



Conor McGuinness
An Rinn
Dun Garbhan
Co. Waterford

Date: 02 August 2023

Re: Construction of Dyrick Hill Windfarm comprising 12 no. wind turbines and related works.
Townlands of Ballymacmague North, Ballymacmague South, Ballynaguilkee Lower, Ballynaguilkee Upper, Broemountain, Carrigaun (Mansfield) and others, Co. Waterford.

Dear Sir / Madam,

An Bord Pleanála has received your recent submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter. Please accept this letter as a receipt for the fee of €50 that you have paid.

The Board will revert to you in due course with regard to the matter.

Please be advised that copies of all submissions / observations received in relation to the application will be made available for public inspection at the offices of the local authority and at the offices of An Bord Pleanála when they have been processed by the Board.

More detailed information in relation to strategic infrastructure development can be viewed on the Board's website: www.pleanala.ie.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,


Ashling Doherty
Executive Officer
Direct Line: 01-8737160

PA04

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Comhairleoir Conor D. McGuinness

Comhairle Cathrach agus Contae Phort Láirge

An Rinn, Dún Garbhán,

Co. Phort Láirge.

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An Runaí,
An Bord Pleanála,
64 Sráid Marlborough,
BÁC 1.

2 Lúnasa 2023

ABP Case Reference: 317265 (proposed Dyrick Hill Wind Farm)

A chara,

As a member of Waterford City and County Council representing the Dungarvan-Lismore Municipal District, I am gravely concerned about the proposed development by Dyrick Hill Wind Farm Limited.

Having reviewed the planning application and following a process of engagement with my constituents, I make the following submission, and signal my strong objection to the proposed development. My submission highlights issues under the following headings:

- 1. Procedural Issues**
- 2. Alignment with Development Plans**
- 3. Other considerations**

As a public representative I fully support efforts to combat climate change. I appreciate the need to move away from the use of fossil fuels for energy generation. I believe that wind energy has an important part to play in delivering on climate action and energy security.

The Waterford City and County Development Plan and accompanying Waterford Renewable Energy Strategy outlines our commitment to renewable energy and sets out how and where development should occur. It also clearly sets out where wind farm development may not take place, including the subject site of the above referenced application. This application does not align with the Development Plan and it would contravene several of its policies, objectives and stipulations.

On this basis I urge you to give this points that follow due consideration, and to decide against a grant of permission in respect of this application.

le dea-mhéin,

Cllr. Conor D. McGuinness

1. Procedural Issue

Direct application to An Bord Pleanála

The proposed application, submitted directly to An Bord Pleanála, bypasses the planning authority of Waterford City and County Council. I see no justification for this approach, and believe it undermines the democratic planning process and the relevance of local planning authorities, development plans and the normal planning process which places public participation, equity and the common good at the heart of that process.

It makes it more costly for residents that wish to make an observation and I believe this to be unfair and unjustified.

2. Alignment with Development Plan

Context

The Waterford City and County Development Plan 2022-2028 was adopted on Thursday 7th June 2022 by unanimous decision of the Council, and came into force on Tuesday 19th July 2022. The Plan was made following a lengthy period of drafting, consultation and deliberation. The process involved five rounds of public consultation and the Plan was approved by both the Planning Regulator and the Minister for Housing, Local Government and Heritage. It is the relevant statutory development plan applying to the subject site in question and as such, must be central to making a decision with respect to this application.

Designation as 'Exclusion Zone'

The Plan recognises the need to adopt energy efficiency and renewable energy technologies and takes a progressive and strategic view to the development of renewable energy, including wind energy. It states that Council will facilitate and encourage such development where appropriate, and that all applications should be compatible with the Waterford Renewable Energy Strategy 'and in particular the wind energy designation map contained within the strategy.'

This map identifies areas that are suitable for wind development, areas that are open to consideration and areas that are excluded. It is abundantly clear that wind development is not permitted in these 'exclusion zones', which for the most part comprise upland areas, coastal areas, and river corridors. It is important to note that only a small minority of the total map is excluded thus. It is also worth noting that this is a publicly available document and any prospective developer will have been fully aware of this designation before making their application.

Designation as 'Most Sensitive'

Aside from the clear designation of the subject site as an 'exclusion zone' for wind development, the Plan notes that the area in question is a 'most sensitive' upland area.

It is a Strategic Objective of the Waterford City and County Development plan to 'protect our sensitive landscapes and seascapes which contribute to the distinctiveness of Waterford as a place.' The subject site is located within an area designated as 'most sensitive', meaning it has been determined by Waterford City and County Council that this area is characterised by very distinctive features, and therefore has a very low capacity to absorb new development without significantly changing the existing character of the landscape.

the prevailing policy is that to be considered for permission, development in or adjacent to an area designated as most sensitive must be shown not to impinge in any significant way upon its character, integrity, uniformity when viewed from the surrounding area. Particular attention should be given to the preservation of the character and distinctiveness of these areas as viewed from scenic routes and from environs of archaeological and historic sites.

I reject the findings contained in the applicant's EIAR regarding the visual impacts of the proposed development and believe it drastically understates the negative visual impact on this sensitive upland area.

The Plan's Landscape Policy Objective L02 states that protection of the landscape and natural assets shall be a priority having regard to the character, integrity, distinctiveness or scenic value of specific areas by ensuring that development proposals are not unduly visually obtrusive in the landscape, in particular, in or adjacent to the uplands or other landscape character units.

The proposed development would materially contravene the Plan with regard to both the designation of the site as an 'exclusion zone' for wind development, and Landscape Policy Objective L02.

3. Other Considerations

Impact of Construction

I share the concerns expressed by Waterford City and County Council regarding the negative impacts of constructing the proposed wind farm on the road network in the area and on road safety. The local road network is not adequate to accommodate heavy construction traffic associated with the proposed development, and the addition of high volumes of traffic, including heavy vehicles, will negatively impact road safety in the area. The applicant's EIAR understates the impact the proposed development would have on the local road network and I believe the conclusions in this regard to be

inaccurate.

Heritage concerns

The subject is located in close proximity to the Blackwater River SAC and party comprises the catchment / sub basin for the Blackwater River.

There is a significant number of sites listed on the Record of Monuments and Places that are in or close to the subject site and the potential negative impact of these should be considered.

Conclusion

The Waterford City and County Development Plan 2022-2028 adopted last year is the culmination of an exemplary exercise in local and participative democracy. It was adopted by the unanimous will of Waterford City and County Council, by resolution of its duly elected members. It involved numerous rounds of public consultation and ultimately it was approved by both the Minister and the Planning Regulator without request from either for amendment or addition.

At the heart of this submission is an earnest call to An Bord Pleanála to respect local democracy and uphold the Development Plan made by Waterford City and County Council last year, including the Waterford Renewable Energy Strategy section which determines what parts of the county are excluded for wind farm development.

I believe it would be an outrage if An Bord Pleanála was to ignore or undermine the provisions of Waterford's development plan in order to facilitate this application.

While its anyone's guess why a developer would apply for permission to build a wind farm in an area that are clearly and categorically marked out of bounds for this type of development, it is the obligation of An Bord Pleanála to ensure that the tenets of our development plan are upheld in deciding on this application.

I urge the board to uphold local democracy, to vindicate the the clear will of the people of Waterford as expressed in our development plan, and to refuse permission for this development.