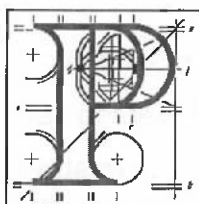


An Bord Pleanála



Inspector's Report.

Case Ref. No: ABP-314965-22

Issue: SID Pre-application – whether project is or is not strategic infrastructure development.

Proposed Development: Windfarm

Location: Derryadd, Derryaroge and Lough Bannow Bogs, County Longford

Applicants: Bord na Móna

Planning Authority: Longford County Council

Inspector: Kevin Moore

1.0 Introduction

- 1.1. The Board received a request on 26th October, 2022 from Bord na Móna to enter into pre-application consultation pursuant to section 37B of the Planning and Development Act 2000, as amended, in relation to a proposed wind farm development.
- 1.2. A Pre-Application Consultation meeting took place between An Bord Pleanála (the Board) and the prospective applicant on 9th January, 2023.
- 1.3. This Report is prepared following the request by the prospective applicant to close the Pre-Application Consultations between the applicant and the Board. The Report provides an overview of the proposed project, details of the legislative provisions, and gives a summary of the meeting and the advice provided by the Board. Furthermore, it discusses whether the proposed development would satisfy the conditions contained in section 37A (2) (a), (b) and (c) of the Planning and Development Act 2000, as amended, and recommends a list of Prescribed Bodies who should be forwarded copies of the application.

2.0 Proposed Development

- 2.1. The proposed development described in the initial submission to the Board comprises a wind farm development as follows:
 - Between 20 and 25 turbines with an estimated installed capacity of c. 100MW;
 - Associated hardstandings;
 - Borrow pits;

- New access road and upgrading of existing access roads;
- Upgrading of existing drainage system;
- 110kV substation (including 16MW approx. battery storage facility) and associated grid connection;
- Electrical and communication cables linking the turbines to the proposed 110kV substation and control building;
- Related site works and ancillary works, including foundations, earthworks, main and assist cranes, peat management works, drainage design, and overburden storage and management.

2.2. I note from the submission to the pre-application consultation meeting and from the letter requesting closure of the pre-application consultation process that the prospective applicant states that the proposed development would comprise 22 turbines with an estimated output capacity of c. 132 megawatts (MW) and a maximum turbine blade tip height of 190m.

3.0 Legislative Provisions.

3.1. Planning and Development Act 2000, as amended

Section 37A of the Planning and Development Act 2000, as amended, includes the following:

(1) An application for permission for any development specified in the Seventh Schedule 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 consultation under section 37B, the Board serves on the prospective applicant a notice in writing 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 Spatial Strategy or in any regional planning guidelines 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.*

The Seventh Schedule of the Planning and Development Act 2000 sets out the infrastructure developments for the purpose of sections 37A and 37B of the Act. It includes the following:

- 1.- Development comprising or for the purposes of any of the following: ...*
 - 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.*

4.0 Applicant's Submission

4.1. The Prospective Applicant considers that the proposed development should be regarded as Strategic Infrastructure Development. It is submitted:

- The proposed development would fall within the development threshold specified in Class 1 'Energy Infrastructure' of the Seventh Schedule of the Planning and Development Act 2000, as amended.
- The proposed development, with an output of approximately 132MW, would constitute a significant addition to Ireland's renewable energy

generating capacity. The project would, therefore, be of strategic economic and social importance to the region and the State, assisting in meeting national renewable energy targets.

- The proposed development is in keeping with the National Planning Framework key objectives NPO 54 and NPO 55.
- The proposed development is in keeping with Objectives RPO 4.84 and RPO 7.35 of the Regional Spatial & Economic Strategy for the Eastern and Midland Regional Assembly.
- At its western extremity, the site is close to the county border with Roscommon and there is potential for the project to impact on County Roscommon with regard to visual impact and traffic during the construction phase of the proposed development.

