

20th December 2023

Attention: Evan McGuigan
An Bord Pleanála.
64 Marlborough St.,
Rotunda,
Dublin 1,
D01 V902

SLR Project No.: 501.065110.00001

Client Reference No.: Coolglass Wind Farm

An Bord Pleanála No.: PA11.317809

RE: Response to third party observations.

Thank you for the opportunity to submit a response to the observations received to date under the current SID application before An Bord Pleanála (ABP) reference PA11.317809

Introduction

The scope of work relates to preparation of a response to the third party observations received on Coolglass Windfarm, An Bord Pleanála (ABP) reference number PA11.317809.

At the time of writing ABP have made SLR aware of 112 observations, including observations from Statutory Consultees. ABP wrote to SLR Environmental Consulting (Ireland) Ltd (SLR) on the 25th October inviting us to make a submission on the observations.

It should be noted that this response is not a formal Further Information (FI) submission, and its purpose is instead to address the points raised by observations and provide clarification on how issues raised have already been addressed in the Planning Application and EIAR. No new information will be presented as part of this response. An extension of the submission time for this response has been granted until the 20th December 2023 as per your email dated 1st November 2023, (see **appendix 1**).

Summary of Observations

In preparing this response, we have carried out a review of all submissions which have been forwarded to SLR and whilst it would be ideal to provide a response to each individual observation, it is not feasible to do so. Below is a summary of the observations.

1. **Grid Connection and Environmental Assessment:** Many parties express concern that the windfarm, lacking a national grid connection, serves no purpose. They stress the need for a comprehensive environmental impact assessment before considering project approval.
2. **Representation of Project Site:** A number of observations raise concerns that presenting the proposal as two turbine clusters as a single site is deceptive. The parties respectfully request that a representation and a full evaluation of the separate sites and their cumulative impacts is carried out.
3. **Cumulative Environmental and Community Impact:** The observations call for a holistic consideration of the windfarm's effects, combined with other nearby projects.
4. **Adverse Visual Impact and Threat to Heritage:** Several observations raise their concerns that the project will have a detrimental effect on the landscape's aesthetics and historical and intangible heritage, urging adherence to international heritage

- protection standards.
5. **Noise Pollution, Health and Residential Impact:** There's shared concern amongst a number of observations in relation to noise disturbances, doubting effectiveness any mitigation measures', given the turbines' proximity to residences. Contributors cite a number of physical and mental health concerns.
 6. **Deficient Community Engagement:** A common concern raised within the observations is the lack of meaningful public participation, with communities feeling sidelined in a decision crucial to their environment and quality of life.
 7. **Appeal for Planning Rejection:** Many of the observations conclude with a request to ABP to refuse the project's planning permission, citing various concerns and the community's overlooked stake in environmental stewardship.

Furthermore, several submissions have been received from Statutory Consultees. Some of the issues raised by the consultees are touched upon in other observations from members of the public. These have been summarised below:

8. Material Contravention Raised by Laois Co Council and Others
9. Submissions from Department of Transport and TII
10. Health and Safety Authority
11. Department of Defence
12. Ecological Comments

Response to observations:

SLR Consulting, on behalf of Coolglass Wind Farm Ltd, has prepared the following responses to the issues raised above. This response is structured as follows:

1. Inadequate Grid Connection and Environmental Assessment
2. Misleading Representation of Project Site
3. Cumulative Environmental and Community Impact
4. Adverse Visual Impact and Threat to Heritage
5. Noise Pollution and Residential Impact
6. Deficient Community Engagement
7. Appeal for Planning Rejection
8. Material Contravention Raised by Laois Co Council and Others
9. Supporting the Fulfilment of the National Planning Framework
10. Laois County Council's Submission
11. Department of Transport and TII
12. Health and Safety Authority
13. Minister of Defence / AirCorps
14. Ecological Comments



1.0 Inadequate Grid Connection and Environmental Assessment

As outlined in Chapter 4: Planning Policy and Guidance of the EIAR submitted with this application, both international and national planning policy recognises the need to increase our level of renewable energy production in order to meet legally binding targets and pave the road to net zero.

The capacity of the grid network is not part of the assessment of this planning application. Current arrangements for attaining a grid connection do not allow for grid connections to be sought in advance of a planning application or indeed during the planning application process. Therefore, the capacity of the grid is not a valid material consideration in the assessment of the planning application as it will be subject to a separate planning application and EIAR. However, the environmental effects of the indicative grid connection routes have been included within the submitted EIAR in accordance with *O’Grianna & Ors v. Bord Pleanála* [2014] IEHC 632. This is to ensure that all elements of the wind farm development have been assessed and that there is no “project splitting”. This is examined in further detail in Section 2 of this letter.

The applicant and the Wind Energy Ireland (WEI) both recognise that, nationally, the lack of available grid capacity could be a major barrier that hinders the deliverability of new projects, including repowering projects. There are very few sites across the island of Ireland which have readily available capacity at the time a renewable energy planning application is submitted. Sites with available grid capacity at the connection point will have a clear advantage, however the other material considerations in the assessment of the applications must also be considered. Planning approval is not reliant on the basis of local network capacity, therefore, a refusal could not possibly stand up on the basis of no network capacity at this time, given that there may be improvements to the network during the intervening time from submission to approval.

Network capacity is not just a potential problem for new wind farms, but also for repowering of an existing wind farm. EirGrid estimates that, at a forecasted median demand level, there is not adequate generation capacity to meet demand for Ireland from 2026, once Moneypoint closes¹. Should any other plant close, this could give rise to earlier deficits. Therefore, this generation capacity needs to be met elsewhere. Renewable energy is the obvious and necessary choice for the replacement of the supply.

There is a clear need for action from EirGrid to avoid a lack of grid capacity preventing both repowering and new energy projects. WEI has stated that EirGrid must have the mandate and resources to expand the transmission system at a national level and to build on the DS3 Programme.

As part of the assessment of the Proposed Development, two cable corridors have been included and are shown in Figure 3-2 of Chapter 3 of the submitted Environmental Impact Assessment Report (EIAR). The EIAR assessed both options and it is the objective of the Applicant to take the preferred cable route through a **future separate planning process** once more is known about these routes and the target substations allowing access to the National Grid and whether further optimisations are required. The cable route options as included within the EIAR are set out in Chapter 3, Description of Development, **Section 3.5.3** of the EIAR and are summarised below:

- Option 1 - a cable route which extends from the on-site substation, utilising local roads to its termination point at Pinewoods substation.

¹ All-Island Generation Capacity Statement 2019-2028: <https://www.eirgridgroup.com/site-files/library/EirGrid/EirGrid-Group-All-Island-Generation-Capacity-Statement-2019-2028.pdf> last accessed 12/12/2023.



- Option 2 - a cable route which extends from the on-site substation, utilising local roads, crossing through Timahoe before eventually leaving the public road and connecting at the Coolnabacky substation.

Through community consultation, local community members have voiced concerns about Option 2 given the perceived proximity of the groundwater levels to the surface in the area around the Coolnabacky substation.

It is worth noting that, while both routes are assessed as part of this EIAR, there are technical feasibility considerations which, in tandem with environmental assessment, will determine the exact cable route to be brought forward into a future planning application. Other considerations to the final cable route include feedback which has been obtained from Laois County Council (LCC) and from EirGrid.

The final cable route will be chosen following the completion of all environmental and technical considerations and above all, **based on the capacity available on the National Grid.**

Both grid options have been subject to environmental assessment as part of the submitted EIAR. The final preferred option will be subject to a separate planning application and EIAR once an agreed substation has been identified.

2.0 Misleading Representation of Project Site

The primary concern raised within this point has been that the site is divided into two clusters, and that both should have been separate planning applications.

The development description has been as follows:

“The Proposed Development is located across two prominent hills- Fossy Mountain and Wolfhill, comprised of two no. clusters of development and briefly comprises thus:

- *The northern cluster of the Proposed Development is comprised of a geographical area defined by Fossy Lower Road at the northernmost extent, the R426 at the westernmost extent, Luggacurren Road at its easternmost extent, and Knocklead Road to its southernmost extent. Elements of the Proposed Development which will be located in the northern cluster, if consented, comprise;*
 - *7 no. turbines (turbine nos 1-7) and their associated access tracks, hardstandings and foundations;*
 - *1 no. 110 kV substation;*
 - *1 no. temporary construction compound (TCC1);*
 - *1 no permanent 102.5m meteorological mast;*
 - *1 no. site access point (AP1);*
 - *A recreational amenity trail (part of a future separate planning application);*
 - *The origin of 2 no. cable routes from the proposed on-site substation (part of a future separate planning application);*
 - *A 33kV collector cable which connects both clusters to the proposed on-site substation.*
- *The southern cluster of the Proposed Development is comprised of a geographical area defined by Knocklead Road at its southernmost extent, Crissard Road at its easternmost extent, Knocklead/Moyadd road at its westernmost extent and Slatt Lower road at its southernmost extent. Elements of the Proposed Development which will be located in the southern cluster, if consented, comprise:*



- 6 no. turbines (turbine no's 8-13) and their associated access tracks, hardstandings and foundations;
- 1 no. Borrow pit;
- 1 no. temporary construction compound (TCC2);
- 1 no. site access point (AP2)."

There has been no attempt to mislead any member of the public as to the scale of the development and the layout of the Proposed Development has precedent. In ABP-308885-20, Coom Green Energy Park Limited which was also a two-cluster wind farm of 22 turbines, a similar concern has been raised by objectors. The inspector stated:

*"A key concern expressed in a large number of the submissions received was that the scale of the proposal and the distance between the two clusters of turbines amounts to two developments with applicant seeking permission under one application when it should have been two separate applications and not just one. **While this might be the opinion of many observers, the applicant is entitled to make the application in the way it has been submitted** (our emphases). The application documentation complies with the regulations in terms of outlining and describing the site and undertaking the requisite examination of the potential impacts and effects. The configuration of the site is therefore appropriate."*

The approach taken here is similar to that taken in the case above.

The planning application and EIAR have been prepared in adherence to national and European environmental legislation. The primary legislation governing this aspect is the Environmental Impact Assessment (EIA) Directive (2011/92/EU), 'the EIA Directive', which is transposed into Irish law through the Planning and Development Act 2000, as amended, and takes cognisance of relevant case law.

By its very definition, project splitting refers to the division of a larger project into smaller components, each assessed separately to potentially avoid the threshold that triggers the requirement for a comprehensive EIAR. The legal status of project splitting is nuanced and subject to interpretation based on case law and the specific circumstances of each case, as has been examined under the *O'Grianna & Ors v. Bord Pleanála [2014] IEHC 632* and *Coyne v ABP, Ireland & EngineNode [2023] IEHC 412*, and within. The following key points have been considered in the preparation of a holistic EIAR and single planning application:

- **EIA Directive Compliance:** The purpose of the EIA Directive is to ensure that projects likely to have significant environmental effects are subject to an assessment before approval. Project splitting to circumvent the directive's requirements is not in line with its spirit.
- **Legal Interpretation:** Project splitting is not explicitly mentioned in the EIA Directive, but the prohibition against it is inferred from the directive's principles. The focus is on preventing the evasion of EIA requirements for developments that, when considered together, might have a significant environmental impact.
- **Cumulative Effects Assessment:** The EIA Directive emphasises the assessment of cumulative effects. Even if projects are assessed separately, the cumulative impacts of related projects should be considered to provide a comprehensive understanding of their combined effects on the environment.
- **Judicial Review:** Disputes related to project splitting and the adequacy of EIAs may be subject to judicial review. Courts may assess whether the spirit and purpose of the EIA Directive are being upheld, and if project splitting is seen as an attempt to avoid comprehensive assessment, it may be legally challenged.



- **Transparency and Consultation:** The legal process requires transparency and public consultation. If project splitting limits the public's ability to assess the full environmental impact of a development, it may be subject to legal scrutiny.

Therefore, based on the assessment of the above information it has been considered that a single planning application for the two clusters and their associated works is within the principles of the EIA Directive and is supported through planning precedent. It is not a means to deceive the public, but to allow for the full representation of the proposal and a full evaluation of the separate works of the proposal and their cumulative impacts.

3.0 Cumulative Environmental and Community Impact

Cumulative effects and the measurable impacts of the Proposed Development on the community has been assessed throughout the EIAR.

Notwithstanding the individual assessments carried out within each of the individual chapters, *Chapter 18: Interactions of the Foregoing*, of the EIAR, specifically evaluates the potential cumulative and combined effects arising from the Proposed Development.

Cumulative effects encompass impacts that accumulate over time and space from various development activities. The assessment considers the impact of the Proposed Development alongside other foreseeable projects or activities within a realistic geographical scope, where environmental impacts could interact to produce a more significant overall effect.

Combined effects, on the other hand, result from a single development (the Proposed Development) collectively causing a greater impact on any one receptor. For instance, this could involve the combined effects of noise and visual disturbance impacts during construction on birds. The EIAR has been compiled using the "Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment" (Government of Ireland, 2018) as the overarching guidance on evaluating cumulative effects.

The Environmental Protection Agency's (EPA) "*Guidelines on the information to be contained in Environmental Impact Assessment Reports*" (EPA, 2022) provide a checklist for assessing cumulative effects, prompting consideration of whether the EIAR has adequately described and evaluated cumulative effects, including those from existing or approved but not yet operational projects.

Chapter 18's assessment draws on the impact evaluations presented in the chapter considers potential significant environmental effects that may occur in terms of Air Quality & Climate, Noise & Vibration, Biodiversity, Land, Soils & Geology, Hydrology & Water Quality, Population & Human Health, Material Assets, Shadow Flicker, Traffic & Transportation, Archaeology, Architectural & Cultural heritage, Landscape & Visuals and Telecommunications & Aviation, as well as information publicly available on other known developments within the Study Area as a result of the Proposed Development as described in Chapter 3 of the EIAR.

It's crucial to note that the cumulative impact assessment excludes developments that are already constructed and operational. Existing developments are incorporated into the baseline conditions established in those chapters of the EIAR, addressing the requirements of the EIA Directive and Guidelines. Chapter 18 focuses solely on proposed developments, aligning with the definition of "permitted or planned projects" outlined in paragraph 3.5.2 of the "Guidelines on the information to be contained in Environmental Impact Assessment Reports" (EPA, 2022)².

Direct, indirect, cumulative, and interactive impacts were considered during the siting of the proposed turbines and associated infrastructure in order to minimise impacts on the

² Guidelines on the information to be contained in Environmental Impact Assessment Reports, EPA 2022, https://www.epa.ie/publications/monitoring--assessment/assessment/EIAR_Guidelines_2022_Web.pdf last accessed 19/12/2023



environmental aspects mentioned above. The interactions and inter-relationships of the potential impacts as set out throughout this EIAR are detailed in Chapter 18.

Each individual chapter of the EIAR has had regard to interactions between different potential impacts. For example, Hydrology & Water Quality has had regard to potential impacts on Biodiversity; and Land, Soils and Geology has had regard to potential impacts on both Biodiversity, Hydrology & Water Quality and Traffic & Transportation.

In terms of impacts of the Proposed Development on the “wider community”, impacts of the likely effects arising from the Proposed Development during construction, operation and decommissioning were fully assessed under *Chapter 5, Population and Human Health*.

The EIAR extensively evaluates the cumulative environmental effects and community impacts of the proposed development. In Chapter 18, the EIAR addresses cumulative effects, considering the impact of the Proposed Development in conjunction with other projects. It follows established guidelines and utilises the EPA's checklist for assessing cumulative effects. It excludes developments that are already operational, focusing on proposed developments as per EPA guidelines.

In the preparation of the design of the overall site, and the compilation of the EIAR, the direct, indirect, cumulative, and interactive impacts have been considered so as to minimise their environmental effects. Interactions of each section of the EIAR are detailed in Chapter 18, ensuring a holistic evaluation.

Chapter 5 of the submitted EIAR comprehensively assesses the likely effects of the Proposed Development on the wider community during construction, operation, and decommissioning, aligning with regulatory guidelines in sections 5.5.2- 5.5.4 (*Population, Population Density, Household Statistics and Age Structure*); 5.6.2-5.6.4 (*Socio-economics, Employment and Economic Activity*); 5.7.2-5.7.4 (*Land use, Settlement Patterns, Baseline Population and Demographic Trends*); and 5.8.2-5.8.4 (*Recreation and Tourism*).

4.0 Adverse Visual Impact and Threat to Heritage

The Department of Housing, Local Government and Housing (The Department) has raised concerns about the Cultural Heritage Chapter in the Environmental Impact Assessment Report (EIAR), in addition to public observations. These concerns primarily revolve around potential deficiencies in methodology and a perceived limitation in the Visual Impact Assessment.

The Department questions the methodology of the Cultural Heritage assessment, citing a potential overreliance on desk-based research, expressing reservations about the absence of a comprehensive site walkover. A comprehensive site survey occurred on 6th April 2022, concentrating on non-forested areas of the Proposed Development which were accessible on foot. The non forested areas were concentrated on due to the condition and density of commercial forestry. Access was restricted under health and safety grounds. This approach has been found to be acceptable due to the level of disturbance of the ground and potential archaeological remains due to conifer planting³. Notably, no archaeological remains were found during this effort. Cultural assets outlined by the Department such as the Timahoe Church, Round Tower, and Fossy Church were also all inspected by the *Chapter 11, Cultural Heritage*, author for potential impact on the contributing factor of setting upon their significance. These assessments were carried out through a combination of both desk-based research and the site inspection carried out in April 2022. The impacts of the Proposed Development were assessed in terms of the construction phase, operational phase and decommissioning phase. Full details of the impacts of the proposed development at each

³ <https://www.forestryfocus.ie/social-environmental-aspects/cultural-heritage/archaeology/#:~:text=Heavy%20machinery%20used%20in%20forest,a%20risk%20to%20archaeological%20remains..>



phase can be found in Chapter 11 of the EIAR. This chapter looked at the settings and the impact of the proposed development.

In response to the Department's concerns, they have requested additional information and photomontages/ to enhance the assessment of the broader landscape. Photomontages emphasize the point that individual asset settings may not necessarily contribute to the significance of others. The applicant is receptive to this, committing to providing these details and visuals as Further Information during the submission process if required.

As stated by the department regarding the alignment with the Local Area Plan (LAP), Chapter 11, Section 11.1.3.2 of the EIAR examines the relevant Local Planning Policy in the Laois County Development Plan 2021-2027. The LAP's aim is to preserve, conserve, and manage the cultural heritage of County Laois, encouraging sustainable development. The Cultural Heritage Chapter evaluates all relevant policies, considering direct and indirect impacts of the proposed development.

