Our Case Number: ABP-314186-22

Your Reference: Killoshulan Renewable Energy Limited

An Bord Pleanála

John Willoughby
MKO
Planning & Environmental Consultants
Tuam Road
Galway
Co. Galway
H91 VW84

Date: 28 July 2022

Re: Proposed development of 13 wind turbines together with all associated works Killoshulan and adjacent townlands, Co. Kilkenny

Dear Sir,

An Bord Pleanála has received your request to enter into pre-application consultations under section 37B of the Planning and Development Act, 2000, as amended in respect of the above mentioned proposed development. A receipt for the fee lodged is enclosed.

Please be advised that the amendments introduced by the Planning and Development (Amendment) Act, 2010 provide for the Board to recover its costs in conducting pre-application consultations. These costs together with costs incurred by the Board in determining any application made to it will be included in the Board's decision. The Board will offset any application fees paid by the applicant against its costs.

Further advice or details in relation to the above will be provided by the Board at pre-application consultation meetings (if held).

The Board will revert to you in due course in respect of this request.

If you have any queries in the meantime please contact the undersigned officer of the Board quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

Sarah Caulfield

Sarah Caulfield
Executive Officer
Direct Line: 01-8737287

PC01

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Láithreán Gréasáin	**Website**	www.pleanala.ie
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Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Our Case Number: ABP-314186-22

An Bord Pleanála

Chief Executive Officer
Kilkenny County Council
County Hall
John Street
Kilkenny
Co. Kilkenny

Date: 28 July 2022

Re: Proposed development of 13 wind turbines together with all associated works Killoshulan and adjacent townlands, Co. Kilkenny

Dear Sir / Madam,

Please be advised that the Board has received a request to enter into pre-application consultations in relation to the above-described proposed development. This request has been received in accordance with section 37B of the Planning and Development Act, 2000 as amended.

If you have any queries please do not hesitate to contact the Board.

Please quote the relevant reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

Sarah Caulfield

Sarah Caulfield
Executive Officer
Direct Line: 01-8737287

PC02

Teil	**Tel**	(01) 858 8100
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Ríomhphost	**Email**	bord@pleanala.ie

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64 Marlborough Street
Dublin 1
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An Bord Pleanála
Strategic Infrastructure Development
64 Marlborough Street
Dublin 1
D01 V902

Our Ref: 211027
Your Ref: N/A

26th July 2022

Re: Request in accordance with Section 37B of the Planning and Development Act 2000, as amended - Proposed Wind Farm at Killoshulan and adjacent townlands, County Kilkenny.

Dear Sir/Madam,

On behalf of our Client, Killoshulan Renewable Energy Limited (a subsidiary of Atlantic Infrastructure Partners), of 5 Perry Square, Limerick, MKO are seeking to engage with An Bord Pleanála regarding a proposed wind farm development in this rural area of County Kilkenny. The current proposal is for 13 no. wind turbines together with all associated works (the Proposed Development). On behalf of our Client, we are seeking a formal determination from An Bord Pleanála ('ABP') in relation to the Strategic Infrastructure Development ('SID') status, or otherwise, of the Proposed Development. This request is being made in accordance with Section 37B of the Planning and Development Act 2000, as amended ('the 2000 Act').

A separate concurrent request to enter into consultation with the Board under Section 182E of the Act regarding the Strategic Infrastructure Development (SID) status, or otherwise, for the proposed 110kV electrical infrastructure which will facilitate the connection of the proposed Killoshulan Wind Farm (the Proposed Development) to the existing Ballyragget 110kV substation in County Kilkenny, has been lodged with the Board in parallel with this Section 37B request.

Planning Background

The subject site does not have any planning history relating to renewable energy infrastructure. There are a range of minor permissions for agricultural, residential and communications development and these will be reviewed in further detail and will form part of the cumulative impact assessment where necessary.

A comprehensive review of any existing and permitted wind farms within 20km of the subject site along with any residential permissions within 2km of the subject site will be carried out as part of the cumulative impact assessment required as part of the Environmental Impact Assessment Report (EIAR) to be submitted with the application.

Site Location

The site is located approximately 3 km east of Johnstown and c. 5km northwest of Freshford Co. Kilkenny. The project site is accessible from the west via the R435 and travelling eastwards on the Donaghmore local road that traverses through Spahill to the north, with a Coillte forest gravel road

providing access to the forest area. Further internal forest tracks provide access to the forest area to the south and east.