5.0. Pre-Application Consultations

5.1. *Meeting 1 – 9th January, 2023*

At the meeting, the prospective applicant provided an overview of the windfarm project, the planning history relating to the site, the design process, and details of the proposed haul route. Reference was made to public consultation and to the compatibility of the project with the Mid Shannon Wilderness Park. An outline of the structure of the EIAR was provided.

Matters discussed related to comparison of the proposal with that which previously came before the Board, the development of borrow pits and containment of spoil, ornithological surveys and relationship to the Lough Ree Special Protection Area, noise impact on residential properties, and the extent of intended visual assessment. Clarity was provided on a leave to apply for

substitute consent application currently before the Board relating to peat extraction activities.

6.0 Assessment

6.1. I note that the proposed wind farm would have a predicted output of 132 megawatts (MW) and, thus, the proposed development would fall within the class of infrastructure set out in the Seventh Schedule that is referenced above.

6.2. Having regard to the provisions of section 37A(2) of the Planning and Development Act, my considerations are as follows:

- The ongoing provision of sustainable renewable energy development is a national priority to ensure compliance with EU and national renewable energy targets and obligations. Such development includes wind farm development. It is, therefore, recognised that a development of the nature proposed, i.e. one which would expand the renewable energy infrastructure within the State to assist in meeting specified national obligations, would be of strategic economic importance to the State.
- The development of renewable energy capacity in the form of wind farm development is consistent with EU, national and regional policy which seeks to reduce greenhouse gas emissions, improve renewable energy production, and contribute to the aim of achieving a low carbon economy. Such development is supported in the Renewable Energy Directive, the Climate Action Plan 2023, the National Renewable Energy Action Plan, the National Planning Framework, and the Regional Spatial and Economic Strategy for the Eastern and Midland Region. The proposed development could reasonably be viewed as contributing substantially to the fulfilment of:

(a) National Policy Objective 55 of the National Planning Framework,
which promotes renewable generation and generation at appropriate

locations to meet national objectives towards achieving a low carbon economy by 2050; and

(b) Regional Policy Objectives RPO 4.84 of the Regional Spatial and Economic Strategy for the Eastern and Midland Region, which seeks to support the rural economy and initiatives in relation to diversification, agri business, rural tourism and renewable energy so as to sustain the employment opportunities in rural areas and, in keeping with the NPF, to support the longer term strategic planning for industrial peatland areas, which may include support, where appropriate, for a Transition Team in place and preparation of a comprehensive afteruse framework plan for the peatlands and related infrastructure, which addresses environmental, economic and social issues, including employment and replacement enterprise reflecting the current transition from employment based around peat extraction.

- The proposed wind farm development would potentially have a significant effect on the area of more than one planning authority, namely County Roscommon by way of landscape and visual impact and construction traffic, due to the proximity of the site to the border with County Roscommon.

7.0. Conclusion

7.1. Having regard to the above considerations, I am satisfied that the proposed development falls within the class of energy infrastructure relating to a wind power installation for energy production as set out in the Seventh Schedule of the Planning and Development Act 2000, as amended. Furthermore, I am of the opinion that the proposed development would satisfy the conditions contained in section 37A (2) (a), (b) and (c) of the Planning and Development Act. Therefore, I

conclude that the proposed development constitutes a strategic infrastructure development for the purposes of the Planning and Development Act.

- 7.2. The Board may consider recommending to the prospective applicant a list of Prescribed Bodies who should be forwarded copies of the application documentation. A recommended list is as follows:

An Chomhairle Ealaíon

An Taisce

Commission for Regulation of Utilities

Department of Agriculture, Food and the Marine

Department of the Environment, Climate and Communications

Department of Housing, Local Government and Heritage

Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media

Fáilte Ireland

Health Service Executive

Heritage Council

Inland Fisheries Ireland

Irish Aviation Authority

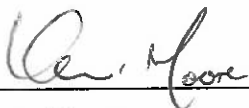
Longford County Council

Roscommon County Council

Office of Public Works

Eastern and Midland Regional Assembly

Transport Infrastructure Ireland



Kevin Moore

Senior Planning Inspector.

19th July, 2023.