

An  
Bord  
Pleanála

## Inspector's Report

### ABP-315239-22

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#### Development

Proposed windfarm development consisting of approximately 10 no. wind turbines, 110kV substation, grid connection and site infrastructure.

#### Location

Within the townlands of Oatfield, Crag, Cloontra West, Derryvinnaan, Cloontra, Cloonsheerea, Mountrice, Cloghera, Drumsillagh (Merritt), Drumsillagh (Parker), Kyle and Gortacullin, Co. Clare.

#### Planning Authority

Clare County Council

#### Planning Authority Reg. Ref.

Not applicable

#### Applicant(s)

Ørsted Onshore Ireland Midco Ltd.

#### Type of Application

Pre-application Consultation.

#### Date of Site Inspection

Not Inspected.

#### Inspector

Paul Caprani

## **1.0 Introduction**

- 1.1. One pre-application consultation meeting was held with the prospective applicants on February 23<sup>rd</sup> 2023 in relation to the proposed development of a windfarm consisting of approximately 10 turbines and an associated 110kV substation and grid connection in east Clare.

## **2.0 Site Location and Description**

- 2.1. The proposed development is located in upland area in east Clare comprising of conifer forest, blanket bog, wet heath and rough wet grassland. The village of Broadford lies 1.5km to the north and Sixmilebridge 5 km to the southwest of the site. The Site is c 15-20 km northeast of Shannon Airport. A number of streams traverse the site.

## **3.0 Proposed Development**

- 3.1. The optimal design of the project is still under review. Preliminary studies that the proposal will consist of approximately 10 turbines together with a 110kV substation, grid connection, access roads borrow pits, underground cabling, met masts, temporary construction compounds, forestry felling and drainage works. Each of the turbines will have a rated capacity of between 6 and 6.5 megawatts. The turbines will have a tip height of 179-180m and a hub height of 105 to 111m.

## **4.0 Pre-Application Consultation**

- 4.1. One meeting was held on 23 of February 2023. The applicant noted that the site is located in an area designated in the local County Clare Development Plan as being designated as a 'strategic area' and an area where windfarms are 'acceptable in principle'. The applicant provided details of on-going surveys for the purposes of completing the EIAR. Details of public engagement were also set out. Discussions revolved around turbine height, the haul route, grid route, AA issues, archaeology, carbon calculation and cumulative and in-combination effects.
- 4.2. The Board's representatives indicated that was their preliminary view that if the rated output exceeded 50 MW that the proposal would constitute SID.

On the 16<sup>th</sup> of August 2023 the applicant requested that the Board please serve notice of its opinion as to the strategic infrastructure status of the prospective application.

## 5.0 Legislative Provisions

5.1. 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 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 provide 10 No. turbines with a total power output of between 60-66 MW. The definitive rated output was not specified in the applicant's letter requesting closure (dated August 16<sup>th</sup> 2023). However, the letter does make reference to the provision of approximately 10

turbines. Based on the rated output of each of the turbines referred to in the documentation submitted, 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.

6.1.2. The proposed development would therefore satisfy section 37A(1) of the Act.

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

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

6.2.2. 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 in excess of 50MW which is considered to be of strategic economic and social importance to the Region and State.

6.2.3. The project would assist in meeting national renewable energy targets of increasing renewable electricity supply to 80% by 2030 and net zero by 2050. In doing so it 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.

6.2.4. 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.

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

- 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 Southern Regional Assembly. Having reviewed the NPF, I note the following relevant National Strategic Outcome 8 (NSO 8) and National Policy

Objectives (NPOs) 54 and 55 which seek to encourage, facilitate and harness renewable energy sources including wind at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050.

At a regional level, policy objective RPO 220 seeks to support strengthened and sustainable local/community renewable energy networks, micro renewable generation, climate smart countryside projects and connections from such initiatives to the grid. The RSES for the Southern Region also aims to make the region a Carbon Neutral Energy Region.

6.2.6. The proposal to generate over 50MW 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 Southern Region. The development would therefore satisfy the requirement set out in section 37A(2)(b) of the Act.

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


6.2.8. The windfarm site is within the Clare County Council administrative area. However the site of the proposed windfarm is located c10km north of Limerick City, and it is possible that electricity generated by the windfarm could supply the City. In this regard I consider that the Board could reasonably come to the conclusion that the development would have an effect on an area of more than one local authority. Accordingly, I am of the opinion that the proposed development would also fall within the scope of 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 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)(b) and (c) of the Act. Accordingly, the proposed development constitutes strategic infrastructure.

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.

  
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Paul Capran  
Assistant Director of Planning

13<sup>th</sup> September 2023

## **Appendix A: 315239**

**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.
- Clare Co Council
- Limerick o Council
- Southern 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 (Shannon Airport).
- Health Service Executive.
- Commission for Regulation of Utilities.
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