Development Description

The new Killoshulan Wind-Farm project is a proposed wind energy development near Johnstown (see Figure 1), currently consisting of 13 no. wind turbines. The project site currently covers an area of c. 1,442 hectares (ha) with an elevation range of c. 150m above ordnance datum (AOD) in the south to c. 349m AOD at the top of Spahill.

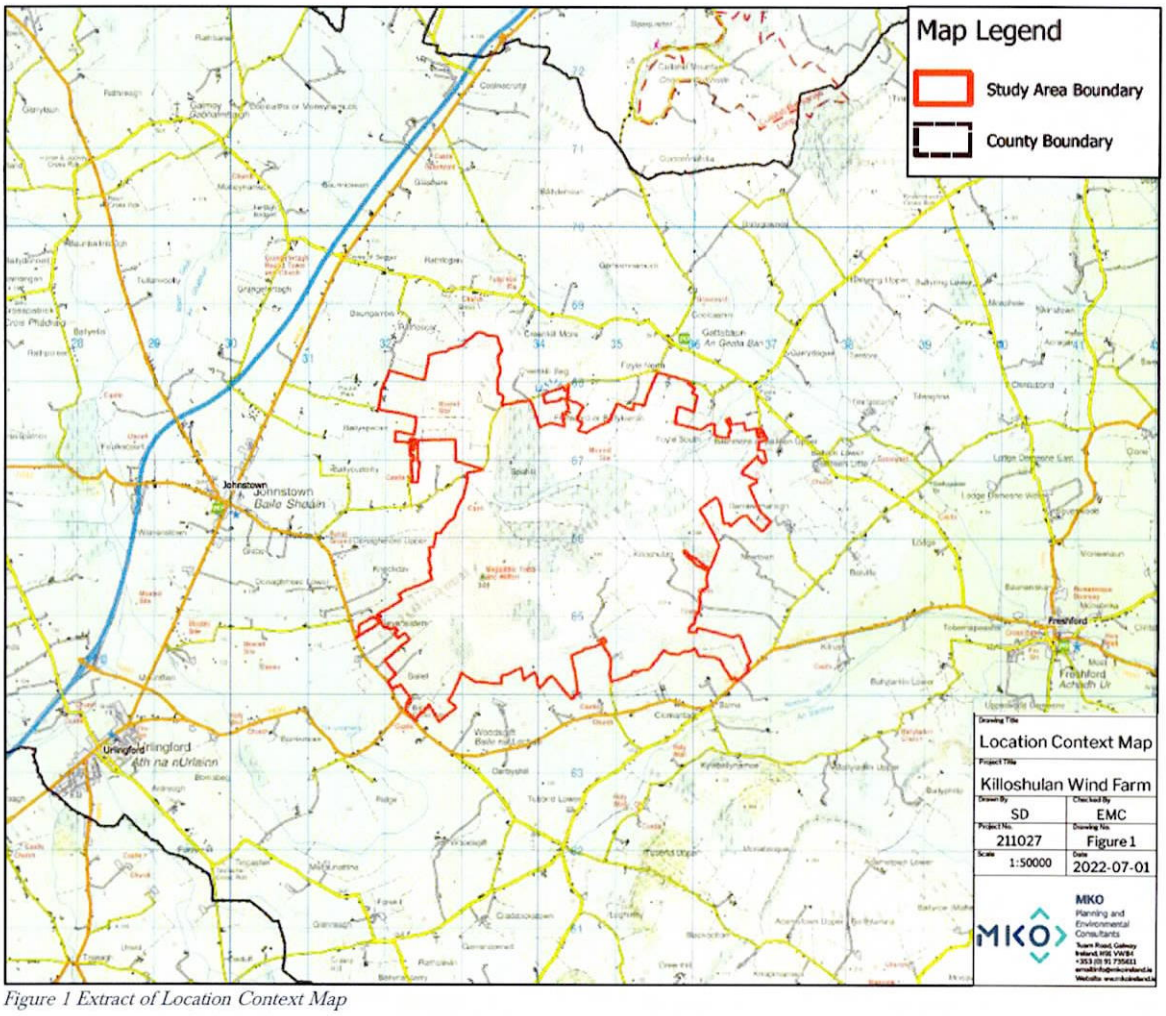


Figure 1 Extract of Location Context Map

A description of the preliminary project profile is outlined in Table 1 below.