Chapter 11 presents a comprehensive assessment of the potential impact of the Proposed Development on cultural heritage assets during construction, operation, and decommissioning, assuming a worst-case scenario as described in Section 3.8.2 of the EIAR. It integrates data from various sources to determine the presence and significance of affected cultural heritage assets. Direct and indirect effects, mitigation measures, and residual impacts have been appropriately assessed.

A direct impact on the enclosure (LA024-038) and the cultural heritage town of Timahoe during construction has been identified, with mitigation measures discussed in Section 11.4.4 of the EIAR. The report also considers potential indirect impacts on National Monuments and associated cultural heritage assets within the study area. Indirect effects are deemed *Not Significant* for EIA purposes, and no predicted significant effects on cultural heritage assets result from the operation of the Proposed Development.

Mitigation schemes for construction, operation, and decommissioning phases are proposed and will be agreed with the local planning authority. It is crucial to note that, while the Department expresses concerns, they do not explicitly advocate for refusal and instead calls for additional information to comprehensively address the raised concerns. SLR would therefore request the opportunity to address this point in full through a FI request.

5.0 Noise Pollution and Residential Impact

There is shared concern amongst several of the observations in relation to noise disturbance, doubting any mitigation measures' effectiveness, given the turbines' proximity to residences.

A comprehensive noise impact assessment was undertaken in accordance with current best practice and national guidance. Two candidate turbines were assessed to confirm the range of likely operational noise impacts and the resulting significance of effect. Please refer to Appendix 10.5 of the EIAR for the Assessment Against 2019 Draft Guidelines for each of the turbine types, and Chapter 10 of the EIAR for the full noise assessment. Noise limits were derived as part of the assessment at nearby residences, which are termed as Noise Sensitive Receptors (NSR), based on background noise data measured over a period of 35 days at six NSRs spread around the proposed development. Please refer to **Figure 10.1** of the EIAR which identifies the noise monitoring locations and the noise sensitive receptor locations, in relation to the Proposed Development.

Noise levels from the proposed wind turbines were calculated at the nearby NSRs using the method and parameters set in current best practice: the UK Institute of Acoustics document 'The Good Practice Guide to the Application of ETSU-R-97 for the Assessment and Rating of Wind Turbine Noise'. These predictions present a worst case, as allowances need to be made for measurement uncertainty and favourable propagation conditions with the NSR, which is assumed to be directly down wind of all turbines all of the time.



The assessment compared the two sets of calculated wind turbine noise levels, one for each candidate turbine, predicted at NSRs against the noise limit derived from measured data. In all cases, for all NSRs and windspeeds, the wind turbine operational noise would be below the appropriate noise limit. Therefore, as set out in **Section 10.5.5.2** of EIAR Chapter 10, no mitigation measures are required. Furthermore, **Section 10.5.5.3** of EIAR Chapter 10, confirms that post commissioning noise surveys will be carried out to demonstrate that noise from the installed turbines are below the appropriate noise limit. Full details of the assessment criteria can be found in Chapter 10 of the EIAR, which includes the turbine range and justification behind the selection criteria. However, if ABP consider the information provided in the EIAR to require further assessment, a full response can be made through a Further Information request.

6.0 Deficient Community Engagement

The public consultation for Coolglass Wind Farm started in January 2023, introducing a Community Liaison Strategy (CLS) aligned with the 'Code of Practice for Wind Energy Development in Ireland for Community Engagement'⁴. A Community Liaison Officer (CLO) was also appointed who acts of point of contact with the community for the project. The strategy aimed for open, honest, and transparent engagement with the local community, providing clear project information and actively seeking feedback. The CLS emphasizes ongoing engagement, extending from development through construction and operations.

The CLS prioritised active engagement with households within a 1.6km radius of the design layout. All houses in this area were visited, totalling 343 face-to-face meetings with residents. Meetings, whether individual or group-based, were adapted to residents' preferences. Access to the Coolglass project information was facilitated through the project website and virtual consultation room which can still be accessed at [www. https://coolglasswindfarmsid.ie/](https://coolglasswindfarmsid.ie/).

Of the 54 houses within 1km of the proposed development, 70% engaged with the project team. Information was provided at least twice to all 171 houses within 1.6km and community engagement extended beyond this area when requested. 'Sorry we missed you' cards were left at properties where nobody was home, and this resulted in over 60 additional meetings via the community consultation portal and Coolglass website.

The consultation approach's core objective was to inform the community and gather feedback to shape the design process. A key element involved distributing 450 project booklets across the local and wider area, reinforcing the commitment to transparent communication and community involvement.

All homes within the Coolglass consultation area were furnished with the following information:

- Contact information for reaching the CLO at any time.
- Two project booklets offering in-depth insights.
- Access details for the project website.
- Information on the virtual consultation room.
- A pre-planning submission newsletter was distributed within the project area to keep all households informed about the project's planning status.

During consultation with residents, feedback was sought on the proposal and any concerns that might arise. Residents demonstrated an awareness of the need for climate action, contemplating personal lifestyle changes to combat climate change. The community acknowledged the need to move away from imported fossil fuels for energy security, recognizing the project's potential impact.

⁴ Code of Practice for Wind Energy Development in Ireland Guidelines for Community Engagement
<https://assets.gov.ie/109110/b419a104-e6df-4a3e-a7ef-172166932bee.pdf> last accessed 12/12/2023.



While the importance of renewable energy development was acknowledged, there remained apprehension about introducing wind energy, driven by concerns about visual and hydrological changes, as well as the implications of transitioning to a low-carbon society for residents.

Considering these concerns, there was a general acceptance that the Community Benefit Fund associated with the project could benefit those closest, providing locally generated electricity and supporting the low-carbon transition. Interest in the fund's benefits was substantial, with suggestions for supporting local projects such as amenity trails, preservation of heritage sites, and funding electric vehicle chargers, including those for electric bicycles.

Residents overwhelmingly conveyed that the Community Benefit Fund linked to this development should directly benefit the local community. Recognising the importance of climate action, some residents proposed utilising the fund to help households reduce their carbon footprint.

Transparent and comprehensive information about the project has been made publicly available at key stages, ensuring openness and honesty in the consultation process. Actively seeking feedback on the proposed wind farm from an early development stage, the design process incorporated received input, accommodating local views where applicable.

Throughout the community engagement process, contact details, including a phone number and email address for inquiries, were provided. These details were accessible on project booklets, the project website, and the associated virtual consultation room. The final newsletter was delivered prior to the lodgement of the planning submission with ABP, and again provided all the necessary contact details. The project website and virtual consultation room offered an opportunity to provide feedback on the project.

The CLO successfully established a notable presence in the area, fostering positive relations within the local community. Residents actively engaged, providing feedback on both the design and community benefit aspects of the project. This participatory approach involved residents suggesting improvements to the proposal, expressing concerns, and offering insights on how the Community Benefit Fund could best serve the local community. The applicant is firmly of the belief that a robust and comprehensive community engagement strategy was implemented for this project.

Further details on community engagement completed for the project can be found in Chapter 2: Scoping and Key Issues, however if ABP feel that this has not been adequately addressed SLR would request the opportunity to address this point in full through an FI request.

7.0 Appeal for Planning Rejection

As ABP will be well aware that each planning application is assessed on its own merits. It is for ABP to assess the impact of the Proposed Development and to come to a fair and impartial opinion. This application is accompanied by a full and robust EIAR and associated technical appendices. Any shortcomings identified by the Competent Authority can be addressed through the submission of further information. We would request that the ABP seeks further information on any items which they feel requires further detail after a review of the documents submitted.

8.0 Material Contravention Raised by Laois Co Council and Others

In An Bord Pleanála's letter to the Applicant dated 11th May 2023, ABP confirmed that the Proposed Development falls within the scope of paragraphs 37A(2)(a), (b) and (c) of the Planning & Development Act, 2000 (as amended), and, as a result, is considered to be a Strategic Infrastructure Development.



To qualify as Strategic Infrastructure Development, Section 37A(2) of the Planning and Development Act, 2000 (as amended) stipulates that a project:

- i. *falls within the scope of one or more of the development classes identified in the Seventh Schedule and any thresholds provided therein;*
- ii. *would satisfy one or more of the following criteria:*
 - a. *It is of strategic economic or social importance to the State or the region in which it would be situate;*
 - b. *It would contribute substantially to the fulfilment of any of the objectives of the National Planning Framework or in any regional spatial and economic strategy in force in respect of the area or areas in which the development would be situate;*
 - c. *It would have a significant effect on the area of more than one planning authority.*

The Proposed Development, consisting of an 85.8 to 93.6 MW wind farm is covered by the class of development identified under the heading of 'Energy Infrastructure' in the Seventh Schedule of the Planning and Development Act 2000 (as amended).

Furthermore, in assessing the Proposed Development, An Bord Pleanála's letter dated the 11th of May 2023, considered that the Proposed Development falls within the scope of paragraphs 37A(2)(a), (b), and (c) of the Act, i.e. it is of "*strategic or social importance*", will "*contribute substantially to the fulfilment of the objectives of the National Planning Framework*" and will "*have a significant effect on the area of more than one planning authority*".

When assessing an application for Strategic Infrastructure Development, the Board is permitted to exercise its discretion under the criteria set out in Section 37(2)(b) of the Planning and Development Act (as amended). Having considered the policies and objectives of the local development plan when making its decision, the Board has the power not to follow a part of the development plan depending on the circumstances of the case.

8.1 The Proposed Development in Terms of European Policy

The Proposed Development is classified as a Renewable Energy Plant⁵ which is considered a project⁶ of "*overriding public interest*" as set out in the REPowerEU Plan of May 2022.

The revised Renewable Energy Directive (RED III) was adopted by the EU Council on the 9th of October 2023. It aims to promote the expansion and increased uptake of energy from renewable sources across all sectors (including industry, transport, buildings, heating and cooling, and the production of hydrogen).

RED III aims to increase the share of renewable energy in the EU's overall energy consumption to 42.5% by 2030, with an additional 2.5% indicative top-up that would allow the overall share to reach 45%. Additionally, the negotiators agreed a series of sectoral targets (for industry, transport, buildings, heating, and cooling), including some which would be legally binding.

RED III states that there is a presumption that renewable energy plants, connection to the grid and storage are of overriding public interest, except where:

- there is clear evidence that those projects have significant adverse effects on the environment which cannot be mitigated or compensated for, or
- Member States decide to restrict the application of that presumption in duly justified and specific circumstances to certain parts of their territory, certain technologies or certain projects in accordance with the priorities set out in their national plans.

⁵REPowerEU https://commission.europa.eu/publications/key-documents-repowerEU_en (accessed 16/6/2023)

⁶ Member States would be required to ensure that in the permit-granting process, the planning, construction and operation of renewable energy plants, their connection to the grid and the related grid itself, and storage assets are presumed to be the overriding public interest and serving public health and safety when balancing legal interests for the purposes of the Birds, Habitats, and Water Framework Directives. <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32022R2577> (accessed 16/6/2023)



Member States are required to inform the Commission of any such restrictions and the reasons therefore.

The Climate Action Plan 2023 follows the Climate Action and Low Carbon Development (Amendment) Act 2021, which commits Ireland to a legally binding target of net-zero greenhouse gas emissions no later than 2050, and a reduction of 51% by 2030. These targets are a key pillar of the Programme for Government. Among the most important measures in CAP23 is to increase the proportion of renewable electricity to up to 80% by 2030. Notably Section 11 Electricity of CAP23 provides a Key Performance Indicator (KPI) of providing 9 GW Onshore wind by 2030.

Furthermore S.15 of the 2015 Climate Act as amended which requires:

“inter alia, An Bord Pleanála to perform its functions in a manner consistent with ”: “(a) the most recent approved climate action plan, (b) the most recent approved national long term climate action strategy, (c) the most recent approved national adaptation framework and approved sectoral adaption plans (d) the furtherance of the national climate objective and (e) the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.”

This clearly places the onus on ABP to assess applications in accordance with National Policy.

During its operation, it is estimated that the Proposed Development could generate 248,030 – 270,579 MWh of electricity which would be sufficient to supply between approximately 59,000 to 64,000 Irish households with renewable electricity per year, based on the average Irish household using 4.2 MWh of electricity. The Proposed Development has the potential to displace between 1,678,740 - ,1831,375 tonnes of CO₂ over the operational lifetime (35 years). Thus, this energy will be used to offset the same amount of energy that would otherwise be generated from burning of fossil fuels at power stations.

The Proposed Development is of strategic economic and social importance as it could contribute to renewable electricity generation and carbon reduction targets set out by European and National policies and would contribute towards objectives set out in the Climate Action Plan 2023, REDIII and REPowerEU European Commission statement.

It is requested that the Board have due regard to the European and National legislation while examining the Laois wind energy strategy and exercise its discretion under Section 37(2)(b) of the Planning and Development Act (as amended).

8.1.1 Supporting the Fulfilment of the National Planning Framework

As a strategic development framework, Project Ireland 2040: The National Planning Framework (NPF), demonstrates an approach that joins up ambition for improvement across the different areas of our lives, bringing the various government departments, agencies, State owned enterprises and local authorities together behind a shared set of strategic objectives for rural, regional and urban development.

In addition to legally binding targets agreed at EU level, it is a national objective for Ireland to transition to be a competitive low carbon, economy by the year 2050. The National Policy Position 42 establishes the fundamental national objective of achieving transition to a competitive, low carbon, climate resilient and environmentally sustainable economy by 2050.

The Proposed Development will contribute substantially to this by providing renewable energy to supply between 59,000 to 64,000 households and displacing between 1,687,740 – 1,831,375 tonnes of CO₂ over 35 years as discussed in *Chapter 6 Air Quality and Climate* in the submitted EIAR.

The Proposed Development contributes substantially to the fulfilment of the following outcomes and objectives in the National Planning Framework:



- National Strategic Outcome 8: ‘Transition to Sustainable Energy’ through more renewable focused energy generation systems, such as harnessing energy sources such as on-shore wind like the Proposed Development.
- National Policy Objective 54 which seeks to reduce our carbon footprint as well as greenhouse gases, the Proposed Development could displace up to 1,831,375 tonnes of CO₂ during its operational period thus contributing to the reduction in our national carbon footprint.
- National Policy Objective 55: Promote renewable energy use and generation to meet national objectives towards achieving a low carbon economy by 2050. As above, the proposed development will significantly reduce the national carbon footprint and will provide a renewable energy source in compliance with national objectives.

8.1.2 Laois County Council’s Submission

On the 23rd of October 2023, Laois County Council issued their Chief Executives (CE) Report to ABP, having assessed the Proposed Development, the following was noted:

“The Planning Authority acknowledges and supports the strategic importance of the proposed development as a critical element of physical infrastructure required to facilitate future economic and social development, as well as responding to issues of climate change in County Laois, the wider regions and Ireland.

However, the development as proposed is contrary to the provision of the Laois County Development Plan 2021-2027 and the associated Wind Energy Strategy. Having regard to the foregoing it is considered that the development would materially contravene the Laois County Development Plan 2021-2027 and would therefore be contrary to the proper planning and sustainable development of the area.”

In the CE report, Laois County Council noted that some of the proposed turbines are located within an “area not open for consideration” and as a result, the Proposed Development materially contravenes the County Development Plan, in their opinion.

The Laois County Development Plan contains a number of policies and objectives in support of renewable energy developments and the reduction of greenhouse gas emissions, including:

“Chapter 3 includes the aim “To reduce our carbon footprint by integrating climate 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”

“CM RE 2 -Promote and encourage the development of energy from renewable sources such as hydro, bio-energy, wind, solar, geothermal and landfill gas subject to compliance with normal planning and environmental criteria in co-operation with statutory and other energy providers”.

“CMRE 5 – Promote and facilitate wind energy development in accordance with the Guidelines for Planning Authorities on Wind Energy Development.....”

“Section 3.5.5 (Wind Energy) states that there are a number of issues which must be taken into consideration when dealing with applications for wind energy development. These include visual impact, landscape protection, impacts on residential amenity, impact on wildlife and habitats, connections to the national grid and impact of construction and ancillary infrastructure including access roads and grid connections. The Council will have regard to the Draft Wind Energy Development Guidelines for Planning Authorities (DHPLG 2019) in relation to the siting and development of wind turbines and the information required as part of a planning application.”



Landscape

The Laois Wind Energy Strategy 2021 - 2027 (Laois WES) is set out in Appendix 5 of the Laois CDP and outlines areas where wind energy developments can be accommodated within the County. These wind zone areas are split into '*preferred areas*', '*areas open to consideration*' and the '*areas not open to consideration*.' The Laois WES has considered the landscape policies for the County and refers to its Landscape Character Assessment 2021-2027 (Laois LCA)⁷ in designating these wind zone areas. The Laois LCA takes cognisance of the National Landscape Strategy for Ireland 2015-2025, which aims to seek to achieve a balance between the social, cultural and economic needs and the environment and the landscape. The methodology for zonation of each of the wind zone areas is detailed within the WES and includes the Landscape Character Types (LCTs) detailed within the Laois LCA.

According to the CE report, the application site is located within 'the Mountains, Hills and Uplands Area', which has a '*medium sensitivity*' rating and is described in Table 11.6 of the CDP as "*areas with the capacity to accommodate a range of uses without significant effects on the appearance or character of the landscape having regards to localised sensitivity factors*".

In contrast, areas 'not open to consideration', for wind farm development as defined under the current Laois WES are areas which '*due to their scenic, ecological or tourism values are unable to accommodate development of this type*'.

Policy Objective LCA 7 for the 'Mountains, Hills and Upland Areas' LCT as set out in the Laois LCA states that it is a policy of the Council to "*Facilitate, where appropriate, developments that have a functional and locational requirement to be situated on steep or elevated sites (e.g. reservoirs, telecommunication masts or wind energy structures) where residual adverse visual impacts are minimised or mitigated*".

As such, it is clear that the landscape sensitivity as set out in the written text of the CDP and LCA, and the Laois WES designation for the proposed site are in direct conflict with each other, with the landscape designation outlined in the LCA being representative of the proposed development site, as explained further below. There is a strong argument that the area where the proposed development is located has been incorrectly zoned and thus is not contrary to the proper planning and sustainable development of the area

The Proposed Development site is located within the 'Mountains, Hills and Upland Areas' LCT. The sensitivity of this landscape type is stated as being Medium-High within Table 11.6 of the CDP which splits 'hills and Upland areas' (medium sensitivity) and 'Mountain Areas' (high sensitivity) into two different sensitivity designations.

The landscape sensitivity of 'Hills and Upland Areas' are also described within Table 11.6 as '*Areas with the capacity to accommodate a range of uses without significant adverse effects on the appearance or character of the landscape having regards to localised sensitivity factors*', whereas 'Mountain Areas' are described as '*Areas with reduced capacity to accommodate uses without significant adverse effects on the appearance or character of the landscape having regard to prevalent sensitivity factors or special sensitivity factors*'.

