



An  
Bord  
Pleanála

## Inspector's Report

### 07.PC0227

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<b>Type of Application</b>	Sid Pre-application – whether project is or is not strategic infrastructure development.
<b>Proposed Development</b>	Wind farm development and associated works.
<b>Location</b>	Ardderroo, near Rosscahil, Co. Galway.
<b>Applicant</b>	Ardderroo Wind Farm Ltd.
<b>Planning Authority</b>	Galway County Council
<b>Inspector</b>	Sarah Moran

**NOTE:** There is another current pre-application consultation relating to this site, ref. PL.07.VC0100.

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## 1.0 Proposed Development and Background

- 1.1. The proposed development comprises the construction and operation of a wind farm with a total of 29 no. turbines. The site was the subject of a previous SID application for 29 no. wind turbines and associated site works under 07. PA0036. The Board refused permission for that development for 2 no. reasons relating to (1) inadequate information in NIS and other documentation to support a conclusion that that the integrity of relevant European Sites would not be adversely affected, particularly with regard to potential impacts on bird species, inadequate assessment of bird flight lines and cumulative effects with permitted wind farms in the area and (2) inadequate information on birds and bats in the EIS, particularly with regard to the duration and scope of surveys, flight lines in the vicinity and cumulative impact on birds arising from permitted wind farm developments in the area. Permission was also previously granted for the construction of a 110/38 kV substation within the development site, including a loop connection linking the substation to the permitted Screeb-Salthill 110 kV overhead line, ref. 07.VA0016.
- 1.2. The current proposal generally has the same footprint, layout and total number of wind turbines as PA0036. The development comprises 29 no. turbines, access roads, borrow pits, substation, electrical underground cabling for grid connection, temporary construction compound and permanent anemometry mast. The project will have a total output in the range of 70 - 90 Megawatts (MW). The prospective applicant states that there will be the following amendments from the previous proposal:
- Relocation of turbine T1 c. 470m northeast from the original location;
  - Reduction in size of borrow pit no. 1;
  - 2 no. additional borrow pits;
  - A new road link and watercourse crossing in the southern portion of the site.
- 1.3. There is another current SID determination process underway in relation to a substation at the site, ref. 07.VC0100.
- 1.4. The prospective applicant has undertaken significant work on the preparation of an EIS as they have the EIS from the previous application and the supporting survey information gathered in connection with that application. Preliminary discussions

have been initiated with the planning authority. With respect to the National Parks and Wildlife Services (NPWS), the prospective applicant stated that a scoping document has been forwarded but a formal meeting had not been arranged as of 4<sup>th</sup> October 2016.

## 2.0 Applicant's Case

2.1.1. The key elements of the prospective applicant's submission in support of the case being designated as strategic infrastructure are summarised as follows (the signed records should be consulted for further details):

- The previous SID application for 29 no. turbines at the site was refused due to inadequacy in ecological surveying carried out in support of the EIS and NIS. Additional ecological and ornithological surveying has been carried out to satisfy the Board's stated requirements and the findings of these studies will inform any new application at the site.
- National energy policy, as stated in the government white paper, *Ireland's Transition to a Low Carbon Energy Future 2015-2030* (December 2015) reaffirms commitments to achieve targets outlined in previous policy instruments, i.e. 40% energy consumption from renewable sources by 2020 as first established in the National Renewable Energy Plan (NREAP) in 2010. Wind energy is accepted as the main contributor to meeting the country's national climate change and energy supply obligations.
- The West Regional Planning Guidelines 2010-2022 note that the region contains Ireland's premier wind energy resource and the potential for the region to become a sustainable exporter of renewable energy. RPG objective IO54 supports the sustainable development of wind energy schemes through the initiation of a regional policy on wind farm location. The RPGs are supportive of renewable energy and of meeting national policy targets.
- The majority of the site is within a designated 'Strategic Area' for wind energy development under the current Co. Galway Wind Energy Strategy (WES) and the Galway County Development Plan 2015-2021. This designation is based on a number of factors including the available wind resource, access to grid, environmental and ecological designations and population / settlement patterns.

Co. Galway has potential to play a significant role in Ireland's attempt at meeting the EU and national renewable energy targets and the WES provides an opportunity to allow the county to fulfil this role.

- The development of the subject site will facilitate the achievement of an overall WES target of 500 MW wind energy production up to 2020 and an indicative WES target of 220 MW wind energy production from Strategic Areas. It would deliver up to 34% of the wind energy generation target for Strategic Areas and 15% of the county target. The development is therefore important for meeting local and national wind energy and climate change targets.
- The development has an output of 70-90 MW. It exceeds the power generation threshold specified in the Seventh Schedule by up to 50%. The generating capacity constitutes over 20% of the total West Galway target capacity under Gate 3. Co. Galway's gate allocation represents 11% of the national Gate 3 target. The development could potentially generate equivalent electricity to cater for over 40,000 average households or >60% of households in Co. Galway.
- The development represents a capital investment of over €110 million which, when combined with the commercial rates, contributions, community gain proposals and associated infrastructure improvements will cumulatively represent a significant economic contribution to the region and the state as a whole.

