

An
Bord
Pleanála

Record of Meeting ABP-315157-22 1st meeting

Description	ABP-315157-22 - Proposed development of Garryhinch Wind Farm consisting of between 10 and 14 wind turbines with power rating of between 5.0 MW to 7 MW, Garryhinch Bog and Garrymore Bog, Co. Offaly and Co. Laois		
Case Type	Pre-application Consultation		
1st / 2nd / 3rd Meeting	1 st Meeting		
Venue	Virtually by Microsoft Teams		
Date	10/02/2023	Time	11:00am – 12:20pm

Representing An Bord Pleanála

Stephen Kay, Assistant Director of Planning (Chair)

Paul Caprani, Senior Planning Inspector

Sarah Caulfield, Executive Officer

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Representing the Prospective Applicant

Conor McGrath – Bord na Mona

Catriona Carter – Bord na Mona

Seán Creedon – Bord na Mona

Rita Mansfield – Fehily Timoney & Company

Introduction:

The Board referred to the letter received from the prospective applicant on the 22nd November, 2022, requesting pre-application consultations and advised the prospective applicant that the instant meeting essentially constituted an information-gathering exercise for the Board; it also invited the prospective applicant to outline the nature of the proposed development and to highlight any matters that it wished to receive advice on from the Board. The Board mentioned the following general procedures in relation to the pre-application consultation process:

- The Board will keep a record of this meeting and any other meetings, if held. Such records will form part of the file which will be made available publicly at the conclusion of the process. The record of the meeting will not be amended by the Board once finalised, but the prospective applicant may submit comments on the record which will form part of the case file.
- The Board will serve notice at the conclusion of the process as to the strategic infrastructure status of the proposed development. It may form a preliminary view at an early stage in the process on the matter.
- A further meeting or meetings may be held in respect of the proposed development.
- Further information may be requested by the Board and public consultations may also be directed by the Board.
- The Board may hold consultations in respect of the proposed development with other bodies.
- The holding of consultations does not prejudice the Board in any way and cannot be relied upon in the formal planning process or in any legal proceedings.

Presentation by the prospective applicant:

The proposed development consists of between 10-12 wind turbines with a tip height of 220 metres and an output capacity of between 5.0 MW and 7.6 MW each. New tracks and the upgrade of existing tracks are proposed as part of the development and tracks previously used for the extraction of peat will be utilised and incorporated where possible.

The proposed site is located on two bogs which straddle the Offaly and Laois border namely Garryhinch and Garrymore Bog. The bogs are located approximately 6.4km west of Portarlinton, 3.7km north of Mountmellick in Co. Laois, and approximately 2km southwest of Clonygowan in Co Offaly. The turbine delivery route is expected to approach the development from the north via the M6 and onto the N52.

The prospective applicant said feasibility and constraint assessments have been completed in relation to the turbine array layout and it is likely to include between 10 and 12 turbines. A 10-turbine array was presented which illustrated that no dwellings fall within 1 kilometre and approximately 160 dwellings fall within 2 kilometres of the turbines. The proposed development would achieve a minimum setback distance of 4 times tip height (880metres).

It is proposed to provide a 110kV on-site substation and associated connection to the national grid. The preferred connection is via an underground cable connection to the 110kV/MV station at Bracklone, Portarlinton, which received planning permission in December 2021 (Laois County Council Planning Reference: 20638) but is not yet constructed.

In relation to the onsite 110kV substation, there are currently 5 options being assessed. One options (Option 1 on the slide presented) falls outside the site boundary but within the ownership of the prospective applicant. Option 5 is likely to be chosen as the preferred location, but this has yet to be finalised.

Regarding the rationale for the project, it was submitted that the proposed development has the potential to provide up to approximately 106MW of renewable electricity, which represents 1.2% of the overall national onshore target for 2030.

The prospective applicant said an EIAR and NIS will be submitted with any subsequent planning application. An EIAR scoping report issued to several consultees on the 15th June 2022 and the prospective applicant provided a summary of the most pertinent feedback received to date. Further discussions are anticipated with the National Parks & Wildlife Service among others.

From a planning policy context, the proposed site is located within an area deemed 'open for consideration' within the Laois Wind Energy Strategy and a consultation meeting was held with Laois County Council in late 2022. Under the provisions of the Development Plan for Co. Offaly part of the lands on which the site is located, and the area closest to the boundary with County Laois, are 'not deemed suitable' for wind energy development. The prospective applicant stated that they believe this designation is based on insufficient wind speeds in the area and is not consistent with their assessment of the wind conditions in the area. Consultations are ongoing with Offaly County Council on this issue.

The prospective applicant provided an overview of the environmental considerations associated with the proposed development. Surveys relating to Ornithology, Hydrology, Noise, Ecology and Bats are ongoing. It was noted that significant historical data is available for the site and this would be utilised where possible. The prospective applicant said there has been no significant change in habitats when comparing historical data.

Preliminary landscape and visual assessments have been completed, with 34 viewpoints proposed. These viewpoints were presented to Offaly County Council and Laois County Council and the proposed locations were deemed satisfactory.

A map was presented which illustrated the European Sites located in the vicinity of the site, namely the River Barrow and River Nore Special Area of Conservation (Site Code: 002162), the Slieve Bloom Mountains Special Area of Conservation (Site

Code: 000412) and the Slieve Bloom Mountains Special Protection Area (Site Code: 004160).

In relation to National Designated Sites, a map of the wider region was presented. There are no sites located in close proximity to the site.