Referring back to the Laois LCA and the relevant Laois CDP policy considerations to be regarded (environmental, tourism promotion, and landscape policies) as highlighted in the Laois WES, the Slieve Bloom Mountains which are located in the west of the County are the only mountain range within the County, and are the only area outlined within the 'Mountains, Hills and Uplands Areas' LCT that has considerably higher natural, scenic and tourism value than the others including the area surrounding the Proposed Development Site. Based on the studies completed for this project, it is also evident that the area surrounding the subject site matches the description within the Laois LCA for 'Hills and Uplands' and should be regarded

⁷ Laois County Council, Appendix 6: Landscape Character Assessment 2017 – 2023.
<https://www.laois.ie/wp-content/uploads/Appendix-6LCA-2017-2023.pdf> last accessed on 19/12/2023



as an area of 'Medium Sensitivity' which could be considered for wind energy development, once other environmental considerations have been taken into account.

In terms of scenic value, there is specific reference within the Laois CDP to the sensitivity and exclusion of wind energy potential across the Slieve Blooms, but not of the upland areas to the southeast of the County where the Proposed Development would be located. This is reflected in the wind energy strategy map, Map 1.6.5 – Wind Energy of the Wind Energy Strategy, where this area is partially designated as '*Open for Consideration*' and partially as an area '*Not Open for Consideration*'. However, the key section of '*Areas Not Open for Designation*' specifically relates to the receiving landscape sensitivity. It is worth noting that none of the designated landscape viewpoints are directed towards the site but instead direct away from the site, as set out in Chapter 11 of the EIAR.

Consideration has been taken that a portion of the Proposed Development is located an area that has been classified as '*not open to consideration for development*', however, evidence for this designation appears to be lacking when considering the criteria outlined within the Laois WES and LCA. The Proposed Development does not fall within an area that is environmentally sensitive as set out in the Laois WES as shown in Table 1 below.

The Proposed Development does not contain any European or Nationally designated sites, has been carefully sited to minimise visual impact and has the potential to support an objective of the Laois LCA of strengthening the tourism offering in the area by providing connectivity via the provision of an amenity trail from a cultural settlement through the site. This trail, if consented, will connect a number of existing trails within the area, bolstering a linkage between the cultural town of Timahoe with the wider Seven Hills of Laois (see chapter 5, section 5.8.2 of the submitted EIAR).

Full details are available in the Landscape & Visual Assessment, which is located in Chapter 7 of the EIAR.

It is therefore considered that the sensitive siting, design and elements of the Proposed Development are appropriate for the area as;

- a. all the considerations for the wind zoning objective have been comprehensively addressed, and,
- b. the Board has the power to materially contravene a development plan in instances such as this under 37(2)(b) of the P&D Act.

LCC also noted that some figures produced as part of the planning statement were inaccurate. These figures were produced based on the information which was available to SLR at the time of submission. It is acknowledged that the information presented in the LCC submission are correct and that only one turbine falls wholly within the area which is currently designated as Open for Consideration. However, it should be noted that the map figures produced by LCC in the CDP are based on a scale of 1:50,000 and inaccuracies can occur when trying to superimpose site boundary data without accurate and readily available GIS data. In any case, the principal behind the arguments as outlined above remains true for all of the turbines, not just those within the designated area. An updated map has been provided as **appendix 2** for record.

“Not Open to Consideration” zoning

In terms of ecological, tourism and scenic landscape value, all concerns outlined by LCC as reasons why portions of the Proposed Development site are in areas zoned “*not open to consideration*” can be comprehensively dismissed as set out in *Chapter 4 Planning Policy*, *Chapter 15 Biodiversity*, *Chapter 5 Population and Human Health* and *Chapter 7 Landscape and Visual* respectively and captured in the Planning Statement that accompanied the planning application and EIAR. A brief summation of the conclusions reached in these respective chapters is set out in Table 1.



Table 1: Site Analysis

Environmental Sensitivity	Assessment
Ecological Value	The Proposed Development does not contain any European or Nationally designated sites. Proximity to SAC & SPA assessed in Chapter 15 of the EIAR.
Tourism Value	The area of and surrounding the Proposed Development is not specifically outlined within the Laois CDP as an area which is important for tourism.
Scenic (Landscape) Value	<p>The Proposed Development site is located within the 'Mountains, Hills and Upland Areas' Landscape Character Type (LCT). The Ministerial Direction to Laois County Council noted concerns about the lack of evidence basis that was provided in the making of the County Wind Energy Strategy.</p> <p>This site bears more resemblance to the Medium sensitivity designation (Rolling Hills, Hills and Upland Areas)' description and sensitivity than to the High sensitivity designation (Mountains) description which bears more resemblance to the Slieve Bloom Mountains which are also included in the 'Mountains, Hills and Upland Areas' LCT. The full assessment on this can be found in Chapter 7 (Landscape and Visual).</p>

8.1.3 Conflicting Objectives

As noted in the beginning of section 8.1.2 above, the Chief Executive report from Laois County Council to ABP stated:

“The Planning Authority acknowledges and supports the strategic importance of the proposed development as a critical element of physical infrastructure required to facilitate future economic and social development, as well as responding to issues of climate change in County Laois, the wider regions and Ireland....

Having reviewed some of Wind Farm decisions made by An Bord Pleanála as detailed in sections 8.1.5, it is clear that there is consensus, ***that renewable energy projects must be delivered as a matter of utmost priority***” and that it is not acceptable to postpone or delay wind farm developments on ***“any perceived lacuna in local development plan policy or the adoption of national guidelines where there is a wealth of European, national and regional policy all of which supports, promotes and encourages renewable energy developments including wind farm”***. The consistency in decisions from ABP shows the importance of delivering these projects in the interests of the nation at a time of climate crisis, subject to the context of residential and other *“environmental qualitative safeguards.”*

While there are many policy statements and objectives contained in the development plan that generally support the provision of wind energy, such as Policy WES 1, Policy WES 2, and Objective 11A which are detailed in Chapter 4, Planning Policy and Guidance, of this EIAR there are however, also some inconsistencies.

The Laois CDP WES is flawed and the methodology for assessing areas suitable for wind farm and other renewable energy developments is haphazard. An example of this is the lack of clarity in the general statement that the Seven Hills of Laois *“enjoy extensive designations”* on page 17 of the Wind Energy Strategy 2021-2027 without listing a single designation in the



Strategy. The methodology for determining areas suitable for wind energy developments has not been considered consistently across the County as also illustrated in section 8.1.2 above. While the CDP includes policies and objectives to support wind farm development, the lack of clarity and consistency around the landscape designations and mapping within the CDP creates conflict with the siting of these developments.

If LCC was as committed to renewable energy as the CE report notes above, then why is approximately:

- 2% of the county zoned a “*preferred area*”
- 8% of the County is “*open to consideration*”,
- 20% of the county zoned “*not open to consideration*”

and the rest (c. 70%) of the county isn’t zoned at all, the majority of which are ‘Lowland Agricultural Areas’ which have a “Low Sensitivity’ which are described in Table 11.6 of the Laois CDP as ‘*Areas with the capacity to generally accommodate a wide range of uses without significant adverse effects on the appearance or character of the area*’?

8.1.4 Ministerial Directions on Wind Energy

With respect to the Laois County Development Plan 2021-2027, a draft Direction by the Minister of State with responsibility for Local Government and Planning was issued to Laois County Council on 7th March 2022, requiring the following:

- a. The deletion of the setback distance of 1.5 km from Section 6.1 – Buffer Zones which is contained in the Development Control Standards for wind farms in County Laois in Section 6 of Appendix 5: Wind Energy Strategy of the adopted Laois CDP.
- b. To take such steps as are required to identify, on an evidence-basis and using appropriate and meaningful metrics, the target which County Laois can contribute to delivering its share of overall Government targets on renewable energy and climate change mitigation over the plan period, and in particular wind energy production and the potential wind energy resource (in megawatts), and to amend the adopted Plan accordingly.

Following the draft Direction, the Office of the Planning Regulator in their notification letter pursuant to Section 31 AN(4) of the Planning and Development Act 2000 (as amended), recommended that the proposed final Direction be issued as follows:

- a. “Delete the setback distance of 1.5 km from Section 6.1 – Buffer Zones which is contained in the Development Control Standards for wind farms in County Laois in Section 6 of Appendix 5: Wind Energy Strategy of the adopted Development Plan”.
- b. Amend Objective CM RE 1 of the adopted Laois CDP to state:

“CM RE 1 – Prepare a Renewable Energy Strategy (RES) for County Laois , including to identify the target which County Laois can contribute in delivering its share of overall Government targets on renewable energy and climate change mitigation over the plan period, and in particular wind energy production and the potential wind energy resource (in megawatts), and commencement of the variation to the County Development Plan within 1 year of adoption of the plan. Once adopted this will be by way of a variation to the Laois County Development Plan.”

On the 28th of September 2022, the final Ministerial Direction was issued on the Laois County Development Plan 2021-2027, where Laois County Council were directed to:



“(2) a. delete the setback distance of 1.5km from Section 6.1 -Buffer Zones which is contained in the Development Control Standards for wind farms in County Laois in Section 6 of Appendix 5: wind Energy Strategy of the adopted Development Plan”.

The Ministerial Direction did not include for the amendment of Objective CM RE1 and this is a missed opportunity. We would respectfully submit that there are conflicting policies within the CDP with respect to the provision of wind energy developments with the designated wind zone areas not having been robustly assessed as outlined above.

A revision to the LCC WES would have provided an opportunity for Laois County Council to provide a robust evidence-based assessment on opportunities for Wind Farm development within the County. Amendments to this Strategy would provide an opportunity for LCC to review the conflicts between the current Wind Energy Strategy and Landscape Character Assessment as outlined above and provide a comprehensive approach to siting wind developments in Laois.

While ABP must have regard to policy provisions contained in the Laois CDP, adherence to these is not a strict requirement. It is respectfully suggested that if the criteria set out in Section 37(2)(b) of the Planning & Development Act, 2000 (as amended) be applied in this instance, it could be reasonably argued that the proposal complies with the criteria set out under:

- Section 37(2)(b)(i) - in that the Proposed Development is of strategic or national importance,
- Section 37(2)(b)(ii) – in that there are conflicting objectives in the development plan insofar as the Proposed Development is concerned as explained above and in sections 8.1.2 and 8.1.3.
- Section 37(2)(b)(iii) – in that the Proposed Development should be granted having regard to Regional Planning Guidelines for the area and other National Policy Guidelines (referred to in Section 7 above) including the Climate Action Plan and the National Planning Framework.

8.1.5 Planning Precedent

SLR has carried out a review of a number of decisions relating to Wind Farm development in the Republic of Ireland. The snapshot provided below highlights consistency in thinking amongst ABP inspectors and the Board, whereby it has been accepted that there is an overarching requirement to facilitate renewable energy development, in particular onshore wind energy, in order to meet targets in the Climate Action Plan.

These legally binding objectives are set out in the Climate Action and Low Carbon Development (Amendment) Act 2021. This Act established legally binding frameworks and commitments to achieve targets. All planning applications are determined on their individual merits with due consideration given to the overall planning balance of a scheme.

In this context we note ABP's assessment criteria concerning recently permitted Wind Farms in applying this approach, we note the following:

Reg. Ref: ABP 301619-18: Moanvane Windfarm comprising 12 no. turbines and all associated works in Offaly County Council. This application was granted by Offaly County Council and An Bord Pleanála on the 21st of November 2018. In consenting the Moanvane Wind Farm Project, the Planning Inspector in Section 11 of the Planning Report considered the compliance of the project with national policy as an important factor before outlining the acceptability of impact at a local level, therefore balancing national need against local impacts.

Reg. Ref: ABP -311565-21: Bracklyn Wind Farm Limited, located in Westmeath and Meath County Council. This development consists of a Wind Farm Development including 9 turbines



with a hub height of 104 metres and a rotor diameter of 162metres, providing an overall tip height of 185 metres together with all associated works. This development was granted permission on the 7th of July 2022 with conditions.

Westmeath County Council recommended refusal, due to concerns that the proposed development is contrary to many policies within the local development plan and contrary to the Wind Energy Guidelines.

In assessing this development, the ABP inspector noted the following:

“8.2.7 It is clear from the above, that national policy acknowledges that significant increased in wind energy capacity will be required to meet the mandatory targets set out in the national targets on climate change.Additional wind generated energy will enable the decarbonisation of the electricity sector in line with European and national climate strategies.”

“8.2.9 The Regional Spatial and Economic Strategy for the Eastern and Midlands Region.....specifically, RPO10.22 seeks to support the reinforcement and strengthening of the electricity transmission and distribution network to facilitate the planned growth and transmission and distribution of renewable energy.”

“8.2.11 -It is noted that notwithstanding the above policies contained in the development plan, Westmeath County Council recommended that planning permission be refused specifically on the basis that the proposed development contravenes CPO10.146”. (Which seeks to direct largescale energy projects such as wind farms into areas of cutover and cutaway peatlands. The proposal is located on pastureland and forestry lands and therefore contravenes this policy).

“8.2.12 -However, having regard to the overarching policy statements contained in the various documents at national and local level, it is reasonable to assume that the proposed development, subject to qualitative safeguards is acceptable in principle and in accordance with the overall goal of reducing reliance on fossil fuels and promoting and development in more sustainable forms of renewable energy within the State”.

8.3.5.....It is not appropriate in my view to postpone or delay such important projects on the basis of any perceived lacuna in local development plan policy or the adoption of national guidelines where there is a wealth of European, national and regional policy all of which supports, promotes and encourages renewable energy developments including wind farm.....there is an urgent need to support the diversification and security of energy supplies.....On this basis I consider that the Board can proceed to determine the current application...in the absence of specific detailed and locational policies contained in the development plan, subject to assessing the development in the context of its impact on residential amenity and other environmental qualitative safeguards”.

The Inspector is clearly outlining the urgency and the need at European and National level in providing renewable energy development to provide energy security and move away from fossil fuels. The Inspector has taken the view that European and national policy clearly overrides local policy “*subject to assessing the development in the context of its impact on residential amenity and other environmental qualitative safeguards*”.

With respect to the Westmeath County Development Plan and the Ministerial Direction., the inspector noted that:

*“8.3.6.....Westmeath County Council is required to contribute towards national targets on renewable energy and climate change mitigation during the lifetime of this plan. It is my view, which is in line with national policy, **that renewable energy projects must be delivered as a matter of utmost priority**, and there is sufficient national and international policy to allow for this in the absence of detailed local policy”.*



“8.3.8The direction clearly requires that Westmeath County Council contributes towards achieving and fulfilling national renewable energy targets within the State.....”

“8.3.18..... While it is acknowledged that the proposed development may be contrary to a number of specific statements contained in the development planother policy statements including Policy CPO 10.146 should be assessed in the context of national policy priorities in respect of the current global energy crisis and the need to tackle the issue of climate change by supporting diversification and security of energy supplies in the transition to renewable energy production and consumption. I therefore do not consider that the proposed development is contrary to wind farm policy as suggested in some of the submissions.

The Inspector recommended granting permission for the proposed development and the Board decided to grant permission generally in accordance with the Inspectors Report.

Reg. Ref: ABP 308885 Coom Green Energy Park, located in Cork. The proposed development is for the construction of up to 22 no. wind turbines and all related site works and ancillary development. This application was granted permission by ABP on the 9th of November 2023. In assessing the application, the Inspector noted the following:

“It would contribute to the achievement of European and National renewable energy targets, and in particular the objectives of the Climate Action Plan (2023) which seeks to reduce the State’s greenhouse gas emissions by 51% by 2030 and increase the proportion of renewable electricity to up to 80% by 2030, including a target of 9 GW from onshore wind. Providing the physical infrastructure, in this instance onshore wind turbines, to facilitate the achievements of this measure is critical thereby providing a demonstrable need for the proposed development.”

With regard to the location of the proposed development, the Inspector made the following observation:

“While it is noted that many of the submissions reference their agreement in principle in respect of merits of renewable energy, there is resistance to the location of such a proposal within the locality for the range of reasons outlined in the summary of submissions received above. In order to address Climate Change, I would suggest that other elements of our environment and the context within which the environment is perceived must also change. This includes in particular the visual context of an area which cannot be expected to remain unchanged in perpetuity but particularly within the context of a climate emergency.”

8.1.6 Conclusion

An Bord Pleanála has confirmed that the Proposed Development falls within the scope of paragraphs 37A(2)(a), (b) and (c) of the Planning & Development Act, 2000 (as amended), and, as a result, is considered to be a Strategic Infrastructure Development.

It follows, therefore, that ABP is not bound by CDP policies but must **consider** them. The proposal, deemed of strategic importance, aligns with European and national goals. ABP should consider national guidelines, such as the Climate Action Plan, and the Regional Planning Guidelines. Having considered the policies and objectives of the local development plan when making its decision, the Board has the power to materially contravene part of the development plan depending on the circumstances of the case.

It is requested that the Board consider the broader context of national and European policies favouring renewable energy, especially in the absence of detailed and contradictory local policies and strategies in tandem with the ministerial directions and planning precedents in assessing the Proposed Development. ABP has the authority to proceed with approval under 37 (2) (b) of the P&D Act, considering the proposal's impact on residential amenity and



environmental safeguards, in line with the overarching national policy objectives of reducing reliance on fossil fuels and promoting sustainable forms of renewable energy. We would respectfully request that An Board Pleanála use its powers under the Act in this instance.

9.0 Submission from Transport Infrastructure Ireland TII

Transport Infrastructure Ireland (TII) provided a submission to ABP in response to the proposed development planning application dated 2 October 2023.

In this submission, TII highlight that their response to scoping issued by them to SLR may not have been considered within the preparation of the EIAR accompanying the subject application. They recommend that the points raised within that scoping response and the subsequent submission to ABP be addressed prior to any decision on the application.

The points raised within this submission included queries on the proposed Turbine Haul Route; Construction Haul Route; Construction Traffic Management Plan and proposed mitigation measures.

TII also outlines the need to adhere to and comply with TII publications and the need for consultation with TII and/or the MMarC Area C Contractor. They have recommended further information is sought to ensure the maintenance of the safety, efficiency and capacity of the National Road Network are considered.

It should be noted that TII's remit is to ensure the "*capacity, safety and operational efficiency of the **national road network** in the vicinity of the site*" (our emphasis). It is important to note that consultation has also taken place with Laois County Council with respect to the **local road network** and the proposed development.

For information, Chapter 12 of the EIAR is supported by a Turbine Delivery Report (TDR) as Appendix 12.1 and by a Construction Traffic Management Plan (CTMP) as Appendix 12.3.

The key points raised by TII in their submission to ABP are summarised and addressed hereunder.