Table 1 Preliminary Project Profile

Location	Site Area	Est MW Output	No. of Turbines	Turbine Envelope	110kV Infrastructure	Grid Connection
Killoshulan, Co. Kilkenny.	c. 1,442 ha*	c. 64 – 96* (based on 4-6MW per turbine)	Up to 13*	Up to 175m tip height and 150m rotor diameter	110 kV substation and grid connection cabling	c. 12.5 km 110 kV underground connection to Ballyragget*

**Subject to change*

[redacted]

Associated Electrical Transmission Infrastructure

The optimal design of the project is still under review, with the various required studies and assessments to inform both the Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) underway, which will inform the final design and scope of works. However, the preferred strategy is to incorporate an underground grid connection to Ballyragget 110kV substation. As mentioned previously, this will be subject to a separate planning application and pre-application process with the Board.

Planning Policy Context

The Kilkenny County Development Plan 2021-2027 was adopted on 3rd September 2021 and came into effect on 15th October 2021. The Development Plan is a spatial planning framework that gives effect to the delivery of sustainable and planned economic and social development in a manner consistent with higher levels plans and strategies.

Climate change mitigation and adaptation objectives have been incorporated into the policies of the Development Plan. This is to ensure that climate change has been consistently integrated into the policy themes addressed by the Plan. The Plan sets out a number of Strategic Objectives relating to Climate Change including the following:

- ***2B*** *To support the implementation of the National Climate Action Plan and the National Climate Action Charter for Local Authorities, and to facilitate measures which seek to reduce emissions of greenhouse gases by embedding appropriate policies within the Development Plan.*
- ***2G*** *To reduce energy related CO2 emissions of Kilkenny County Council.*
- ***2H*** *To achieve the commitment under the European Climate Alliance to the reduction of greenhouse gas emissions by 10 percent every 5 years.*

With regard to the Renewable Energy, the Development Plan acknowledges that Ireland and Kilkenny have excellent renewable energy (RE) resources, which will be a critical and growing component of Irish energy supply to 2020 and beyond. The Renewable Energy chapter (Chapter 11) sets out the policy context for all renewables and includes an analysis of each type of renewable energy within the county, covering three aspects as follows:

- *An analysis of the resource potential,*
- *An outline of development management guidelines including potential impacts and*
- *Objectives and policies for their future development.*

In this regard, it is an objective of the Plan to:

- ***11A*** *To support and facilitate the provision of energy in accordance with Ireland's transition to a low carbon energy future by means of the maintenance and upgrading of electricity and gas network grid infrastructure and by integrating renewable energy sources and ensuring our national and regional energy system remains safe, secure and ready to meet increased demand as the regional economy grows over the period of the plan.*

All planning applications for wind energy developments shall be assessed against the DEHLG's Wind Energy Development Guidelines, 2006, (and any subsequent update of these guidelines) and the County Council's Wind Strategy. In accordance with the guidance, when considering an application for wind energy development, the planning authority may consider a range of development management criteria and matters set out Section 11.5.3 of the Development Plan.

Strategic Infrastructure Development Legislative Thresholds & Determination Criteria

The current SID thresholds for wind energy are set out in the 7th Schedule of the Act. The relevant threshold established in the 7th Schedule for the current 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 power output greater than 50MW"*. The proposed wind farm development will have a power output in excess of 50MW and therefore exceeds the generating capacity threshold specified in the 7th Schedule.

Under Section 3A(2) of the Act the project must satisfy one or more of the following criteria:

a) The development must 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.

It is acknowledged that An Bord Pleanála will consider whether the proposed development satisfies other criteria in relation to its national or regional importance and its contribution towards fulfilling national and regional objectives.

