



An  
Bord  
Pleanála

## Inspector's Report ABP 315851-23

### Development

Proposed 9-10 wind turbines with a generation capacity greater than 50MW and all associated infrastructure including the provision of a 110kV connection to the national grid.

### Location

Townlands of Borrisbeg, Graffin, Skehanagh, Knockanroe, Clonmore, Ballycahill, Eastwood and Storgue, Co. Tipperary.

### Prospective Applicant

Buiríos Limited

### Type of Application

Section 37B of the Planning and Development Act, 2000, as amended.

### Date of Site Inspection

13/04/23

### Inspector

Pauline Fitzpatrick

## 1.0 Introduction

The Board received a request on 16<sup>th</sup> February, 2023 from Buiríos Limited to enter into pre-application consultations under Section 37B of the Planning and Development Act, 2000, as amended, in relation to a proposed development of 9-10 wind turbines and associated works including the provision of a 110kV connection to the national grid in the townlands of Borrisbeg, Graffin, Skehanagh, Knockanroe, Clonmore, Ballycahill, Eastwood and Storgue in Co. Tipperary.

The prospective applicant sought closure of the pre-application by correspondence dated 21<sup>st</sup> August, 2023.

## 2.0 Site Location and Description

The site of the proposed development is located in the townlands of Borrisbeg, Graffin, Skehanagh, Knockanroe, Clonmore, Ballycahill, Eastwood and Storgue in north County Tipperary and comprises an area of approx. 650 hectares.

Templemore is c. 2.5km to the south-west with Roscrea c.11km to the north.

The site is relatively level and is largely in agricultural use. It is traversed by a number of watercourses and drains.

The N62 national secondary road is to the west of the site with the R433 to the south, whilst Local Roads L-3248 and L-7039 are to the north and east respectively. Sporadic one off housing is evident along the road network in the area.

The Dublin – Cork rail line runs to the south of, and parallel to the R433. The 110kV Ikerrin – Thurles overhead line is to east of the site.

## 3.0 Proposed Development

The proposed development would comprise the following:

- 9 no. wind turbines each with a capacity of >5.6MW giving a generating capacity of over 50MW. The turbines are to have a blade tip height of up to 185 metres.
- 1 no. 30 metre high meteorological mast
- Turbine delivery route along the M7 and N62.

An onsite substation and underground cable to facilitate the connection to the 110kV Ikerrin – Thurles overhead line will be the subject to a separate Section 182A application.

#### **4.0 Planning History/Relevant Cases**

ABP 317089-23 - current pre-application consultation with the Board for the proposed 110kV substation and underground cable grid connection to the national grid at the existing 110kV Ikerrin-Thurles overhead line to facilitate the proposed wind farm.

#### **5.0 Applicant's Case**

The prospective applicant's case is outlined in a letter (accompanied by maps) which was received with the consultation request on 16<sup>th</sup> February 2023, the presentation made to the pre-application consultation meeting held 21<sup>st</sup> April 2023, and subsequent written correspondence to the Board dated 10<sup>th</sup> May, 2023.

The applicant requested the closure of the pre-application consultations on 21<sup>st</sup> August, 2023.

By way of clarification the prospective applicant confirmed that the minimum MW output of the 9 no. turbines would be >5.6MW and will have a generating capacity of above 50MW. It therefore falls within the threshold of the 7<sup>th</sup> Schedule for Strategic Infrastructure Development.

The applicant contends that:

- The development would be of strategic economic and social importance to the state due to the potential to generate a large quantity of electricity to contribute to Ireland's energy targets with significant capital investment required representing significant economic contribution to the region including provision of community gain proposals.
- It would contribute substantially to the fulfilment of objectives in the National Planning Framework, specifically policy objective 55.

- The proposal is in accordance with the Regional Spatial and Economic Strategy for the Southern Region and is specifically supported by regional policy objectives RPOs 87, 95, 98, 99, and 100.
- The development would not have a significant effect on more than one planning authority as it is situated entirely within County Tipperary.

The prospective applicant concludes that the proposed development is within the 7th schedule and satisfies two of the three criterion set out in Section 37A(2) of the Planning and Development Act 2000, as amended.

## 6.0 Consultations

1 no. pre-application meeting was held with the prospective applicant on 21<sup>st</sup> April 2023.