9.1 Consideration of Scoping Responses

As stated above, TII have highlighted that the details of their scoping response which was initially issued on the 21 June 2022 and re-issued on the 27 October 2022 may not have been fully considered in the preparation of the EIAR. This was highlighted by virtue of the content within table 12-4 at section 12.1.3 of Chapter 12 (Traffic) and Appendix 2.1 (A.2 Summary of Scoping Responses) which notes that "no response" was received from TII in response to EIA scoping in June and October 2022, respectively.

Response:

It is acknowledged that there is an error within the text of the EIAR within table 12-4 in section 12.1.3 of Chapter 12 (Traffic) and Appendix 2.1 (A.2 Summary of Scoping Responses) and that a scoping response was received from TII on the 21 June 2022 and 27 October 2022.

However, it should be noted, the contents of the scoping report received on the 21 June 2022 were in fact considered in the design and assessment of the proposed development. The follow up consultation issued to TII on the 17 October 2022 had already taken cognisance of the response of the 21 June 2022. As the response from TII dated the 27 October 2022 stated that their "position remains as set out in its initial response of 21 June 2022" the applicant is satisfied that the contents of the scoping response received from TII has been fully considered. Furthermore, an additional correspondence with TII was issued in March 2023 with regards to the TDR. Copies of all correspondence are contained in Appendix 3.



TII Scoping Response Queries and SLR Responses

It is important to note that the information outlined in the TII scoping response received by SLR on the 21 June 2022, consisted of “*only general guidance for the preparation of an EIAR, which may affect the national road network*”. It is standard practice to consider these points within the preparation of an EIAR and they have been fully considered in our preparation of the Transport Chapter and associated reports contained within the EIAR. As highlighted above additional correspondence was also issued to TII in March 2023, all correspondence is contained within **Appendix 3**.

In TII’s scoping response a list of items for consideration was provided. A brief summary of these items and the location of where they have been addressed within the EIAR is as follows:

1. **Consultations should be had with the relevant Local Authority/National Roads Design Office, with regard to locations of existing and future national road schemes.**

SLR Response: Consultation was carried out with both the Local Authority in relation to road design and impacts of the proposed development on the local road network. Please refer to **Appendix 3** for further details.

2. **TII would be specifically concerned as to potential significant impacts the development would have on the national road network (and junctions with national roads) in the proximity of the proposed development.**

SLR Response: The Turbine Delivery Route (TDR) is the only aspect of the Proposed Development with the potential to impact on the National Road Network. Access to the Proposed Development will be via the Local Road Network. The site will contain a borrow pit, however it is acknowledged that the majority of aggregate material required on Site will be imported and all concrete will need to be imported as there will be no concrete batching plant on Site. The aggregate material required on site will be sourced locally, with a number of existing quarries being available. These are all located in various locations around the site and include Carroll Quarries Ltd to the north west, Roadstone Ballyadams to the north east and Dan Morrissey and Company to the south east. The key elements of construction work which would result in vehicle trip generation have been summarised in Table 12-11 of the EIAR. Notably, these will not cross the National Routes and utilise the local road network. Section 12.4, Site Construction Traffic Generation, of the EIAR details the exact volumes of materials required for each element of construction and their expected traffic generation numbers. The potential impacts along the TDR have been considered within the TDR assessment prepared by SLR Consulting which is available in Technical Appendix 12.1 found in Volume III of this EIAR and includes a detailed access route review of the preferred delivery route to site in addition to a swept path assessment which outlines all route constraints and provides suggested measures to ensure safe passage of all components to the site. The TDR report has been used to inform the EIAR Chapter 12 Traffic and Transportation. Site visits which were attended by LCC, the Applicant and SLR were undertaken to review the route on the 9th and 10th November 2021, with an additional site visit completed on 17th February 2023 to confirm the works required. LCC confirmed that no substantial works were required along the TDR following the site visit on 17th February 2023 and that LCC had no issue with the proposed TDR. Furthermore any works which are required to facilitate the TDR will be temporary in nature and would be re-instated post-delivery, this includes the removal of signage, street furniture, any required temporary widening and other road improvement measures.



3. The developer should assess visual impacts from existing national roads.

SLR Response: A full and detailed Landscape and Visual impact has been carried out in Chapter 7 of the EIAR. The impact of the proposal has been considered in relation to its connection with the landscape. This considers whether or not receptors are likely to be highly attuned to views of the landscape i.e. commuters hurriedly driving on busy national route versus hill walkers directly engaged with the landscape enjoying changing sequential views over it. Notably, specific sensitive receptors were identified by LCC in pre-planning and were comprehensively covered off in LVIA this included Rock of Dunamase and Windy Gap at the N80. Full details of the LVIA Constraints and Options Considered are included within Appendix 7.1 and details of Pre application consultation with LCC in Chapter 2, Scoping and Key Issues, section 2.3.1. Details of the pre application discussions can also be found in Appendix 3 of this letter.



4. **The developer should have regard to any EIAR/EIS and all conditions and/or modifications imposed by An Bord Pleanála regarding road schemes in the area. The developer should, in particular, have regard to any potential cumulative impacts.**

SLR Response: This has been considered in the preparation of the cumulative impact assessment for the proposed development, however this has focused on other developments and did not include road schemes, beyond local road improvement works. The proposal does not impact on national routes. SLR would request the opportunity to address this point in full through a FI request.

5. **The developer, in preparing EIAR, should have regard to TII Publications (formerly 'DMR'B and the 'Manual of Contract Documents for Road Works'). It is noted that the EIAR Scoping Report makes reference to the DfT DMRB and this will require updating.**

SLR Response: This has been acknowledged and the following guidance was cited and utilised within the relevant assessments within the EIAR:

- a. Environmental Protection Agency (EPA) 'Guidelines on the Information to be Contained in Environmental Impact Assessment Reports', 2022;
- b. National Roads Authority (2014) – Traffic and Transportation Assessment Guidelines;
- c. Transport Infrastructure Ireland (2017) Rural Road Link Design – DN-GEO-03031;
- d. 2006 Wind Energy Development Guidelines and 2019 Draft Revised Wind Energy Guidelines;
- e. Institute of Environmental Management and Assessment (IEMA) 'Guidelines for the Environmental Assessment of Road Traffic' (IEMA, 1993), and other departmental design standards; and
- f. Design Manual for Roads and Bridges, Highways Agency (1997), now Standards for Highways.

Whilst the scoping request has cited the above guidance as draft, the final EIAR was prepared in accordance with the final versions.

6. **The developer, in preparing EIAR, should have regard to TII's Environmental Assessment and Construction Guidelines, including the 'Guidelines for the Treatment of Air Quality During the Planning and Construction of National Road Schemes' (National Roads Authority (NRA), 2006).**

SLR Response: This has been considered within Chapter 6: Air Quality and Climate of this EIAR.

7. **The EIAR/EIS should consider the 'Environmental Noise Regulations 2006' (SI 140 of 2006) and, in particular, how the development will affect future action plans by the relevant competent authority. The developer may need to consider the incorporation of noise barriers to reduce noise impacts (see 'Guidelines for the Treatment of Noise and Vibration in National Road Schemes' (1st Rev., NRA, 2004)).**



SLR Response: All guidance documents have been outlined in Chapter 10: Noise and Vibration, of this EIAR.

8. It would be important that, where appropriate, subject to meeting the appropriate thresholds and criteria and having regard to best practice, a Traffic and Transport Assessment (TTA) be carried out in accordance with relevant guidelines, noting traffic volumes attending the site and traffic routes to/from the site, with reference to impacts on the national road network and junctions of lower category roads with national roads. In relation to national roads, TII's 'Traffic and Transport Assessment Guidelines' (2014) should be referred to in relation to proposed development, with potential impacts on the national road network. It is noted that TII's TTA Guidelines have not been referenced in the EIAR Scoping Report. The scheme promoter is also advised to have regard to Section 2.2 of the TII's TTA Guidelines, which addresses requirements for sub-threshold TTA. Any improvements required to facilitate development should be identified. It will be the responsibility of the developer to pay for the costs of any improvements to national roads to facilitate the private development proposed, as TII will not be responsible for such costs.

SLR Response: Chapter 12: Traffic and Transportation of this EIAR includes predictions of traffic generated and an assessment of impacts to the road network, presenting a robust assessment for EIA Purposes. While the assessment has been prepared in line with EPA guidance⁸, SLR would request the opportunity to address this point in full through an FI request.

9. The designers are asked to consult TII Publications to determine whether a Road Safety Audit is required.

SLR Response: While regard has been given to road safety in consideration of the mitigation measures, it is acknowledged that a Road Safety Audit has not been completed for this proposal. This can be completed as part of any further information request or conditioned in the event of a grant of planning permission.

10. In the interests of maintaining the safety and standard of the national road network, the EIAR should identify the methods/techniques proposed for any works traversing/in proximity to the national road network.

SLR Response: The TDR will utilise the National road network and where appropriate has identified any areas where works are required. The full TDR assessment is available in Technical Appendix 12.1 found in Volume III of the EIAR and includes a detailed review of the preferred delivery route to site from the port of Dublin and any road route

⁸ Environmental Protection Agency (EPA) 'Guidelines on the Information to be Contained in Environmental Impact Assessment Reports', 2022;

National Roads Authority (2014) – Traffic and Transportation Assessment Guidelines;

Transport Infrastructure Ireland (2017) Rural Road Link Design – DN-GEO-03031;

2006 Wind Energy Development Guidelines and 2019 Draft Revised Wind Energy Guidelines;

Institute of Environmental Management and Assessment (IEMA) 'Guidelines for the Environmental Assessment of Road Traffic' (IEMA, 1993), and other departmental design standards; and

Design Manual for Roads and Bridges, Highways Agency (1997), now Standards for Highways.



constraints with swept path analysis in accordance with Road Traffic (Permits for Specialised Vehicles) Regulations 2009, S.I. No. 147 of 2009, and Road Traffic (Specialised Vehicle Permits) (Amendment) Regulations 2010, S.I. 461 of 2010.

- 11. TII recommends that that applicant/developer should clearly identify haul routes proposed and fully assess the network to be traversed. Where abnormal 'weight' loads are proposed, separate structure approvals/permits and other licences may be required in connection with the proposed haul route and all structures on the haul route through all the relevant County Council administrative areas should be checked by the applicant/developer to confirm their capacity to accommodate any abnormal 'weight' load proposed.**

SLR Response: The TDR report, available in Technical Appendix 12.1 found in Volume III of the EIAR, includes an initial consideration of structures and it is acknowledged that additional approvals and permits may be required for the transport of abnormal loads at the construction stage of the development to facilitate delivery of the required components to site.

- 12. The national road network is managed by a combination of local authorities as road authorities for their areas, Public Private Partnership (PPP) Concessions, Motorway Maintenance and Renewal Contracts (MMaRC), in association with TII.**

SLR Response: The nature of the national road network management is acknowledged and where relevant each authority has been referenced within the relevant section of Chapter 12 of the EIAR.

- 13. The applicant/developer should also consult with all PPP Companies, MMaRC Contractors and road authorities over which the haul route traverses, to ascertain any operational requirements such as delivery timetabling, etc. and to ensure that the strategic function of the national road network is safeguarded.**

SLR Response: Consideration of delivery and timing of delivery has been included in the preparation of Chapter 12 of the EIAR. TII did not request that consultation take place with these bodies in advance of the application. As such, no detailed consultation with these bodies have been carried out to date. It is acknowledged that consultation will be necessary in advance of construction and the applicant commits to same.

- 14. Additionally, any damage caused to the pavement on the existing national road, arising from any temporary works due to the turning movement of abnormal 'length' loads (e.g., tearing of the surface course, etc.), shall be rectified in accordance with TII Pavement Standards and details in this regard shall be agreed with the Road Authority prior to the commencement of any development on site.**

SLR Response: The need for works has been identified in the TDR report, available in Technical Appendix 12.1 found in Volume III of the EIAR. Further details and an agreed approach to make good any damage can be confirmed once consent is secured, and the details of the TDR transport are confirmed. All works will be carried out in accordance with TII and LCC requirements.

- 15. Any grid connection and cable routing proposals should be developed to safeguard proposed road schemes, as TII will not be responsible for costs associated with the future relocation of cable routing, where proposals are catered for in an area of a proposed national road scheme. In that regard, consideration**



should be given to routing options, use of existing crossings, depth of cable laying, etc.

SLR Response: The GCR does not form part of this planning application and will be the subject of separate approval, which will include an assessment of options as requested. It is anticipated that the GCR will not traverse any national roads and the relevant authorities will be consulted throughout the design process.

- 16. In the context of the existing national roads network, in accordance with the 'National Planning Framework' National Strategic Outcome no. 2 'Enhanced Regional Accessibility', there is a requirement to maintain the strategic capacity and safety of the network. This requirement is further reflected in the 'National Development Plan,' the 'National Investment Framework for Transport in Ireland' and also the existing Statutory Section 28 'Spatial Planning and National Roads Guidelines for Planning Authorities'.**

SLR Response: The capacity and safety of the road network has been considered in the preparation of the EIAR, specifically in Section 12.6.

- 17. There is around 99,000km of roads in Ireland. The national road network, which caters for strategic inter-urban travel, consists of only approx. 5.4% of this. There is a critical requirement to ensure the strategic capacity and safety of this national road network is maintained and significant Government investment already made in the national road network is safeguarded.**

SLR Response: The capacity and safety of the road network has been considered in the preparation of the EIAR, specifically in Section 12.6.

- 18. The provision of cabling along the national road network represents a number of significant implications for TII and road authorities in the management and maintenance of the strategic national road network and TII is of the opinion that grid connection cable routing should reflect the foregoing provisions of official policy. Therefore, TII advises that grid connection cable routing should seek to utilise available alternatives, as opposed to the strategic national road network, contrary to the provisions of official policy.**

SLR Response: The GCR will not be located within the National Road Network. The GCR does not form part of this planning application and will be the subject of separate approval, which will include an assessment of options as requested. It is anticipated that the GCR will not traverse any national roads and the relevant authorities will be consulted throughout the design process.

- 19. Other consents or licences may be required from the road authority for any trenching or cabling proposals crossing the national road. TII requests referral of all proposals agreed and licensed between the road authority and the applicant, which affect the national road network.**

SLR Response: The proposed GCR will not be located within the National Road Network. All permits and licences will be obtained as required, should the proposed development be consented.

- 20. Cable routing should avoid all impacts to existing TII infrastructure, such as traffic counters, weather stations, etc. and works required to such infrastructure shall only be undertaken in consultation with and subject to the agreement of**



TII. Any costs attributable shall be borne by the applicant/developer. The developer should also be aware that separate approvals may be required for works traversing the national road network.

SLR Response: The proposed GCR will not be located within the National Road Network. The GCR does not form part of this planning application and will be the subject of separate approval, which will include an assessment of options as requested. It is anticipated that the GCR will not traverse any national roads and the relevant authorities will be consulted throughout the design process, please refer to figure 3.2 of the EIAR. Notwithstanding, any of the above, the developer should be aware that this list is non-exhaustive, thus site and development specific issues will be addressed in accordance with best practice should the proposed development be consented.

9.2 TII Recommendations

As part of the TII submission, Section 2.2 outlined recommendations, as listed below, with the SLR Response *“To ensure the strategic functions of the national road network, in particular the M7, junction 16 of the M7 and the N80 national roads are safeguarded the following is advised:*

Demonstration of consideration of TII EIA Scoping Response.

SLR Response – as stated above, consideration of this scoping response was incorporated in the assessment of the Proposed Development. However, the project team acknowledges an oversight in the text of the EIAR. Please refer to response provided in section 9.1 of this letter.

Any proposed works to the national road network, including signage, to facilitate turbine component delivery to site shall comply with TII Publications (Standards) in accordance with relevant TII Publications (Technical) for any work that may impact the national road pavement, structures and infrastructure including drainage and shall be subject to Road Safety Audit as appropriate. Works should ensure the ongoing safety for all road users and prior to any development necessary licences, approvals or agreements with PPP Concessions, Motorway Maintenance and Renewal Contracts (MMaRC) Companies and local road authorities, as necessary, shall be in place.

SLR Response – as above, the need for works has been identified in the TDR report. Further details and an agreed approach to make good any damage can be confirmed once consent is secured, and the details of the TDR transport are confirmed. All works will be carried out in accordance with TII and LCC requirements.

Where temporary works within any MMaRC Contract Boundary are required to facilitate the transport of turbine components or construction traffic to site, the applicant/developer shall contact thirdpartyworks@tii.ie in advance, as works specific Deed of Indemnity will be required by TII before the works can take place.

SLR Response – TII will be contacted to prepare a works specific Deed of Indemnity once consent is secured and the TDR transport details are confirmed.

Access for the Turbine Delivery Route preparation and utilisation periods and any subsequent monitoring and maintenance in relation to any works proposed, including temporary and permanent signage, landscaping or groundworks that affect the national road and associated junctions in terms of operational requirements, timetabling, etc. will require prior consultation with the MMaRC Network Contractors and fulfilment of



requirements to complete their 3rd party protocols, via the relevant road authorities and TII.

SLR Response – consultation with TII and the relevant road authorities will be undertaken once consent is secured and the TDR transport details are confirmed.

The developer should consult with all PPP companies, MMarC Contractors and road authorities over which the haul route traverses to ascertain any operational requirements such as delivery timetabling, etc. and to ensure that the strategic function of the national road network is maintained.

SLR Response – it is confirmed that all PPP companies, MMarC Contractors and road authorities will be consulted once consent is secured and the TDR transport details are confirmed.

TII requests referral of all proposals agreed between the road authority, PPP Concessions and MMarC Companies and the applicant impacting on national roads. Mitigation measures identified by the applicant should be included as conditions in any decision to grant permission.

SLR Response – request acknowledged.

Any damage caused to the pavements of the existing national road due to movement of abnormal loads (e.g. tearing of the surface course) shall be rectified in accordance with the TII Pavement Standards and details in this regard shall be agreed with the Road Authority prior to the commencement of any development on site.

SLR Response – request acknowledged.

Separate structure approvals/permits and other licences may be required in connection with the proposed development, including where temporary modification to the road network may be required.”

SLR Response – all required approvals, permits and licences will be secured once consent is secured and the TDR transport details are confirmed

9.3 Concluding Comments

In response to the concerns raised by TII in their submission to ABP regarding the EIAR for the proposed wind farm development, the project team acknowledges an oversight in the text of the EIAR. TII's response dated the 21 June 2022, primarily offered general guidance related to the national road network, and prompted a detailed response outlining where TII's considerations were integrated into the EIAR. Chapter 12 covers diverse aspects such as consultations with local authorities, potential impacts on the national road network, visual assessments from existing roads, adherence to TII publications, and the mitigation of effects on air quality, traffic, road safety, and pavement integrity. It also addresses grid connection, cable routing, and the broader context of maintaining and safeguarding the national road network. The response assures that site-specific issues and any potential oversights are considered within the broader framework of best practices for environmental impact assessments, however, SLR will welcome a Further Information Request if the Board requires same after reviewing this response.