Assessing the proposal against each of the development criteria listed above, we would comment as follows:

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

Due to the scale of the project - likely to generate upwards of 50MW - it is considered to be wholly of a strategic nature and of strategic economic and social importance to the region and state. The capital investment required for the construction of a project of the scale proposed, when combined with the commercial rates, contributions and community gain proposals associated with the operation of the proposed development, the wind farm will cumulatively represent a significant economic contribution to the region if not the country as a whole. The proposed development will generate a large quantity of electricity to contribute to Ireland's renewable energy generation and carbon saving targets as set out at national level. As a renewable energy proposal, the project will assist in meeting national renewable energy targets and will also result in significant reductions in carbon emissions from electricity generation and reduce the country's reliance on imported fossil fuels

(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 proposed development is in accordance with the promotion of sustainable energy development as set out in the provisions of the National Planning Framework: Project Ireland 2040, the National Development Plan 2021-2030, the project is also compliant with the objectives of the Programme for Government (2020), the Climate Action and Low Carbon Development (Amendment) Act (2021), the Climate Action Plan 2021, the Emissions Projections for Ireland (2020 – 2040) and the overall national objective to decarbonise electricity generation.

National Planning Framework ('NPF') Policy Objective 55 directly supports renewable energy:

> *"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 regional level, the Regional Spatial and Economic Strategy for the Southern Region (RSES) provides the framework through which the NPF's vision and the related Government policies and objectives will be delivered for the region.

With regards to climate change, the RSES notes that:

> *"Climate Change represents the most serious threat to human life and the environment. If action is not taken on a global scale, global warming will continue to change weather patterns, cause sea levels to rise, threaten the future of entire nations and pose wider risks in terms of degradation of biodiversity, and threaten the planet's ability to provide adequate food and shelter for the human population."*

In relation to wind energy the RSES recognises and supports the many opportunities for onshore wind as a major source of renewable energy. It is noted that 'opportunities for both commercial and community wind energy projects should be harnessed, having regard to the requirements of DoHPLG Guidelines on Wind Energy'. It is recognised that wind energy, with current and future developments technology, has an important role in delivering value and clean electricity for Ireland.

In summary, the proposal will significantly contribute towards meeting sustainable energy targets and objectives at County, Regional and National level and this criterion is therefore satisfied.

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

The proposed development site is located in its entirety in County Kilkenny. There are no other Planning Authority areas within proximity to the application site, and it is therefore considered that the development will not give rise to any significant effects on the functional area of any other planning authority.

In support of this request, we are enclosing for your convenience the following details:

- Site Location maps with the site outlined - two site location maps have been enclosed as part of this submission and have been prepared at scales of 1: 50,000 and 1: 100,000. These scales were chosen to best illustrate the location and characteristics of the site within the wider context.
- Indicative Turbine Layout at 1:35,000 with the site outlined in red.

In view of the above and on behalf of our Client, we are seeking a determination from An Bord Pleanála on whether the proposed wind farm constitutes Strategic Infrastructure Development as defined in the Act. In this regard, it is important that our client makes the planning application to the appropriate

competent authority to ensure compliance with due process. We understand that the Board will facilitate a meeting to discuss the details of this case further and we would welcome this approach, while we have provided some information on the proposal with this request, including site location and layout drawings, we can provide further details for discussion at any future meeting.

Furthermore, we acknowledge that the works subject to this Section 37B discussion are closely related to the concurrent S182E pre-application consultation in relation to the electricity transmission infrastructure associated with the Proposed Development and accordingly there is no objection to discussing both elements within the same meeting. We are requesting that such a meeting be convened at the earliest convenience of the Board.

The statutory fee of €4,500 will be paid by our clients by Electronic Funds Transfer to the Board for the determination of this case. We understand that €3,500 may be refunded if no more than one meeting with An Bord Pleanála is required.

In support of this request, we are enclosing 2 no. hard copies of the submission and 1 no. soft copy of the following details:

- Location Context Map, 1:50,000 @A3,
- Site Location Map, 1:100,000 @ A3,
- Indicative Turbine Layout Map, 1:35,000 @A3.

We trust the above is in order and look forward to hearing from the Board further in due course.

