Planning Inspector

28th May 2025

Appendix 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 the Environment, Climate and Communications.
- Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media.
- Minister for Agriculture, Food and the Marine.
- 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.
- ESB.
- EirGrid.

Further notifications should also be made, where deemed appropriate.