SLR acknowledges that the EIAR and supporting technical appendices do not provide all of the detail as requested by TII. The detail of works required to fully support the transport of the turbine components has not yet been prepared. As such, it has not been possible to provide all of the information as requested by TII. However, SLR recognise that certain details and references could be provided and so SLR would welcome a FI Request should An Bord Pleanála consider it necessary.



10.0 Health and Safety Authority

The observation received from the Health and Safety Authority raises no objection to the proposed development. As such it is considered that there is no need for a detailed response beyond what has been submitted as part of the assessment contained within the EIAR.

11.0 Minister of Defence / AirCorps

The observation received from the Minister of Defence outlines that the Minister of Defence is responsible for the regulation of military aviation, whereas the Irish Aviation Authority is responsible for the safety regulation of civil aviation including aerodromes. As such the Minister of Defence, and specifically AirCorps has provided no objection to the proposal during the scoping process and has suggested a condition be attached to any approval for the installation of safety lighting on all turbines.

In this regard we have no objection to the imposition of a condition similar to what has been suggested in their response.

12.0 Ecological Comments

12.1.1 Introduction:

The subject of the ecological related comments and observations cover various aspects, including turbine clusters, the Natura Impact Statement (NIS), aquatic ecology, habitat loss, the proximity of sensitive nests, and potential impacts on bird and bat populations. Concerns and observations are addressed in the responses, shedding light on the thorough examination undertaken in the EIAR.

Subject of Comment	Response
Turbine Clusters. A number of observations have raised that the presentation of two different sites as one site is disingenuous and misleading.	Please refer to point 2 of this letter, which outlines the reasoning behind why the site is presented as one wholistic site, rather than a number of smaller piecemeal proposals. Both clusters of the Proposed Development have been examined individually and combined throughout this EIAR. In terms of biodiversity in Chapter 15, this has also been applied, for example, collision risk has been assessed both for each turbine cluster individually and then also combined to give an overall level of collision risk presented to avifauna.
Natura Impact Statement (NIS). An observation has stated that the SAC [presumably River Barrow and River Nore SAC] has not been examined at all in terms of impact. Another observation states that one of the proposed cable routes runs adjacent to the River Barrow and River Nore SAC and the effect of which has not been examined and considered under this planning application.	This is addressed in detail in the NIS (Technical Appendix 15.10 of Volume III of the EIAR), which specifically examines the effect of the Project on European sites, including the River Barrow and River Nore SAC. Whilst the cable route is not being applied for under this application the assessment also included the effect of the cable route on the SAC. The conclusion of the NIS was: <i>"With the identified mitigation measures in place, it can be concluded, beyond all</i>



Subject of Comment	Response
	<i>reasonable scientific doubt that the Project, either alone or in combination with other plans or projects will not undermine the conservation objectives of any European Sites. It can therefore be concluded that the project would not have an adverse effect on the integrity of any European site."</i>
<p>Aquatic Ecology: cumulative effects.</p> <p>An observation has stated that cumulative effects on aquatic receptors including pearl mussels and white-clawed crayfish need to be considered.</p>	<p>Cumulative effects on aquatic receptors have been fully considered in the EIAR Chapter 15 (section 15.5) and NIS (section 5.7).</p> <p>Following mitigation, the residual cumulative effect of the Proposed Development on white-clawed crayfish was predicted to be not significant.</p> <p>Note, no pearl mussels were recorded by an extensive suite of aquatic ecology surveys that followed best-practice guidance. This included stage 1 and stage 2 pearl mussel surveys along with eDNA surveys.</p> <p>Therefore, no cumulative effects on pearl mussel were predicted, either for downstream populations or the River Barrow and River Nore SAC population, as per the NIS.</p>
<p>Ecology: inadequate mitigation measures.</p> <p>An observation has stated that inadequate responses have been made to protect the wildlife, habitats (terrestrial and aquatic) and rivers. States that with current disregard for the environmental impact to the communities involved, they firmly believe the project will have an irreversible damaging impact and the habitats and rivers may potentially never return to their current, rich biodiverse state.</p>	<p>No detail has been provided to explain why the proposed responses are considered inadequate.</p> <p>An extensive suite of mitigation measures has been proposed to protect wildlife, habitats (terrestrial and aquatic) and rivers, as outlined in section 15.6 of EIAR Chapter 15 and section 4.10 of the NIS. These are in accordance with best-practice guidance and were developed following consultation with IFI and other relevant best-practice guidance.</p> <p>Following mitigation there were no significant residual effects predicted for riparian and terrestrial habitats and species.</p>
<p>Aquatic Ecology: biological water quality.</p> <p>An observation has stated that an incomplete picture of water quality is presented for watercourses due to different sites within the same watercourse showing different water quality statuses.</p>	<p>The full results of biological water quality testing are shown in Technical Appendix 15.4 which is in Volume III of the EIAR.</p> <p>Contrary to what the observation claims, by showing the results from different sample sites along the same watercourse, it has shown a fuller picture of water quality than if one sample site had been relied upon.</p>



Subject of Comment	Response
<p>Aquatic Ecology: pearl mussel.</p> <p>An observation has stated that they have significant concerns on potential siltation and damage to [River Barrow and River] Nore SAC and the habitat of the critically endangered pearl mussel. It is further stated that conditions for testing for the pearl mussel were not ideal due to the conditions of the rivers and they question the accuracy of testing.</p>	<p>No pearl mussels were recorded by an extensive suite of aquatic ecology surveys that followed best-practice guidance at the catchment level. This included stage 1 and stage 2 pearl mussel surveys along with eDNA surveys. Details of the pearl mussel surveys are shown in Technical Appendix 15.4 which is in Volume III of the EIAR.</p> <p>As a precaution, an extensive suite of mitigation measures has been proposed as outlined in section 15.6 of EIAR Chapter 15 and section 4.10 of the NIS, which will prevent any negative effects from occurring to pearl mussel populations.</p> <p>Note: the EIAR does not state that conditions were not ideal for surveying for pearl mussel, as stage I and II pearl mussel surveys were carried out without any limitations (see appended pearl mussel survey report in Technical Appendix 15.4). It did, however, acknowledge that some watercourses were dry or had extremely low flows at the time of other aquatic surveys, which could have affected the eDNA sampling only. This was opportunistic and was used to provide additional information above and beyond what was required by the dedicated stage I and II pearl mussel surveys. Logically, if a watercourse is dry enough to prevent eDNA surveys from taking place, then it is of no or low suitability for pearl mussel⁹ and it is highly unlikely that any were missed, if present.</p>
<p>Aquatic Ecology.</p> <p>An observation has stated that turbine T11 disregards the 50 m buffer zone claimed for watercourses.</p>	<p>Turbine 11 is approximately 80 m from the closest watercourse. Thus, it is well in excess of the 50 m buffer zone.</p> <p>Furthermore, there will be suitable SUDS in place to manage surface water drainage.</p>
<p>Habitat loss.</p> <p>An observation has stated that the project will be detrimental to area including removal of habitat for cable routes.</p>	<p>As shown in EIAR Chapter 15, the habitats predicted to be lost due to the Proposed Development are of low value, almost entirely consisting of non-native conifer plantation and intensely farmed grassland. Most of the underground cable will be buried within existing roads, which are artificial in nature.</p>

⁹ Moorkens, E.A. & Killeen, I.J. (2020) Monitoring Populations of the Freshwater Pearl Mussel, *Margaritifera margaritifera*, Stage 3 and Stage 4 Survey. Irish Wildlife Manuals, No. 122. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht, Ireland



Subject of Comment	Response
	<p>Removal of non-native conifer plantation could be beneficial to the area by providing opportunities for native habitat types to develop.</p> <p>The conclusion of the EIAR was that while some higher value habitats would be removed, the amounts were minimal and would have no significant long-term effects following compensatory re-planting of hedgerows and tree lines.</p>
<p>Proximity of sensitive nests or roosts of species.</p> <p>An observation has stated that the EIAR states that there are no nests or roosts within 100 m of the site for red squirrel, Irish hare, pine marten, badgers, wood mouse, fallow deer, silkie [sic] deer, wild goats, falcons and kestrels. The submission states this is untrue.</p> <p>Other similar observations state that these species are found in the area and bat boxes are within 100 m of the site. It also states that ravens are nesting 2.5 km from the site and sparrowhawks and kestrels are nesting near their home, c. 500 m from turbines.</p>	<p>As stated in EIAR Chapter 15, a dedicated survey for mammals was undertaken and did not find any breeding locations or resting locations within 100 m of the development footprint. It is agreed that these species are within the wider area.</p> <p>Consequently, it is proposed to carry out a re-confirmatory survey prior to construction in case they should move closer to infrastructure. If this occurs, we have recommended a suite of mitigation measures (Chapter 15 section 15.6.1) to prevent negative effects on mammals.</p> <p>Bats have been assessed fully within the EIAR. If any bat boxes are located 100 m from the development footprint, there will be no disturbance or displacement effects, as they will not be removed and are sufficiently distant from any sources of disturbance. There could be an effect of collision on bat populations, but this has been assessed fully in the EIAR. The conclusions were that following the implementation of bat mitigation buffers, there would be no significant residual collision risk predicted for bats.</p> <p>Regarding birds, we have conducted an extensive suite of bird surveys following NatureScot (2017)¹⁰ best-practice guidance and have assessed all the named species (falcons and kestrels) within the EIAR.</p> <p>Breeding raptor surveys were carried out up to 2 km from the Proposed Development Site, as recommended by NatureScot (2017) best-practice guidance. We did not find any sparrowhawk or kestrel nests. Raven and sparrowhawk are currently green-listed according to the latest Birds of</p>

¹⁰ <https://www.nature.scot/sites/default/files/2018-06/Guidance%20Note%20-%20Recommended%20bird%20survey%20methods%20to%20inform%20impact%20assessment%20of%20onshore%20windfarms.pdf> Last accessed 20/12/2023



Subject of Comment	Response
	<p>Conservation Concern in Ireland scheme¹¹ and have the best possible conservation status. Therefore, they were not brought forward for detailed assessment as recommended by best practice guidance¹².</p> <p>Assuming that the information on nesting kestrel is accurate, they are at least 500 m from the development footprint. According to Goodship and Furness (2022)¹³, breeding kestrel can be disturbed up to 200 m from a nest. As the nest is beyond this distance, no disturbance or displacement to nesting kestrel is predicted.</p>
<p>Hen harrier.</p> <p>An observation has stated that hen harriers are known to winter in moorlands of Fossy Upper.</p>	<p>The effects of the project on hen harrier have been fully assessed in the EIAR.</p> <p>No information on exactly where wintering hen harrier were observed at Fossy Upper has been provided in the submission and it is not clear whether this was in reference to roosting birds or birds on passage.</p> <p>Roosting hen harriers are sensitive to effects of disturbance and displacement and can be disturbed between 300-750 m from turbines (Goodship and Furness, 2022)⁵. Hen harriers on passage are not thought to be particularly sensitive to disturbance or displacement.</p> <p>According to the Irish Hen Harrier Winter Roost scheme¹⁴, hen harriers use the following habitat types for roosting:</p> <ul style="list-style-type: none"> • Bog with scattered scrub vegetation, bracken, tussocky purple moor grass and rushy patches. • Heather dominated upland or lowland blanket bog. • Tussocky rush dominated wet pastures, overgrown with rushes or scrub. • Reed beds and fens. • Upper saltmarshes with suitable vegetation to provide cover and protection. • Bracken and rush or scrub mosaics. <p>The habitats at Fossy Upper consist of heavily grazed agricultural fields surrounded</p>

¹¹ Gilbert, G., Stanbury, A. and Lewis, L. (2021). Birds of Conservation Concern in Ireland 4: 2020-2026. Irish Birds. 43: 1-22.

¹² CIEEM. 2018. Guidelines for ecological impact assessment in the UK and Ireland: terrestrial, freshwater, coastal and marine version 1.2. Winchester: Chartered Institute of Ecology and Environmental Management.

¹³ Goodship, N.M. and Furness, R.W. 2022. Disturbance Distances Review: An updated literature review of disturbance distances of selected bird species. A report from MacArthur Green to NatureScot

¹⁴ http://ihhws.ie/IHHWS_Guide.pdf Last accessed 20/12/2023



Subject of Comment	Response
	<p>by commercial conifer plantation. While there are some fields with rushes present, they lack the level of cover required to act as winter roosts.</p> <p>Therefore, it is likely any winter birds observed were on passage and were not roosting. The 'moorland' at Fossy Upper is also at least 400 m from the nearest turbine location.</p> <p>On this basis, it is highly unlikely that any negative effects will occur for roosting hen harrier in the winter.</p>
<p>Peregrine falcon.</p> <p>An observation has suggested that peregrine falcons are breeding in Slatt quarry, which are only metres from the proposed turbines on the Wolfhill site. The observation goes on to say their hunting grounds are directly over the proposed turbine area and its surrounds, so cumulative effects of other projects granted permission must be considered.</p> <p>Another observation states that there are two breeding pairs – one 1.5 km from site and another 2.5 km from site.</p> <p>Another observation states that peregrine falcon are critically endangered and so removing them will cause meso-predator release affecting not only their prey but a range of other species, such as bat populations.</p>	<p>The effects of the project on peregrine falcon have been fully assessed in EIAR Chapter 15.</p> <p>NatureScot (2017) best-practice guidance states that breeding raptors should be searched for within a 2 km distance surrounding the project site. The pair mentioned in the submission that are 2.5 km from the site are therefore outside the recommended survey area.</p> <p>Slatt quarry is operational and therefore no access was possible during bird surveys. This is 1.3 km from the nearest turbine. Goodship and Furness (2022) state that nesting peregrine can be disturbed by activities within 500 to 750 m of the nest.</p> <p>Therefore, no nests are within the disturbance distance set out by Goodship and Furness (2022) and so no disturbance effects are predicted. Furthermore, the fact that the birds are nesting in an operational quarry suggests that they are already highly habituated to disturbance.</p> <p>Cumulative effects on peregrine (including loss of potential foraging grounds) have been fully considered in EIAR Chapter 15. The conclusion was that there were no significant effects predicted.</p> <p>This also means that no meso-predator release is predicted.</p> <p>Peregrine falcons are not 'critically endangered' according to the latest Birds of Conservation Concern in Ireland list or the IUCN Red List¹⁵. They are categorised as 'Least Concern' for both, which indicates</p>

¹⁵ BirdLife International. 2021. *Falco peregrinus*. The IUCN Red List of Threatened Species 2021: e.T45354964A206217909. <https://dx.doi.org/10.2305/IUCN.UK.2021-3.RLTS.T45354964A206217909.en>. Accessed on 19 November 2023.



Subject of Comment	Response
	they have the best conservation status possible.
<p>Barn owl.</p> <p>An observation has stated that breeding barn owls are present within the area. The observation states that their breeding and hunting areas need consideration.</p>	<p>According to the UK's Barn Owl Trust, there is no evidence that wind farms have a significant impact on barn owls¹⁶.</p> <p>Nevertheless, barn owls were searched for during breeding raptor surveys up to 2 km from the Proposed Development Site, as recommended by NatureScot (2017) best-practice guidance.</p> <p>They were also searched for during bat roost surveys within 279.35 m from the Proposed Development.</p> <p>No nests or roosts were recorded during either of these survey types, although we accept that they could have been present within structures or trees within inaccessible third-party lands.</p> <p>According to Goodship and Furness (2022), barn owls can be disturbed by activities within 100 m of a nest or 50 m of a roost².</p> <p>As the survey area extended well beyond 100 m, we are confident that no breeding or roosting areas will be affected by the Proposed Development.</p> <p>According to the leaflet published by BirdWatch Ireland¹⁷, barn owls hunt over rough grassland, grassy margins, woodland edge and wetlands. According to EIAR chapter 5, while woodland habitats will be lost to accommodate bat mitigation buffers, this will not result in loss of the woodland edge. Similarly, the grassland habitats predicted to be lost are heavily grazed and so are not of high importance for foraging barn owl.</p> <p>Therefore, it is unlikely there will be any significant effects on foraging barn owls because of the Proposed Development.</p>
<p>Bird populations.</p> <p>An observation has stated that collision is a threat to bird populations including raptors and migratory species.</p>	<p>The effects of collision on birds have been fully assessed in the EIAR chapter 15 in sections 15.4.3 and 15.5.2.</p> <p>The conclusions were that no significant, residual collision effects were predicted for any primary target bird species.</p>

¹⁶ <https://www.barnowltrust.org.uk/hazards-solutions/barn-owls-wind-turbines/> Last accessed 20/12/2023

¹⁷ <https://birdwatchireland.ie/app/uploads/2021/01/Barn-Owl-information-and-conservation-advice-booklet-For-Web.pdf> Last accessed 20/12/2023



Subject of Comment	Response
<p>Bat populations.</p> <p>An observation has stated that bat collision is a threat.</p> <p>An observation has stated that the use of bat mitigation buffers is illogical.</p> <p>An observation has stated that Timahoe has a big colony of native Irish bats in the Round Tower and says that cumulative effects on roosts up to 10 km from the Proposed Development need to be considered.</p>	<p>The effects of collision on bats have been fully assessed in the EIAR chapter 15 in sections 15.4.3 and 15.52.</p> <p>The conclusions were that no significant, residual collision effects were predicted for any bat species.</p> <p>Bat mitigation buffers are recommended by NatureScot (2021)¹⁸ best-practice guidance, which is the industry-standard in Ireland.</p> <p>The roost at Timahoe and all known roosts within 10 km of the Proposed Development are acknowledged and assessed within the EIAR in chapter 15 and Technical Appendix 15.3.</p> <p>The conclusions from the EIAR were there were no significant residual effects predicted for bats.</p>
<p>Marsh fritillary.</p> <p>An observation has stated that Devil's bit scabious is present near to the forestry plantations within the site development boundary. It has been claimed that a proper field study should be conducted.</p> <p>An observation has stated that a desktop study indicated absence of suitable habitats for this butterfly but DBS can be found, so a site-specific study should have been conducted.</p> <p>An observation has stated that marsh fritillary have been seen in the area of the Swan.</p>	<p>The presence of Devil's bit scabious does not on its own indicate that habitats are suitable for marsh fritillary butterfly, as shown by the guidelines on the National Biodiversity Centre's (NBDC) marsh fritillary monitoring scheme¹⁹.</p> <p>Regardless, SLR searched for Devil's bit scabious during the habitat surveys and none was recorded within the development footprint where commercial conifer plantation and heavily farmed agricultural grassland are present, which are of no or low suitability for marsh fritillary butterfly. This accords with the lack of desktop records of marsh fritillary within the development footprint²⁰.</p> <p>Consequently, in the absence of suitable marsh fritillary habitats within the development footprint, plus the lack of desktop records of marsh fritillary within the same, no dedicated field surveys for marsh fritillary butterfly were required.</p>
<p>Livestock.</p> <p>An observation has stated that they are fearful there will be an impact on cows, as a dairy shed is 450 m from turbine T11 and says there is evidence that wind turbines have a negative impact on cows.</p>	<p>There is no reference or workable link provided in the submission claiming a negative effect on cows; however, the source of this information does not appear</p>

¹⁸ <https://www.nature.scot/doc/bats-and-onshore-wind-turbines-survey-assessment-and-mitigation> Last accessed 20/12/2023

¹⁹ <https://biodiversityireland.ie/surveys/marsh-fritillary-monitoring-scheme/> Last accessed 20/12/2023

²⁰ <https://maps.biodiversityireland.ie/Map> Last accessed 20/12/2023



Subject of Comment	Response
Another say they their horses are highly sensitive and react badly to any changes in their environment.	<p>to come from a peer-reviewed scientific journal²¹.</p> <p>SLR can find no evidence from peer-reviewed websites that supports this assertion for cattle or horses.</p> <p>SLR is aware of several operational wind farms where cattle graze among the turbines, with no reported negative effects.</p> <p>Scientific studies have shown that cattle habituate (become acclimatised) to frequent background noise²² and so the same is likely to be true here.</p>

13.0 Conclusion

In closing, we appreciate your attention to this critical matter concerning the third-party observations on Coolglass Windfarm. As of the latest correspondence from An Bord Pleanála, we acknowledge receipt of 112 observations, inclusive of input from Statutory Consultees. While we comprehend the complexity of addressing each individual observation, we have diligently reviewed the submissions received.