Yours faithfully,

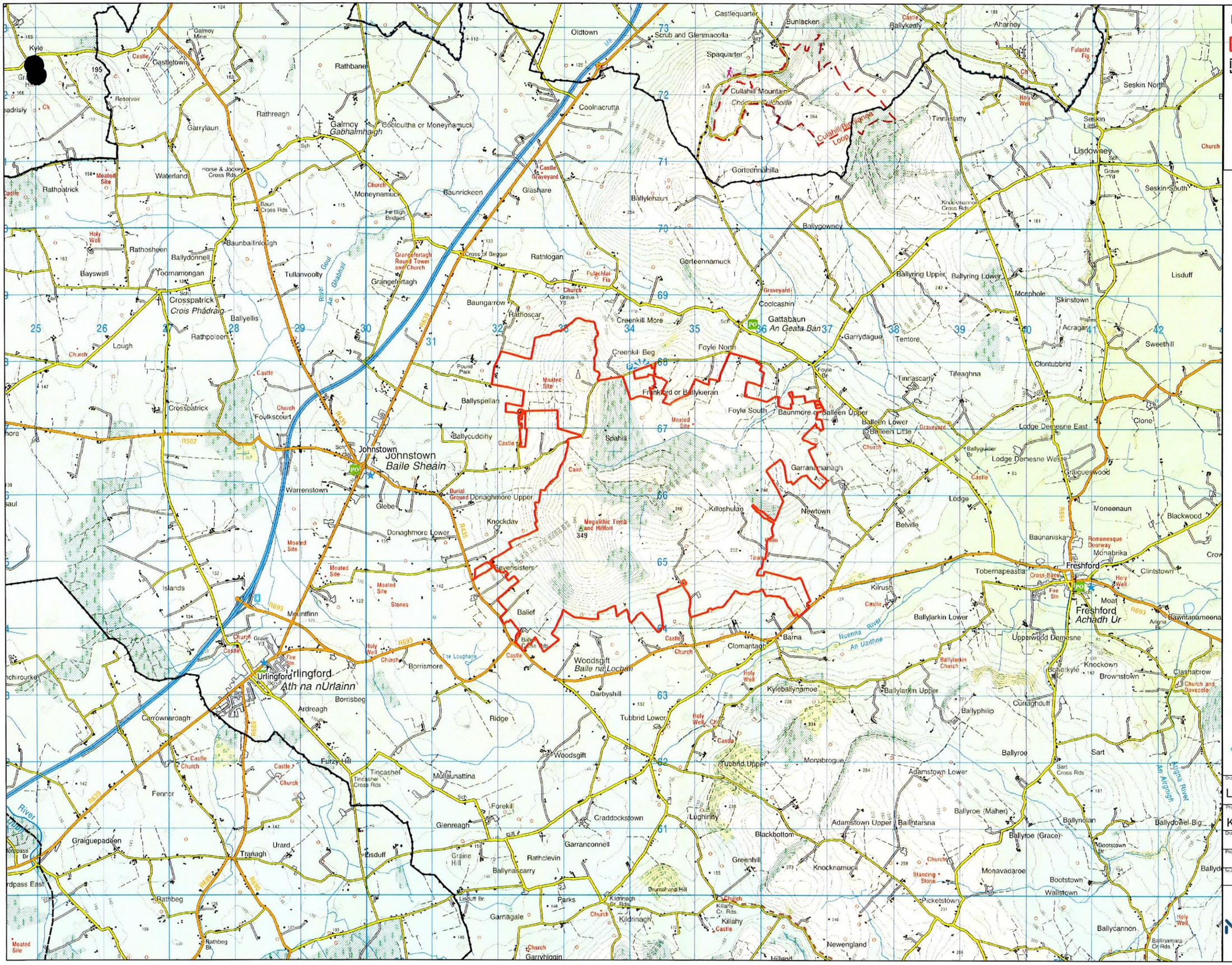
John Willoughby

John Willoughby, B.A., M.Sc., MIPI
MKO
jwilloughby@mkoireland.ie
Tel: 091 735611

Encl.

- Location Context Map, 1:50,000 @A3,
- Site Location Map, 1:100,000 @ A3,
- Indicative Turbine Layout Map, 1:35,000 @A3.

AN BO[illegible]LA
27 JUL 2022
LTR DATED _____ FROM _____
LDG-
ABP- 314186-22



Map Legend

- Study Area Boundary
- County Boundary

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Drawing Title
Location Context Map

Project Title
Killoshulan Wind Farm

Drawn By	Checked By
SD	EMC
Project No.	Drawing No.
211027	Figure 1
Scale	Date
1:50000	2022-07-01