### 3.0 Legal Provisions

- 3.1. The pre-application consultation relates to the proposed 29 turbine wind farm, including the construction of a substation and the laying of underground cables. The Board is to determine whether the proposal is or is not Strategic Infrastructure Development as defined by section 37A of the Planning and Development Act 2000, as amended by section 5 of the Planning and Development (Strategic Infrastructure) Act 2006 and by section 78 of the Planning and Development (Amendment) Act 2010. The Seventh Schedule of the 2006 Act provides that the following shall be infrastructure development for the purposes of sections 37A and 37B:

*'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.'*

- 3.2. Section 37A(1) states that 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. Section 37A(2) states:

*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.*

## 4.0 **Assessment**

### 4.1. **Compliance with the Seventh Schedule**

- 4.1.1. Having regard to the nature and scale of the proposed facility comprising a total of 29 no. turbines and having a total power output of 70 - 90 MW, it is my opinion that the proposed development comes within the scope of class 1 of the Seventh Schedule of the Strategic Infrastructure Act, 2006 (as amended) being a wind farm with more than 25 turbines and having a total output greater than 50 megawatts.

### 4.2. **Section 37A(2)(a) - Strategic Economic or Social Importance to the State or the Region**

- 4.2.1. The prospective applicant submits that the development represents a capital investment of over €110 million which, when combined with the commercial rates, contributions, community gain proposals and associated infrastructure improvements will cumulatively represent a significant economic contribution to the region and the state as a whole. I consider that the construction impact of the development in terms

of employment and economic activity would likely be significant at a regional level. In addition to economic activity related to employment creation, the proposed development has in my opinion the potential to have a significant economic impact on the region in terms of revenues generated for landowners, local authority rates and a community contribution scheme / funds. I also note that the development would be one of the most significant energy projects to be developed in the region and would make a significant impact in terms of meeting the State's renewable energy targets. The development is therefore considered to come within the scope of section 37A(2)(a) of the Act.

**4.3. Section 37A(2)(b) – Contribution to the achievement of the objectives of the NSS or RPGs**

4.3.1. Most of the development site is zoned as a 'Strategic Area' for wind energy development and the proposed development could play a significant role in achieving national and regional targets for renewable energy, as set out in the applicant's submission above. I note that the site is located in an area that has the necessary roads and energy infrastructure to cater for wind energy development and that it is located within an emerging cluster of wind farms. The previous application PA0036 was considered to be acceptable in principle on this basis. Given the scale of the proposed development and its potential role in meeting the 2020 renewable energy target and future renewable energy targets, it is my opinion that proposal would come within the scope of section 37A(2)(b) of the Act.

**4.4. Section 37A(2)(c) – Significant effect on the area of more than one Planning Authority**

4.4.1. The application site is located entirely within the administrative boundary of Galway County Council. It is not envisaged that the proposed development would have any significant effects, either direct or indirect, on the area of Planning Authorities other than that of Galway County Council.

**5.0 Conclusion**

5.1. On the basis of the above, it is my opinion that the proposed development would exceed the threshold set out in the Seventh Schedule of the Strategic Infrastructure Act, 2006, as amended by the Planning and Development (Amendment) Act, 2010

as, with the development of 29 no. turbines with individual power outputs in the range indicated (70-90 MW) it would have a power output in excess of the 50MW specified. It is also my opinion that the development falls within the parameters of sections 37A(2)(a) and (b) of the Planning and Development Act 2000 as amended by the SI Act, 2006.

## 6.0 Recommendation

- 6.1. In view of the above, it is therefore recommended that the Board determine that the development in question constitutes strategic infrastructure development as defined by section 2(1) of the Planning and Development Act 2000, as amended by section 6 of the Planning and Development (Strategic Infrastructure) Act 2006 and that the prospective applicant be informed accordingly.

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Sarah Moran

Senior Planning Inspector

9<sup>th</sup> February 2017



## **PRESCRIBED BODIES**

The following is a schedule of prescribed bodies considered relevant for the purposes of section 37E(3)(c) of the Principal Act:

- The Minister for Housing, Planning, Community and Local Government.
- Galway County Council
- The Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs
- Údarás na Gaeltachta
- The Minister for Communications, Energy and Natural Resources
- Transport Infrastructure Ireland
- An Comhairle Ealaíon
- Fáilte Ireland
- An Taisce
- Inland Fisheries Ireland
- The Irish Aviation Authority
- The Heritage Council
- The Health Service Executive
- The Commission for Energy Regulation
- The Minister of Transport, Tourism and Sport
- The Environmental Protection Agency
- The Minister for Agriculture, Food and the Marine
- Irish Water