As set out in the introduction to this response, it is not intended to introduce new information but rather to provide essential clarifications. The observations cover a spectrum of concerns, including grid connection, project site representation, cumulative impacts, visual and heritage considerations, noise pollution, community engagement, and appeals for planning rejection. Additionally, we have considered submissions from Statutory Consultees, addressing issues such as material contravention, concerns raised by Laois Co Council and others, inputs from the Department of Transport and TII, the Health and Safety Authority, the Department of Defence, and ecological considerations.

We assure you that we are committed to transparently and comprehensively addressing each dimension raised in the observations to facilitate a well-informed decision-making process. Thank you for your understanding, and we look forward to the forthcoming stages of this engagement.

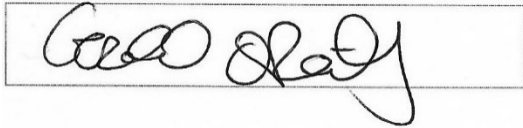
²¹ <https://stopthesethings.com/2021/02/04/cruel-unusual-punishment-400-french-cows-succumb-to-low-frequency-wind-turbine-noise-vibration/> Last accessed 20/12/2023

²² Brouček, J., 2014. Effect of noise on performance, stress, and behaviour of animals. Slovak journal of animal science, 47(2), pp.111-123.



Regards,

SLR Environmental Consulting (Ireland) Ltd

A rectangular box containing a handwritten signature in black ink. The signature appears to be 'Gerald O'Reilly'.

Gerald O'Reilly BSc Pd MIPI

Associate Planner

goreilly@slrconsulting.com

cc Cathal Gallagher (Statkraft)

Alice Power (Statkraft)





Appendix 1

ABP Confirmation Email

Coolglass Wind Farm

Coolglass Wind Farm Limited

SLR Project No.: 501.065335.00001

20 December 2023

Gerald O'Reilly

From: SIDS <sids@pleanala.ie>
Sent: 01 November 2023 10:14
To: Gerald O'Reilly
Cc: Edward Goulding
Subject: RE: ABP-317809-23 - Missing drawings/documents from the applicant's website

Good morning Mr. O'Reilly,

I wish to acknowledge receipt of your email.

I can confirm that we can grant the below extension for the response to submissions until 20th December 2023.

Kind regards,
Niamh

From: Gerald O'Reilly <goreilly@slrconsulting.com>
Sent: Friday, October 27, 2023 2:09 PM
To: SIDS <sids@pleanala.ie>
Cc: Edward Goulding <egoulding@slrconsulting.com>
Subject: RE: ABP-317809-23 - Missing drawings/documents from the applicant's website

Good afternoon,

In light of the substantial number of responses on this application and the content of the same, we would respectfully request an extension of time to submit our response to the submission.

We are requesting an additional 4 weeks from the later date (i.e. an extension until 20th December 2023) for our response.

Please confirm if this is acceptable.

Ger.

Gerald O'Reilly

Associate Planner - Environmental & Social Impact Assessment

O +44 3300 886631
M +44 7976 692955
E goreilly@slrconsulting.com

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Clockwise, River House, 48 High Street, Belfast Belfast United Kingdom BT1 2BE



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From: SIDS <sids@pleanala.ie>
Sent: Friday, October 27, 2023 10:35 AM
To: Gerald O'Reilly <goreilly@slrconsulting.com>; SIDS <sids@pleanala.ie>
Cc: Edward Goulding <egoulding@slrconsulting.com>
Subject: RE: ABP-317809-23 - Missing drawings/documents from the applicant's website

Hi Gerald,

Thanks for your email. I've attached a soft copy of that submission and the accompanying letter to this email – a hard copy of this submission was issued to you by post on Wednesday, so hopefully it should be with you shortly.

Kind regards,
Evan

From: Gerald O'Reilly <goreilly@slrconsulting.com>
Sent: Thursday, October 26, 2023 4:35 PM
To: SIDS <sids@pleanala.ie>
Cc: Edward Goulding <egoulding@slrconsulting.com>
Subject: RE: ABP-317809-23 - Missing drawings/documents from the applicant's website

Further to your letter dated 17th October 2023

I note that there has been no submission included from Laois Co. Council.

Would it be possible to obtain a copy of this tomorrow?

I could arrange for someone to collect it if possible?

Ger

Gerald O'Reilly

Associate Planner - Environmental & Social Impact Assessment

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M +44 7976 692955

E goreilly@slrconsulting.com

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From: SIDS <sids@pleanala.ie>
Sent: Wednesday, October 11, 2023 12:00 PM
To: Gerald O'Reilly <goreilly@slrconsulting.com>
Cc: Aislinn O'Brien <aobrien@slrconsulting.com>
Subject: RE: ABP-317809-23 - Missing drawings/documents from the applicant's website

Hi Gerald,

All submissions will be sent out together as soon as possible.

Kind regards,
Niamh

From: Gerald O'Reilly <goreilly@slrconsulting.com>
Sent: Wednesday, October 11, 2023 11:57 AM
To: SIDS <sids@pleanala.ie>
Cc: Aislinn O'Brien <aobrien@slrconsulting.com>
Subject: RE: ABP-317809-23 - Missing drawings/documents from the applicant's website

Thanks Niamh

I am aware that Laois Co. Co. have made a submission. If it is possible could we have sight of this as soon as possible.

Ger.

Gerald O'Reilly

Associate Planner - Environmental & Social Impact Assessment

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From: SIDS <sids@pleanala.ie>
Sent: Wednesday, October 11, 2023 11:48 AM
To: Gerald O'Reilly <goreilly@slrconsulting.com>
Cc: Aislinn O'Brien <aobrien@slrconsulting.com>
Subject: RE: ABP-317809-23 - Missing drawings/documents from the applicant's website

Dear Mr. O'Reilly,

We are currently still processing the submissions for this case and as soon as they are ready, they will be posted to you.

Kind regards,
Niamh

From: Gerald O'Reilly <goreilly@slrconsulting.com>
Sent: Wednesday, October 11, 2023 11:35 AM
To: SIDS <sids@pleanala.ie>
Cc: Aislinn O'Brien <aobrien@slrconsulting.com>
Subject: RE: ABP-317809-23 - Missing drawings/documents from the applicant's website

Good Morning

As the submission period has now passed for this project, could I please have a copy of all submissions made on Coolglass Wind Farm.

Regards;

Gerald O'Reilly
Associate Planner - Environmental & Social Impact Assessment

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From: SIDS <sids@pleanala.ie>
Sent: Thursday, September 28, 2023 4:30 PM
To: Gerald O'Reilly <goreilly@slrconsulting.com>
Cc: Aislinn O'Brien <aobrien@slrconsulting.com>
Subject: RE: ABP-317809-23 - Missing drawings/documents from the applicant's website

Hi Gerald,

I wish to acknowledge receipt of your email.

Thanks for sending this on. I can confirm that we'll be able to facilitate this request and a formal letter regarding this will be issued in due course.

Kind regards,
Evan

From: Gerald O'Reilly <goreilly@slrconsulting.com>
Sent: Wednesday, September 27, 2023 12:14 PM
To: SIDS <sids@pleanala.ie>
Cc: Aislinn O'Brien <aobrien@slrconsulting.com>
Subject: RE: ABP-317809-23 - Missing drawings/documents from the applicant's website

Evan

Please see attached formal letter of clarification for consideration.

We will update the website once we get acknowledgement of this.

Regards;

Ger

Gerald O'Reilly

Associate Planner - Environmental & Social Impact Assessment

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M +44 7976 692955

E goreilly@slrconsulting.com

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From: Gerald O'Reilly <goreilly@slrconsulting.com>
Sent: Monday, September 18, 2023 2:55 PM
To: SIDS <sids@pleanala.ie>
Subject: RE: ABP-317809-23 - Missing drawings/documents from the applicant's website

Thanks Evan

I will get the formal letter over to you ASAP.

Ger.

Gerald O'Reilly

Associate Planner - Environmental & Social Impact Assessment

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From: SIDS <sids@pleanala.ie>
Sent: Monday, September 18, 2023 2:54 PM
To: Gerald O'Reilly <goreilly@slrconsulting.com>
Subject: RE: ABP-317809-23 - Missing drawings/documents from the applicant's website

Hi Gerald,

Thank you for your reply. We have checked the physical file and those five drawings referenced in the previous email are on it. Given that they were submitted as part of the application, there is a requirement for them to be uploaded to the website. Alternatively, you can request that these drawings be withdrawn from the file if they are not covered in the assessment or relevant to the application.

Kind regards,
Evan

From: Gerald O'Reilly <goreilly@slrconsulting.com>

Sent: Monday, September 18, 2023 11:40 AM

To: SIDS <sids@pleanala.ie>

Subject: RE: ABP-317809-23 - Missing drawings/documents from the applicant's website

Good Morning

I am in the process of checking the submitted documents to ensure that they are correct.

It appears that the listed drawings below are not applicable to the TDR as they may not be covered in the assessment. I will have a formal response to you by this afternoon.

Would it be possible to have someone check the physical file to make sure that those drawings are on it also.

Ger.

Gerald O'Reilly

Associate Planner - Environmental & Social Impact Assessment

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M +44 7976 692955

E goreilly@slrconsulting.com

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From: SIDS <sids@pleanala.ie>

Sent: Monday, September 18, 2023 11:37 AM

To: Gerald O'Reilly <goreilly@slrconsulting.com>

Subject: RE: ABP-317809-23 - Missing drawings/documents from the applicant's website

Good morning Gerald,

I've been asked by An Bord Pleanála to contact you again with regards our letter to you dated 11th September and our telephone conversation last Friday in relation to the missing documents from your standalone website. Having checked the website this morning, it is noted that it has been updated to include some of the missing documents and drawings mentioned in the letter but that there are still 5 drawings that have yet to be uploaded. These drawings are listed below. Could you please update the website as a matter of urgency (ideally by close of business today) and let us know by return email once this has been completed?

ABP-428.V02036.00787.093
ABP-428.V02036.00787.096
ABP-428.V02036.00787.097
ABP-428.V02036.00787.099
ABP-428.V02036.00787.100

The website must contain all the documents that were submitted in hard copy format with the application and should be maintained for the duration of the application so that member so the public can view them at any time.

Kind regards,
Evan McGuigan

Executive Officer
Marine and Climate
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902
Teil:
Facs: 01-8722684

From: SIDS <sids@pleanala.ie>
Sent: Monday, September 11, 2023 12:09 PM
To: goreilly@slrconsulting.com
Subject: ABP-317809-23 - Missing drawings/documents from the applicant's website

Dear Gerald,

Please find attached the following letter regarding a number of drawings and documents that are currently missing from the applicant's standalone website for ABP-317809-23. A hard copy of this letter is in the post.

Could you please let us know by return email once this issue has been resolved?

Kind regards,
Evan McGuigan

Executive Officer
Marine and Climate
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902
Teil:
Facs: 01-8722684



Appendix 2

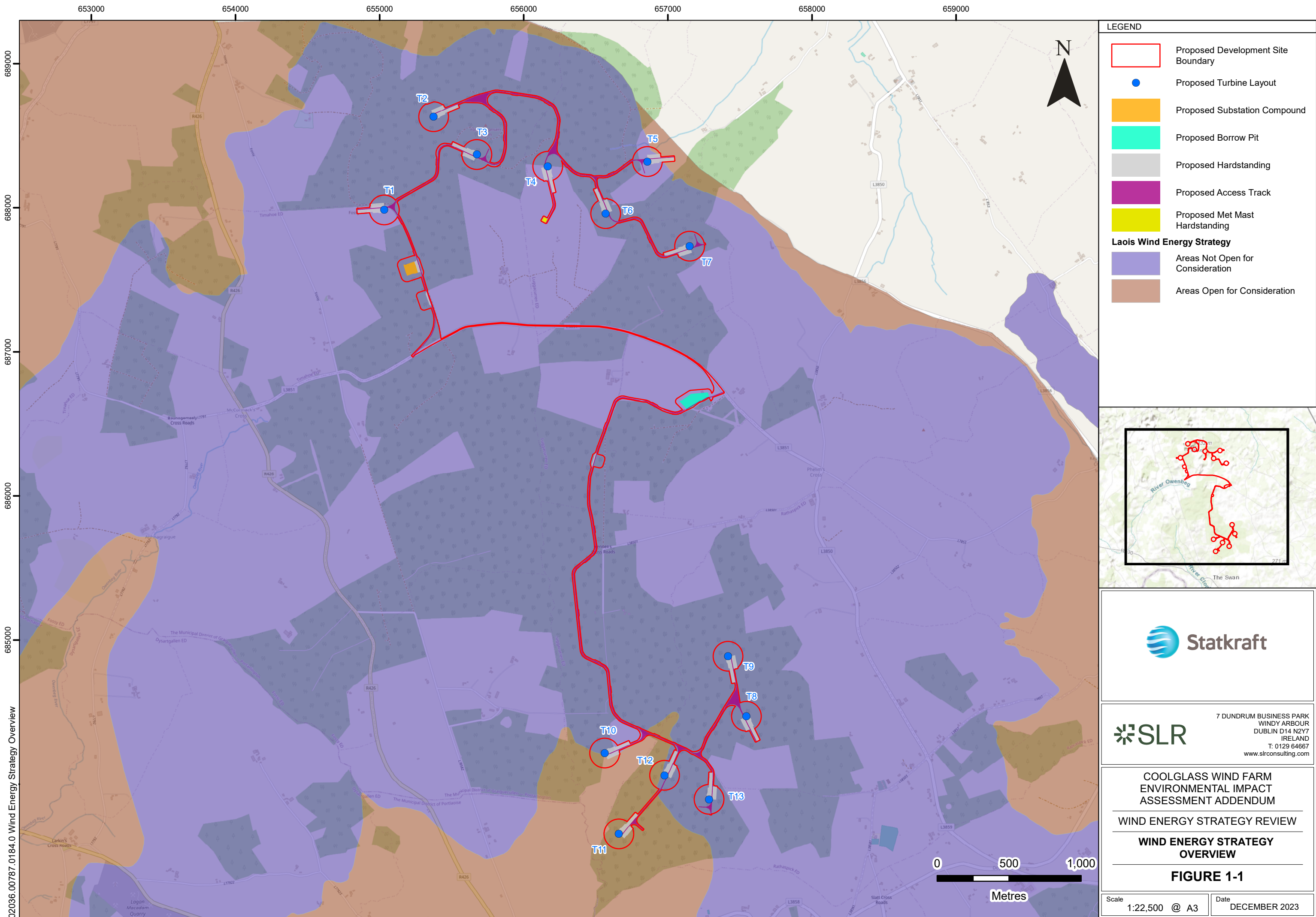
Wind Energy Mapping (Updated)

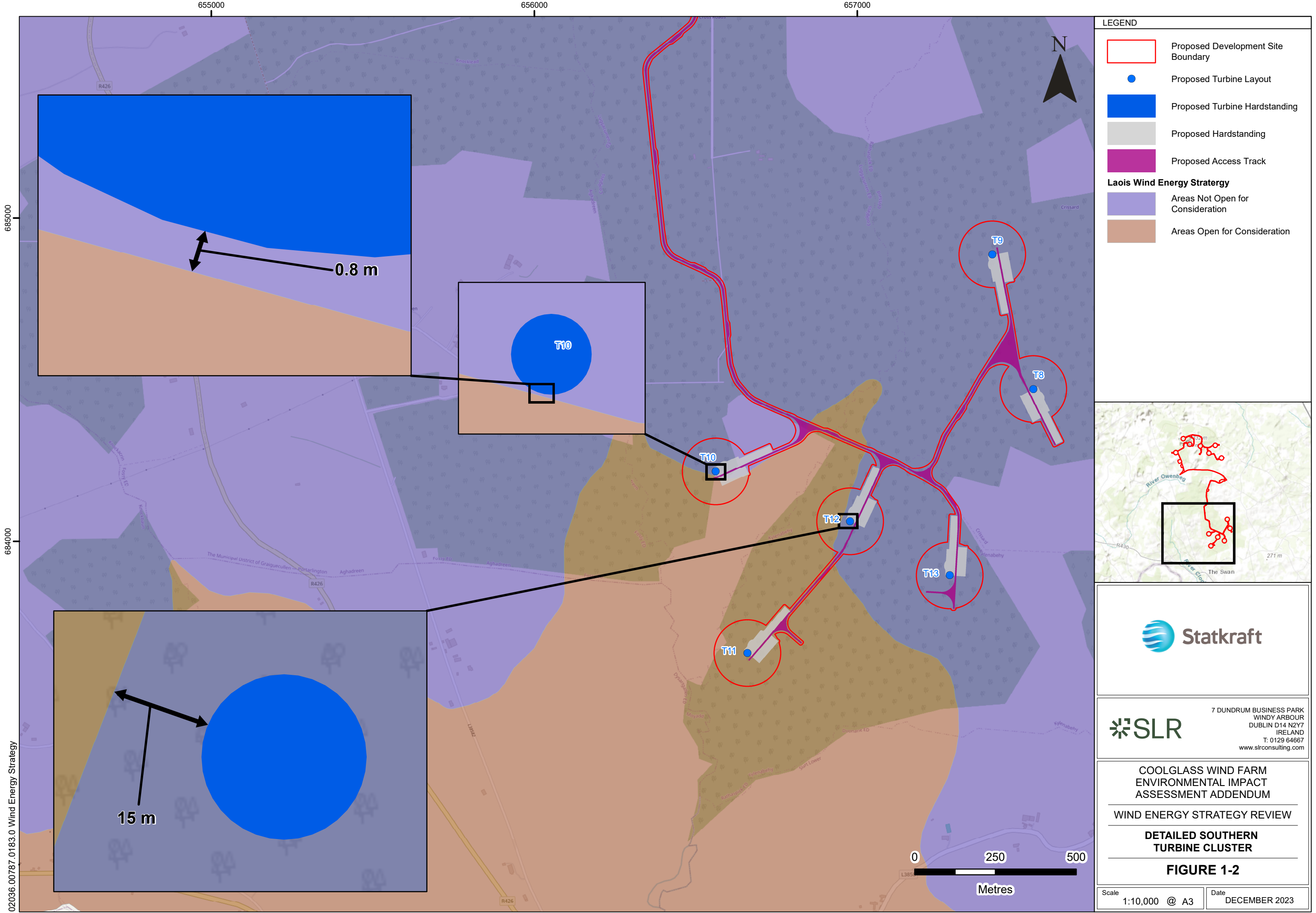
Coolglass Wind Farm

Coolglass Wind Farm Limited

SLR Project No.: 501.065335.00001

20 December 2023







Appendix 3

Consultation With TII, Laois County Council and An Bord Pleanála

Coolglass Wind Farm

Coolglass Wind Farm Limited

SLR Project No.: 501.065335.00001

20 December 2023



Copy of Laois Co. Council Meeting Request

Coolglass Wind Farm

Coolglass Wind Farm Limited

Prepared by:

SLR Environmental Consulting (Ireland) Ltd

7 Dundrum Business Park, Windy Arbour, Dublin, D14
N2Y7

Gerald O'Reilly

From: Gerald O'Reilly
Sent: 17 January 2023 12:10
To: Philip McVeigh
Cc: Dermot Leonard; Crystal Leiker
Subject: RE: Coolglass Scoping meeting for TDR.