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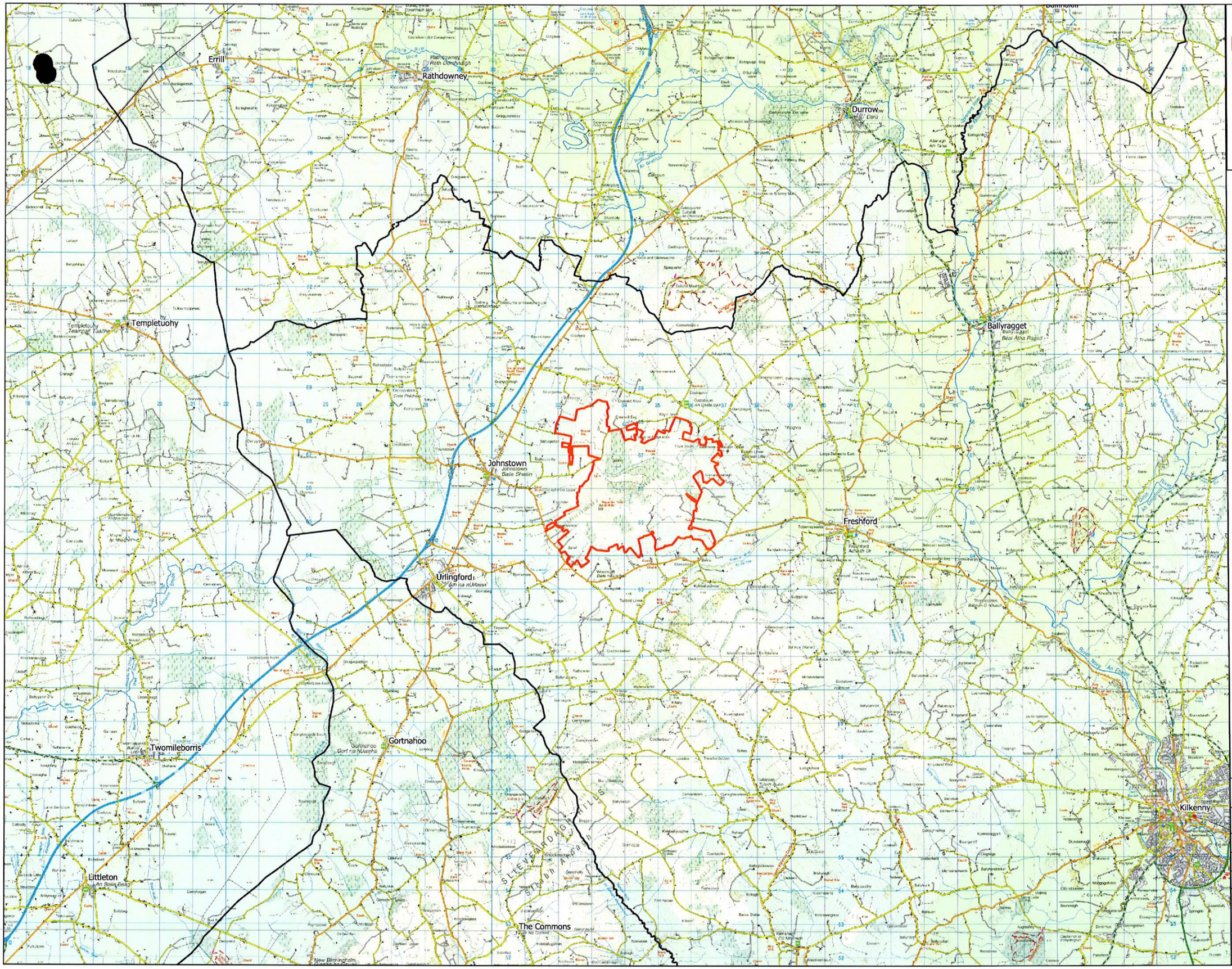

Map Legend

- Study Area Boundary
- County Boundary

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N

Drawing Title: Site Location Map

Project Title: Killoshulan Wind Farm

Drawn By	Checked By
SD	EMC
Project No.	Drawing No.
211027	Figure 2
Scale	Date
1:100000	2022-07-01

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Map Legend

- Killoshulan Study Area
- Killoshulan Indicative Turbine Layout

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N

Drawing Title: Killoshulan - Indicative Turbine Layout	
Project Title: Killoshulan WF Development	
Drawn By: JF	Checked By: JW
Project No.: 211027	Drawing No.: Fig 3
Scale: 1:35,000	Date: 22.07.22

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