The principal matters arising related to:

- Clarification of overall output of the windfarm.
- Consideration of impacts for varying turbine design options
- Cumulative impacts with existing windfarms in the wider area.
- Residential amenities and separation distances.
- Watercourses traversing the site and requirement for robust hydrological assessment
- Turbine delivery route
- Proposed grid connection
- Consultation with prescribed bodies

## 7.0 Legislative Provisions

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),

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.

The current SID thresholds are set out within the 7th Schedule of the Planning and Development Act 2000, as amended. The relevant threshold for the proposed project is '*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*'.

### **Environmental Impact Assessment**

Schedule 5 of the Planning and Development Regulations 2001, as amended transposes Annex I and II of the EIA Directive and sets out prescribed classes of development, for which an environmental impact assessment is required. The following classes are noted:

Part 2 Class 3 (i)

Installations for the harnessing of wind power for energy production (wind farms) with more than 5 turbines or having a total output greater than 5 megawatts

### **Appropriate Assessment**

The nearest Natura 2000 site is Kilduff Devilsbitt Mountain SAC c. 5.5km to the west.

The applicant intends to submit a Natura Impact Assessment

## 8.0 Assessment

### 8.1. Strategic Infrastructure

As clarified by the prospective applicant following the pre-application consultation meeting the proposed development will comprise of 9 turbines each with an output of >5.6MW giving a combined generating capacity of over 50MW. A substation and underground cable to provide grid connection to the existing 110kV Ikerrin -Thurles line to the east of the site is currently subject of pre-application discussions with the Board as to whether it would come within the provisions of section 182A of the Planning and Development Act, 2000, as amended. It is to be subject of a separate application.

The current SID thresholds are set out within the 7th Schedule of the Planning and Development Act 2000, as amended. The relevant threshold for the proposed project is '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'. Having regard to the combined generating capacity of the proposed development, I am satisfied that the development accords with Section 37A(1) of the Act.

Accordingly under Section 37A(2), the proposed development must fall within one or more of the following conditions

***(a) the development would be of strategic economic or social importance to the State or the region in which it would be situate,***

The prospective applicant's case is that the proposal satisfies the conditions under 37A(2)(a) of the Act due to the scale of project which would generate more than 50MW.

The development would be of strategic economic and social importance to the state due to the significant economic contribution to the region and to the country as a whole. The development has the potential to have a significant impact in meeting the State's renewable energy targets, it will meet the objectives of The Climate Action Plan 2023 and it will do so in a sustainable way through the provision of 9 turbines which will be connected to the national grid. The proposed development will assist in

meeting national renewable energy targets and will also result in reductions in carbon emissions from electricity generation and reduce the country's reliance on fossil fuels.

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.

***(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,***

The prospective applicant states 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 Southern 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: Reduction in the 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.

At a regional level I note that the RSES for the Southern Region and, in particular Objective RPO 99, seeks to support the sustainable development of renewable wind energy (on shore and off shore) at appropriate locations and related grid infrastructure in the Region in compliance with national Wind Energy Guidelines.

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 Southern Regional Assembly. The development would therefore satisfy the requirement set out in section 37A(2)(b) of the Act.

***(c) the development would have a significant effect on the area of more than one planning authority.***

The site is fully contained within the area of one planning authority, Tipperary County Council. Whilst the site is in relative proximity to the borders of counties Offaly, Laois and Kilkenny with the potential for visual impacts, I am satisfied that the proposed development will 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. ✓

## **8.2. Prescribed Bodies**

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.

## **9.0 Recommendation**

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.

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

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 9 turbine windfarm with an overall output of over 50MW with associated infrastructure on a site in the townlands of Borrisbeg, Graffin, Skehanagh, Knockanroe, Clonmore, Ballycahill, Eastwood and Storgue, in Co. Tipperary 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.

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.



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**Pauline Fitzpatrick**  
**Senior Planning Inspector**

13<sup>th</sup> September, 2023

## **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 (Development Applications Unit).
- Minister for the Environment, Climate and Communications.
- Tipperary County Council
- Offaly County Council
- Laois County Council
- Kilkenny County Council
- Southern Regional Assembly
- Transport Infrastructure Ireland.
- An Taisce
- An Chomhairle Ealaíon
- Fáilte Ireland
- The Heritage Council
- Inland Fisheries Ireland
- Uisce Eireann
- Health Service Executive
- Irish Aviation Authority
- The Commission for Energy Regulations

Further notifications should also be made, where deemed appropriate.