Hi Philip

The agenda for tomorrow's meeting is as follows:

- 1) discussion on the confirmation of the TDR route
- 2) confirmation of site access points
- 2) TDR nodes- confirmation process of LCC ownership / process for obtaining LOC
- 4) Q&A
- 5) AOB

If you wish to add anything to this, then please let me know.

Speak to you tomorrow.

Regards;



Gerald O'Reilly

Associate Planner - Environmental & Social Impact Assessment

+44 28 6634 8584
goreilly@slrconsulting.com

SLR Consulting Limited
Clockwise, River House, 48 High Street, Belfast, BT1 2BE



The Prince's Responsible Business Network
Race at Work Charter signatory

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From: Philip McVeigh <pmcveigh@laoiscoco.ie>
Sent: 17 January 2023 10:24
To: Gerald O'Reilly <goreilly@slrconsulting.com>
Cc: Dermot Leonard <dleonard@laoiscoco.ie>; Crystal Leiker <cleiker@slrconsulting.com>
Subject: RE: Coolglass Scoping meeting for TDR.

Gerald

Could you forward the agenda for the meeting tomorrow morning.

Regards

Philip McVeigh

|Senior Executive Engineer|

|Laois County Council|

|Roads Department | Sleaty Road | Graiguecullen | Co. Laois | R93 A265

☎ +353 (0) 57 8664000 ✉ pmcveigh@laoiscoco.ie

-----Original Appointment-----

From: Gerald O'Reilly <goreilly@slrconsulting.com>

Sent: Thursday 12 January 2023 10:00

To: Dermot Leonard; Philip McVeigh; Crystal Leiker

Subject: Coolglass Scoping meeting for TDR.

When: Wednesday 18 January 2023 11:00-12:00 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.

Where: Microsoft Teams Meeting

Meeting agenda to be supplied closer to meeting date.

Microsoft Teams meeting

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Copy of Laois Co. Council Meeting Minutes

Coolglass Wind Farm

Coolglass Wind Farm Limited

Prepared by:

SLR Environmental Consulting (Ireland) Ltd

7 Dundrum Business Park, Windy Arbour, Dublin, D14
N2Y7

Laois Co Co Meeting Minutes 26/5/2022

Attendees:

Laois Co Co: Phillip McVeigh, Shane Booth, Farham Nasiem, Donnacha Reynolds, Rory O'Callaghan, Jon O'Hara, Dermot Leonard

SLR: Aislinn O'Brien, Crystal Leiker

Coolglass Wind Farm Limited: Killian Boland, Cathal Gallagher

SLR provided a comprehensive presentation of Coolglass Wind Farm to Laois County Council attendees.

Phillip McVeigh – roads

- No damage to existing road network – roads must be maintained to current existing condition. A pre-condition survey, road opening licence are required. Conditions to any planning permission will require a reinstatement, and a post- condition survey.
- Drainage from roads must be maintained so as to avoid going into the public road network. Turbine Delivery Route Nodes where works are required will need to be sent to the roads department for review and for any letters of consents required.
- Surveys of bridges and culvers will also be required. Sightlines must be maintained as per the 2007 Laois Road Guidelines: 180m Regional roads, 120m Local Primary Roads, 80m for Local Secondary Roads, and 60m for Local tertiary roads.
- Contact Dermot Leonard or Phillip McVeigh for any works which require permission for Laois County council roads department.

Rory O'Callaghan – Ecology / Environment

- Have regard for the Kyle Spring and Swan public water supplies – these two must be assessed as part of the EIAR.

Jon O'Hara – Planning

- Planning will not support wind farm development in areas which are not open to consideration
- Greatest concern of visual impact on Timahoe Town. Ensure they are included in any community benefit
- Ensure the following protected views are included in the EIAR0 Windy Gap at the N80 and the Rock of Dunamase.
- Consultation on the revised Wind Energy Strategy (subject to Ministerial Direction) is ongoing- CDP requires a revised Wind Energy Strategy within 1 year of the adoption of the current CDP. As of this point, no work has been undertaken, however, consultation may open towards the end of the year.

Meeting Concluded



Copy of ABP Meeting Minutes

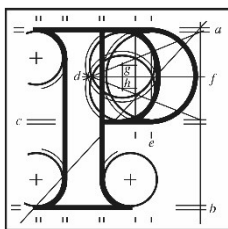
Coolglass Wind Farm

Coolglass Wind Farm Limited

Prepared by:

SLR Environmental Consulting (Ireland) Ltd

7 Dundrum Business Park, Windy Arbour, Dublin, D14
N2Y7



An
Bord
Pleanála

Record of Meeting ABP-313375-22 1st meeting

Case Reference / Description	ABP-313375-22 Proposed 13-turbine wind farm development in townlands of Fossy Upper, Aghoney, Gorreelagh, Knocklead, Scotland, Brannanshill, Monamantry, Coolglass, Crissard and Kilenabehy, Co. Laois.		
Case Type	Pre-application consultation		
1st / 2nd / 3rd Meeting	1 st		
Date	16/06/22	Start Time	11 a.m.
Location	N/A	End Time	12.10 p.m.

Representing An Bord Pleanála
Staff Members
Stephen Kay, Assistant Director of Planning (Chair)
Maire Daly, Planning Inspector
Kieran Somers, Executive Officer
Representing the Prospective Applicant
Cathal Gallagher, Statkraft
Killian Boland, Statkraft
Aislinn O'Brien, SLR Consulting
Crystal Leiker, SLR Consulting

The Board referred to the letter received from the prospective applicant 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 it wished to receive advice on from the Board. The Board mentioned general procedures in relation to the pre-application consultation process as follows:

- 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 any legal proceedings.

Presentation by the prospective applicant:

The prospective applicant provided the Board's representatives with a background apropos the proposed development which is for a thirteen wind turbine farm consisting of two clusters and associated grid connection; each one of the proposed turbines has the potential to generate 6.6 megawatts of power giving a total output of c.86MW. The prospective applicant also reported that the processes of preliminary design work and environmental impact assessment are on-going; it also added that, with respect to the proposed grid connection, the exact substation to be linked into has yet to be decided; two grid connection options are being considered. The prospective applicant noted some of the benefits arising from the proposed development with regard to sustainable energy targets and local employment opportunities.

The prospective applicant noted that the proposed development would occur within the functional area of Laois County Council. The prospective applicant noted the nature of the subject site and its proximity to County Kilkenny at its southern end; consented and operational wind farms in the general vicinity were also noted (including the consented Pine Woods wind farm).

With respect to the two clusters which form the proposed development site, the prospective applicant advised of potential access points to these and it said that access to both clusters could be facilitated via existing forestry tracks.

With regard to the suitability of the subject site, the prospective applicant said that this was assessed as the most suitable location for a number of reasons, including high wind speeds, low population density and available grid capacity in the surrounding network. With respect to the receiving environment, the prospective applicant noted that there are no residential receptors within 720 metres of any proposed turbine. It also noted that there would be no significant impacts in terms of matters such as visual amenities, waterbodies/watercourses or national monuments. The prospective applicant advised that a Natura Impact Statement would be prepared to accompany any subsequent planning application.

In relation to the delivery of turbine components, the prospective applicant advised that this is proposed from the M7, the R426 and via a local road. With respect to the proposed grid connection (the subject of pre-application consultations with the local authority), the prospective applicant reiterated that two options are being considered and that the preferred option will be assessed as part of the EIAR. The prospective applicant added that the proposed underground cable would be a 110kV connection within the public roadway.

With regard to the SID status of the proposed development, the prospective applicant referred to the proposed total power output of the project (circa 85.8 megawatts) and stated its opinion that the proposed development would constitute strategic infrastructure. With regard to the criteria set out under section 37A(2) of the Planning and Development Act 2000, as amended, the prospective applicant stated its opinion that the proposed development would qualify as SID as it would be of strategic economic or social importance to the region in which it would be situated and would also contribute to the fulfilment of National and Regional planning objectives. The prospective applicant also noted the proximity of the proposed development to Kilkenny and stated its opinion that it would have potential to have significant effects (landscape, visual and hydrological) on the functional area of that local authority.

With regard to the relevant legislative and policy context, the prospective applicant referred to recent and significant proposals and updates with respect to the relevant sector of renewable energy, including the REPower EU Plan and the EU Green Deal. The prospective applicant also referred to the Climate Action Plan 2021 with its targets in respect of 2030 and 2050; the prospective applicant noted the emissions reduction targets with regard to this.

With respect to the local planning policy context, the prospective applicant noted that the Laois County Development Plan 2021-2027 came into effect in March 2022. The prospective applicant referred to several climate mitigation objectives with regard to this (CM RE 1, CM RE 2, CM RE 5, CM RE 6 and CM RE 7). The prospective applicant referred to Appendix 5 of the Wind Energy Strategy of the adopted development plan and noted that the proposed development is located in an area

‘not open for consideration.’ The prospective applicant advised generally that submissions were made at draft and material amendment stage of the adopted development plan seeking an omission of the 1.5-kilometre separation distance from Appendix 5 as it was considered that the inclusion of this separation distance conflicted with policy objectives in the development plan which promoted wind farm development. The prospective applicant noted however that the Wind Energy Strategy was not amended and that a draft Ministerial Direction was published for public consultations directing the removal of this set-back distance; the prospective applicant advised that a recommendation is to be made by the Office of the Planning Regulator to the Minister on this matter. The prospective applicant expressed its opinion that this matter would be resolved in due course.

In relation to potential effects on the receiving environment, the prospective applicant advised that there are no residential receptors within 720 metres of any of the proposed turbines; the prospective applicant advised of 85 residential receptors in proximity of the proposed wind farm development and 105 residential receptors within 500 metres of the potential grid connection route.

With regard to landscape and visual amenity effects, the prospective applicant advised of a study area of 20 kilometres around the subject site with respect to a Zone of Theoretical Visibility; the prospective applicant noted that this particular exercise illustrates the worst-case scenario of visibility. The prospective applicant noted that there are some 27 landscape viewpoints in County Laois which take into consideration numerous sensitive receptors and key views; it also noted viewpoints in respect of counties Kilkenny and Carlow. The prospective applicant said that the overall objective would be to be as robust as possible with respect to landscape and visual assessment.

With respect to European Sites in the vicinity, the prospective applicant noted the most proximate SACs and SPAs (River Barrow and River Nore SAC and River Nore SPA) and the qualifying interests for these in terms of habitats and species. The prospective applicant advised that survey work is on-going (including birds, bats, mammals and aquatic surveys) and also noted that detailed habitat surveying is currently underway.

With regard to effects on waterbodies/watercourses, the prospective applicant noted the fact that the proposed development would be located within two catchments (Barrow catchment with respect to the northern cluster and Nore catchment with respect to the southern cluster). The prospective applicant said that the main hydrological features in the vicinity of the subject site are the Stradbally River and the Crooked River to the north and tributaries of the River Clough and Owveg River to the south; the prospective applicant provided details in relation to the water quality status for these aforementioned waterbodies. The prospective applicant said that all proposed turbines would be located at least 50 metres from any open waterbody and that no construction activities would take place within 50 metres of a watercourse, with the exception of watercourse crossings such as the access roads. The prospective applicant said that the subject site is at low risk of flooding. With regard to groundwater, the prospective applicant advised that the aquifer within the majority of the subject site is classified as 'PI – Poor Aquifer – Bedrock which is Generally Unproductive except for Local Zones.'

In relation to potential effects on cultural heritage, the prospective applicant advised that there are some 23 recorded archaeological monuments located within a study area extending for one kilometre of the proposed wind farm development; it added that none of these are located inside the proposed development boundary. One potential sensitive receptor has been identified (Timahoe Round Tower) which the prospective applicant said will be assessed as part of the EIAR to accompany the planning application.

With regard to the overall evolution of the project, the prospective applicant noted two previous design iterations and advised that the number of proposed turbines has been reduced from a previously proposed number of 23 due to impacts and constraints in the area.

With respect to consultation and community engagement, the prospective applicant said that a project and information website is in progress and that consultations with the local communities are due to commence in June 2022. An EIAR Scoping Report is due to be distributed in June 2022 to both statutory and non-statutory bodies. The prospective applicant advised of its current target to lodge a subsequent planning application circa December 2022.

Board's queries/comments:

The Board's representatives enquired as to the nature of consultations to date and asked if the NPWS had been included in this regard. The prospective applicant said that its understanding was that engagements had commenced between the project ecologist and the NPWS. The Board noted this and recommended early engagement in this respect.

With regard to the renewable energy strategy of the local authority and the matter referred to the OPR, the Board's representatives recommended clarity to be provided on this matter in any subsequent planning application. The prospective applicant stated that it was its belief that the Wind Energy Strategy for the county was to be reviewed at an early stage.

In response to the Board's query on the matter, the prospective applicant said that there is no peat on the subject site in respect of both clusters.

The Board stated its preliminary opinion that the proposed development would be SID with respect to the Seventh Schedule and 37A(2); it added that this decision is ultimately a matter for the Board when the SID determination is made.

The Board advised that the current 'not open for consideration' designation for the subject site in the current county development plan would be a significant matter and, in the event that this designation was not changed by the time an application was submitted, would need to be addressed in terms of rationale and justification for the proposed development.

With respect to forestry in the area, the Board enquired as to how larger turbine components would be delivered to the site, in particular regarding the avenue of mature deciduous trees which line the regional road on entry to Timahoe. The prospective applicant replied that no felling of trees was envisaged to accommodate, only some potential tree trimming might take place.

The Board's representatives advised that any planning application and studies should be cognisant of effects on tourism and amenities of the area, including on county Kilkenny. The Board also recommended that due regard should be had to effects on any designated areas and forestry generally; also on any walkways or trails in the vicinity of the subject site.

Noting that the proposed grid connection would not form part of the subsequent planning application, the Board recommended that this element should be considered in the EIAR from a cumulative effects perspective.

The Board advised that effects on hydrological regimes in the area should be assessed robustly and that engagement with the NPWS on this issue would be recommended. In particular the Board's representatives highlighted the site's location within a Margaritifera Sensitive Area. The Board also noted the provisions of the Water Framework Directive and the levels of risk to the current status of relevant waterbodies.

The Board representatives advised that any changes to the drainage regime on the mountain should be carefully considered. The prospective applicant responded stating that, following consultation with the local authority, nature-based drainage regimes would be implemented.

With regard to public consultations, the Board enquired as to any engagements with the traffic department of the local authority. The prospective applicant replied that some discussions have taken place in this regard apropos matters such as proposed turbine delivery routes. The prospective applicant said that it will consult further with the local authority in respect of any works required to facilitate transport. The Board's representatives queried if any consultation had taken place to date with third party landowners and what works may be required. The prospective applicant

advised that it has some private lands already secured to facilitate connection to the relevant substation when this is decided upon. The prospective applicant also advised that 9 nodes were identified along the delivery route and that 3 of these may require works.

With respect to any tree felling required to facilitate proposed turbines, the prospective applicant said that this would be kept to a minimum and that appropriate mitigation (re-planting) would be applied.

The Board's representatives advised that the Climate Chapter of the EIAR should adequately outline the carbon resources required to construct the proposed development and outline what the savings are by displacement of fossil fuel generated electricity. Figures could be calculated using a life cycle analysis with regard to materials and transportation.

The Board's representatives said that some further information regarding the criteria under section 37A(2)(a) (strategic economic or social importance of the project) might be of assistance to the reporting inspector in assessing the SID status of the proposed development.

The Board's representatives also recommended that the current pre-app case be kept open for the present time and said that a further meeting could be accommodated in respect of updates on the projects and feedback from stakeholders and relevant prescribed bodies.

Conclusion:

The record of the instant meeting will issue shortly and it will then be open to the prospective applicant to consider next steps in the process. The Board's representatives recommended that a further meeting might be of benefit in early Autumn (circa September 2022).

The meeting concluded at 12.10 p.m.