There are a number of constructed, consented and proposed wind farms in the area, the closest being Dernacart Wind Farm, which is located adjacent to the east of Garrymore Bog and which is currently with An Bord Pleanála on appeal and awaiting a decision (ABP-310312-21). The prospective applicant said all wind farms in the area will be considered and assessed in relation to cumulative impacts and in-combination effects.

In relation to the site characteristics, the prospective applicant said the land is relatively flat with shallow peat across the site. It is proposed to set the turbines back from watercourses, heath and scrub habitat and any other areas of significant importance. Potential borrow pit locations have been identified within the northern area of Gerryhinch Bog, which is more vegetated in nature. Both bogs are located within the Bord na Mona IPPC licensed boundary and a rehabilitation plan will be required for the site in line with the conditions attached to this licence.

Regarding biodiversity, winter and breeding bird surveys are continuing throughout 2023, along with additional bat surveys and monitoring at height. Bat activity on sections of the site can be described as moderate to high with other areas of low activity. Badger, otter and pine marten have been recorded using the site but there is no evidence of resting places.

Japanese Knotweed has been recorded along the access track to the bog but not within the bog itself. The prospective applicant said this area is currently undergoing treatment and an Invasive Species Management Plan is carried out regularly for the site.

The prospective applicants stated that community consultation is ongoing, and that a community liaison officer has been appointed. A dedicated website has been created

(www.garryhinchwindfarm.ie) and several face-to-face community engagement sessions have been held. Concerns raised from members of the community include noise, shadow flicker and turbine height. The prospective applicant said their approach, in accordance with the draft Wind Energy Development Guidelines (2019) is not to allow shadow flicker in any capacity. Shadow flicker control units would be installed which would automatically shut down during periods of likely occurrence of shadow flicker.

Baseline noise monitoring has been completed for the site and the cumulative impacts from the nearby proposed Dernacart development has also been considered in this regard. In relation to turbine height, the prospective applicant said even though the terrain is flat in nature, natural screening on the site will be utilised where possible.

In relation to project milestones, the prospective applicant said leave to apply for substitute consent was recently submitted to the Board. A substitute consent application is anticipated to be lodged in Q2/Q3 2023 and a SID application is expected in Q3/Q4 2023.

Discussion

The following matters were discussed:

- In response to a query on the matter, the prospective applicant said it is not yet known whether fixed turbine dimensions or a set of ranges will be presented in any application. The prospective applicant referred to the design options provisions included in the Planning and Development, Maritime and Valuation (Amendment) Act 2022, but not yet commenced. The prospective applicant stated that if the provisions of this Act relating to seventh schedule / s.37 developments are commenced prior to the application being submitted, it may consider utilising the design options approach and engaging further with the Board on this issue.
- The prospective applicant said the turbine delivery route, which is currently being assessed, includes travelling along the N80 and a number of local roads.

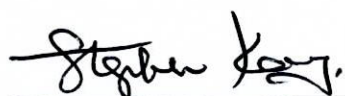
The port of entry is currently being assessed and the final delivery route will be fully detailed within the EIAR.

- The Board's representatives said sufficient details of the turbine output ratings would be required prior to closing out of the pre-application process to enable the Board to adjudicate on its SID status.
- The Board's representatives advised the prospective applicant to be cognisant of the potential impacts on bats with reference to tree felling. Additionally, it said mitigation measures should also be included for otter.
- The Board's representatives stressed the importance of consulting with the National Parks & Wildlife Service prior to submitting the planning application.
- The Board's representatives advised reviewing the draft Wind Energy Development Guidelines (2019) alongside the Wind Energy Development Guidelines (2006) concerning noise and made reference to the Balz Judgement.
- In relation to high density populations in the wider area, the Board's representatives advised providing viewpoints from these areas to assess the receiving environment.
- The Board's representatives advised the prospective applicant to be cognisant of matters such as cumulative impacts and in-combination effects with other existing or proposed wind farms in the surrounding area.
- The Board's representatives reminded the prospective applicant to fully assess the borrow pit locations in relation to the depth, amount of peat removal and volume of extraction etc.
- The Board's representatives acknowledged that the peat depths are quite thin across the site but said a peat stability assessment would still be required.
- The Board's representatives advised carrying out a full Invasive Species Management Plan in relation to the presence of Japanese Knotweed on the site.

- A general discussion was had around substitute consent. The prospective applicant said, following legal advice it decided to apply for substitute consent in relation to the historical extraction of peat on the site. The Planning and Development, Maritime and Valuation (Amendment) Act 2022, once enacted would essentially remove the requirement for leave to apply for substitute consent and would streamline it into the one substitute consent application. The Board's representatives advised the prospective applicant to refer to any concurrent substitute consent application within the SID cover letter to ensure that there was clarity around the approach to development of the site being undertaken.
- In response to a query on the matter, the prospective applicant said that the preferred grid connection option has not been identified. The Board representatives advised that all potential grid connection options would be identified and assessed in the application.
- In relation to the designations within the Offaly Wind Energy Strategy, the Board's representatives advised consulting with the council prior to submitting the planning application and stated that any application would need to present a strong justification why the wind energy strategy should be contravened.
- The Board's representatives stated their preliminary opinion is that the proposed development would constitute strategic infrastructure if the rated output from the windfarm exceeded 50MW but noted that the ultimate decision is a matter for the Board.

Conclusion

The record of the meeting will issue to the prospective applicant, and it will then be a matter for the prospective applicant to submit any comments on this if it wishes to do so. It will be a matter for the prospective applicant to revert to the Board if it requires a further meeting or if it wishes to close the pre-application consultation process.

A handwritten signature in black ink, appearing to read 'Stephen Kay', is written over a horizontal line.

Stephen Kay

Assistant Director of Planning