Stephen Kay
Assistant Director of Planning

Minutes from Coolglass ABP Pre-App Consultation (ABP-313375-22) meeting on 16.06.2022:

Attendees:

SK:

- Cathal Gallagher
- Killian Boland

SLR:

- Crystal Leiker
- Aislinn O'Brien

ABP:

- Stephen Kay
- Kieran Sommers
- Maire Daly

Notes:

- Purpose of Meeting as defined by ABP: To determine if the development is an SID and to be a forum to discuss issues that might present for planning app.
- ABP to keep record of the meeting. This record will not be amended and will be made publicly available. Any comments that wish to be made on the record will be kept and be available on file to be viewed but will not change the record of the meeting.
- SK / SLR presentation delivered.
- Issues flagged/raised by ABP:
 - Advised to consult with NPWS at an early stage. River Barrow and River Nore highlighted as NIS sensitivities.
 - SLR/SK advised that no peat found within the current site.
 - Suggested/queried that SK consult with EG re connection point.
 - Upon TDR into Timahoe from North; cautioned that avenue of trees lining road should be avoided if possible – SK/SLR advised of intention to use blade adaptor and limit impacts to trimming.
 - The narrowness of the roads approaching the site boundary was flagged for consideration for the TDR.
 - Advised that Kilkenny be also considered for impacts for LVIA.
 - Noted that the grid assessment will have to be referenced in the EIAR in terms of cumulative impacts.
 - SLR/SK advised of LCC's request that on-site drainage mechanisms be nature-based-drainage systems where possible.
 - ABP stressed that the EIAR must comprehensively address LVIA concerns in this chapter given the 'not-open-for-consideration' development status of the latest Laois County Dev Plan.
 - ABP suggested more info be provided at this pre-app consultation stage on the potential socio-economic benefits offered to the region by the development.
 - ABP proposed leaving the consultation 'open' for now and to schedule a further meeting in August for a date in September:
 - Consultation with NPWS suggested to take place in interim, and
 - Ecological surveys noted to be more advanced by then and to offer further points of discussion.
 - No official verdict on SID status of development to be provided at this point whilst the consultation period is still open.



Copy of TII Scoping Response 1

Coolglass Wind Farm

Coolglass Wind Farm Limited

Prepared by:

SLR Environmental Consulting (Ireland) Ltd

7 Dundrum Business Park, Windy Arbour, Dublin, D14
N2Y7

From: INFO <Information@tii.ie>
Sent: 21 June 2022 09:10
To: Edward Goulding
Subject: TII Ref: TII22-119049 - EIAR Scoping - Coolglass Wind Farm. Your Ref: 501.00727.00006.

Dear Ms. Leiker,

Thank you for your correspondence of 17 June 2022 regarding the above EIAR scoping exercise. The position in relation to your enquiry is as follows.

Transport Infrastructure Ireland (TII) will endeavour to consider and respond to planning applications referred to it, given its status and duties as a statutory consultee under the Planning Acts. The approach to be adopted by TII in making such submissions or comments will seek to uphold official policy and guidelines, as outlined in the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012). Regard should also be had to other relevant guidance available at www.TII.ie.

The issuing of this correspondence is provided as best practice guidance only and does not prejudice TII's statutory right to make any observations, requests for further information, objections or appeals, following the examination of any valid planning application referred.

National Strategic Outcome 2 of the National Planning Framework includes the objective to maintain the strategic capacity and safety of the national roads network. In addition, Chapter 7 'Enhanced Regional Accessibility' of the 'National Development Plan, 2021 – 2030', sets out the key sectoral priority of maintaining Ireland's existing national road network to a robust and safe standard for users. This requirement is further reflected in the publication of the National Investment Framework for Transport in Ireland and also the existing Statutory Section 28 'Spatial Planning and National Roads Guidelines for Planning Authorities'.

With respect to EIAR scoping issues, the recommendations indicated below provide only general guidance for the preparation of an EIAR, which may affect the national road network.

The developer/scheme promoter should have regard, inter alia, to the following:

- Consultations should be had with the relevant Local Authority/National Roads Design Office, with regard to locations of existing and future national road schemes.
- TII would be specifically concerned as to potential significant impacts the development would have on the national road network (and junctions with national roads) in the proximity of the proposed development.
- The developer should assess visual impacts from existing national roads.
- The developer should have regard to any EIAR/EIS and all conditions and/or modifications imposed by An Bord Pleanála regarding road schemes in the area. The developer should, in particular, have regard to any potential cumulative impacts.
- The developer, in preparing EIAR, should have regard to TII Publications (formerly 'DMR'B and the 'Manual of Contract Documents for Road Works'). It is noted that the EIAR Scoping Report makes reference to the DfT DMRB and this will require updating.

- The developer, in preparing EIAR, should have regard to TII's Environmental Assessment and Construction Guidelines, including the 'Guidelines for the Treatment of Air Quality During the Planning and Construction of National Road Schemes' (National Roads Authority (NRA), 2006).
- The EIAR/EIS should consider the 'Environmental Noise Regulations 2006' (SI 140 of 2006) and, in particular, how the development will affect future action plans by the relevant competent authority. The developer may need to consider the incorporation of noise barriers to reduce noise impacts (see 'Guidelines for the Treatment of Noise and Vibration in National Road Schemes' (1st Rev., NRA, 2004)).
- It would be important that, where appropriate, subject to meeting the appropriate thresholds and criteria and having regard to best practice, a Traffic and Transport Assessment (TTA) be carried out in accordance with relevant guidelines, noting traffic volumes attending the site and traffic routes to/from the site, with reference to impacts on the national road network and junctions of lower category roads with national roads. In relation to national roads, TII's 'Traffic and Transport Assessment Guidelines' (2014) should be referred to in relation to proposed development, with potential impacts on the national road network. It is noted that TII's TTA Guidelines have not been referenced in the EIAR Scoping Report. The scheme promoter is also advised to have regard to Section 2.2 of the TII's TTA Guidelines, which addresses requirements for sub-threshold TTA. Any improvements required to facilitate development should be identified. It will be the responsibility of the developer to pay for the costs of any improvements to national roads to facilitate the private development proposed, as TII will not be responsible for such costs.
- The designers are asked to consult TII Publications to determine whether a Road Safety Audit is required.
- In the interests of maintaining the safety and standard of the national road network, the EIAR should identify the methods/techniques proposed for any works traversing/in proximity to the national road network.
- TII recommends that that applicant/developer should clearly identify haul routes proposed and fully assess the network to be traversed. Where abnormal 'weight' loads are proposed, separate structure approvals/permits and other licences may be required in connection with the proposed haul route and all structures on the haul route through all the relevant County Council administrative areas should be checked by the applicant/developer to confirm their capacity to accommodate any abnormal 'weight' load proposed.

The national road network is managed by a combination of local authorities as road authorities for their areas, Public Private Partnership (PPP) Concessions, Motorway Maintenance and Renewal Contracts (MMaRC), in association with TII.

The applicant/developer should also consult with all PPP Companies, MMaRC Contractors and road authorities over which the haul route traverses, to ascertain any operational requirements such as delivery timetabling, etc. and to ensure that the strategic function of the national road network is safeguarded.

Additionally, any damage caused to the pavement on the existing national road, arising from any temporary works due to the turning movement of abnormal 'length' loads (e.g., tearing of the surface course, etc.), shall be rectified in accordance with TII Pavement Standards and details in this regard shall be agreed with the Road Authority prior to the commencement of any development on site.

- Any grid connection and cable routing proposals should be developed to safeguard proposed road schemes, as TII will not be responsible for costs associated with the future relocation of cable routing, where proposals are catered for in an area of a proposed national road scheme. In that regard, consideration should be given to routing options, use of existing crossings, depth of cable laying, etc.

In the context of the existing national roads network, in accordance with the 'National Planning Framework' National Strategic Outcome no. 2 'Enhanced Regional Accessibility', there is a requirement to maintain the strategic capacity and safety of the network. This requirement is further reflected in the 'National

Development Plan,' the 'National Investment Framework for Transport in Ireland' and also the existing Statutory Section 28 'Spatial Planning and National Roads Guidelines for Planning Authorities'.

There is around 99,000km of roads in Ireland. The national road network, which caters for strategic inter-urban travel, consists of only approx. 5.4% of this. There is a critical requirement to ensure the strategic capacity and safety of this national road network is maintained and significant Government investment already made in the national road network is safeguarded.

The provision of cabling along the national road network represents a number of significant implications for TII and road authorities in the management and maintenance of the strategic national road network and TII is of the opinion that grid connection cable routing should reflect the foregoing provisions of official policy. Therefore, TII advises that grid connection cable routing should seek to utilise available alternatives, as opposed to the strategic national road network, contrary to the provisions of official policy.

Other consents or licences may be required from the road authority for any trenching or cabling proposals crossing the national road. TII requests referral of all proposals agreed and licensed between the road authority and the applicant, which affect the national road network.

Cable routing should avoid all impacts to existing TII infrastructure, such as traffic counters, weather stations, etc. and works required to such infrastructure shall only be undertaken in consultation with and subject to the agreement of TII. Any costs attributable shall be borne by the applicant/developer. The developer should also be aware that separate approvals may be required for works traversing the national road network.

Notwithstanding, any of the above, the developer should be aware that this list is non-exhaustive, thus site and development specific issues should be addressed in accordance with best practise.

I hope that this information is of assistance to you.

Yours sincerely,

Alban Mills

Senior Regulatory and Administration Executive





Copy of TII Scoping Response 2

Coolglass Wind Farm

Coolglass Wind Farm Limited

Prepared by:

SLR Environmental Consulting (Ireland) Ltd

7 Dundrum Business Park, Windy Arbour, Dublin, D14
N2Y7

Gerald O'Reilly

From: INFO <Information@tii.ie>
Sent: 20 October 2022 14:54
To: Gerald O'Reilly
Subject: TII Ref: TII22-119049 - EIAR Scoping - Coolglass Wind Farm, Co. Laois. Your Ref: 501.00727.00006.
Attachments: TII Ref: TII22-119049 - EIAR Scoping - Coolglass Wind Farm. Your Ref: 501.00727.00006.

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Dear Mr. O'Reilly,

Thank you for your correspondence of 17 October 2022 regarding the above. The position in relation to your enquiry is as follows.

I wish to advise that Transport Infrastructure Ireland's (TII's) position remains as set out in its initial response of 21 June 2022, which is attached for your convenience.

I hope that this information is of assistance to you.

Yours sincerely,

Andrew Moore

Regulatory and Administration Executive



From: Gerald O'Reilly <goreilly@slrconsulting.com>
Sent: Monday 17 October 2022 14:48
To: INFO <Information@tii.ie>
Cc: Crystal Leiker <cleiker@slrconsulting.com>
Subject: Coolglass Wind Farm Environmental Impact Assessment Report – Scoping and Consultation

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CAUTION: This email originated from outside of TII. Do not click links or open attachments unless you recognise the sender and are sure that the content is safe.

Dear Sir / Madam,

Please find attached the following items for consultation for the above named project

- Consultation Letter
- Site layout plan

- Site location plan
- Scoping Report

This letter is being issued to you as part of the consultation process for the EIAR. As part of the consultation process, we would be interested in receiving any comments you may have on the proposed development, relevant to your area of expertise, before 4th November 2022 in writing or in email to: goreilly@slrconsulting.com

The coordinates of the proposed wind turbines are:

Turbine	X	Y
1	655032.3	687984.7
2	655375.3	688631.6
3	655674.6	688369.3
4	656166.5	688287.6
5	656876	688333
6	656562.8	687954.9
7	657154.4	687730.8
8	657544.7	684470.8
9	657391.3	684900.4
10	656561.5	684216.1
11	656622.8	683576.1
12	656977.7	684061.7
13	657268	683883

Yours Sincerely,

Gerald O'Reilly

Associate Planner - Environmental & Social Impact Assessment

+44 28 6634 8584
goreilly@slrconsulting.com

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The Prince's Responsible Business Network
Race at Work Charter signatory

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Copy of TII Additional Correspondence

Coolglass Wind Farm

Coolglass Wind Farm Limited

Prepared by:

SLR Environmental Consulting (Ireland) Ltd

7 Dundrum Business Park, Windy Arbour, Dublin, D14
N2Y7

Gerald O'Reilly

From: INFO <Information@tii.ie>
Sent: 16 March 2023 10:18
To: Gerald O'Reilly
Subject: Acknowledgement Email - NOTE: Replies to acknowledgement emails are not checked.

A Chara,

Admhaíonn Bonneagar Iompair Éireann go bhfuarthas do ríomhphost.

Eiseofar freagra ar d'fhiosrúchán in am trátha.

Le gach dea-mhéin,

An tAonad Rialála agus Riaracháin
Bonneagar Iompair Éireann



Dear Sir/Madam,

Transport Infrastructure Ireland acknowledges receipt of your email.

A response to your enquiry will issue in due course.

Kind regards,

Regulatory and Administration Unit
Transport Infrastructure Ireland

NOTE: Replies to acknowledgement emails are not checked. Email should be sent to info@tii.ie directly.



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Gerald O'Reilly

From: Gerald O'Reilly
Sent: 13 March 2023 16:26
To: info@tii.ie
Subject: Coolglass Wind Farm.
Attachments: 02036.00787.0149.0 TDR Overview.pdf; 02036.00787.0119.0 Turbine Delivery Route.pdf

Good afternoon

We are currently in the process of finalising a Windfarm application in Co. Laois. Attached you will find the route overview and the TDR nodes we have identified.

The route exits the motorway and travels south on the R445 Regional Road before descending further south towards Rathleague. Once the turbine delivery route crosses the M7 motorway, the route will continue in a southern and easterly direction on Portlaoise Road/R426 Regional Road, through the town of Timahoe. The route will continue along the R426 Regional Road before heading east on Knocklead Road before accessing either the southern or northern clusters via existing forestry tracks.

In order for the turbine delivery route to develop, we require a **letter of your consent to engage in Nodes 1-4** as per attached PDF.

Once we have your letter of consent, we can engage with those works.

The Folio numbers for Nodes 1-4 are:

- LS9696F
- LS11479F
- LS11479F
- LS11479F
- LS12566F
- LS26556F
- LS18629F
- LS20783F
- LS28797F
- LS28875F

If you have any questions, please contact me.

Regards;



Gerald O'Reilly

Associate Planner - Environmental & Social Impact Assessment



+44 7976 692955



goreilly@slrconsulting.com



The Prince's
Responsible
Business Network
Race at Work Charter signatory

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Copy of Scoping Response Tracker

Coolglass Wind Farm

Coolglass Wind Farm Limited

Prepared by:

SLR Environmental Consulting (Ireland) Ltd

7 Dundrum Business Park, Windy Arbour, Dublin, D14
N2Y7

Consultee	Email Address	Physical Address	Date contacted	Second Date contacted	Contact Method	Date response received	Summary of concern	Response Auto Reply?	Response Saved Y/N	Auto Reply to 2nd date	Second Response date	Summary of 2nd response	Reminder Email Sent Date:
An Chomhairle Ealaíon (Arts Council)	planning@artscouncil.ie	The Arts Council, 70 Merrion Square, Dublin 2, D02 NY52	17/06/2022	17/10/2022	Email	20/06/2022		Yes		Yes			26/10/2022
An Taisce	info@antaisce.org	Tailors' Hall, Back Lane, Dublin, Ireland	17/06/2022	17/10/2022	Email		No response			No			26/10/2022
Arta Communications	info@arra.ie	Boru House, Ballina, Tipperary	17/06/2022	17/10/2022	Email		No response			Yes		Note: Read receipt from olga.carroll@arra.ie	26/10/2022
Bat Conservation Ireland	admin@batconservationireland.org	Bat Conservation Ireland, Carmichael House, 4-7, North Brunswick Street, Dublin 7 D07 BHA4	17/06/2022		email		No response						
Birdwatch Ireland	info@birdwatchireland.ie	Unit 20, Block D, Bullford Business Campus, Killoole, Greystones, Co. Wicklow, A63 RW83, Ireland	17/06/2022		email	20/06/2022	The BAI does not perform an in-depth analysis of the effect of wind turbines on FM networks. They are not aware of any issues from existing windfarms into existing FM networks. Also, the proposed windfarms are not located close to any existing or planned FM transmission sites.	Yes					
Broadcasting Authority of Ireland	info@ba.ie	Broadcasting Authority of Ireland, 2 - 5 Warrington Place, Dublin D02 XP29	17/06/2022		email	21/06/2022		No					
BT Communications Ireland Ltd	customerscare@btireland.ie	BT Ireland 2 Grand Canal Plaza Upper Grand Canal Street Dublin 4	17/06/2022		email		No response						
Commission for Communications Regulation	industry@comreg.ie	Commission for Communications Regulation, One Dockland Central, Guild Street, Dublin, D01 E4X0	17/06/2022		email	20/06/2022		Yes					
Commission for Energy Regulation	info@cecr.ie	The Grain House, The Exchange, Belgard Square North, Tallaght, Dublin 24, D24 PXW0	17/06/2022		email		No response						
Department of Agriculture, Food and the Marine	info@agriculture.gov.ie	Agriculture House, Kildare Street, D02 WK12	17/06/2022		email		No response						
Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs – Development Applications Unit (Nature Conservation)	Customer.Service@icagm.gov.ie	Nature Conservation, Department of Housing, Local Government and Heritage, Custom House, Dublin 1	17/06/2022		email	20/06/2022		Yes					
Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs – Development Applications Unit(National Monuments Service)	nationalmonuments@housing.gov.ie	National Monuments Service, Department of Housing, Local Government and Heritage, Custom House, Dublin 1	17/06/2022		email		No response						
Department of Communications, Climate Action and Environment	customer.service@decc.gov.ie	Department of the Environment, Climate and Communications, 29-31 Adelaide Road, Dublin 2, D02 X285	17/06/2022	17/10/2022	email	21/06/2022	The new contact email address from Tuesday 2 August 2022 is PlanningNotifications@decc.gov.ie	Yes		Yes			26/10/2022
Department of Defence	info@defence.ie	Head Office, Department of Defence, Station Road, Newbridge, Co. Kildare, W12 AD93	17/06/2022	17/10/2022	email		Based on the information supplied and having consulted with the subject matter experts in the Irish Air Corps, the Department of Defence wishes to make the following observation: Single turbines, structures, or turbines delineating the windfarm should be illuminated by Type C, Medium intensity, Fixed Red obstacle lighting with a minimum output of 2,000 candela to be visible in all directions of azimuth and to be operational 1024/7 days a week. Obstacle lighting should be incandescent or of a type visible to Night Vision equipment. Obstacle lighting must emit light at the near Infra-Red (IR) range of the electromagnetic spectrum, specifically at or near 850 nanometres (nm) of wavelength. Light intensity to be of similar value to that emitted in the visible spectrum of light.			Yes	27/10/2022		
Department of Housing, Planning, Community and Local Government	qcsollicitor@housing.gov.ie	Department of Housing, Local Government and Heritage, Custom House, Dublin, D01 W6X0	17/06/2022		email	20/06/2022		Yes					
Department of Transport, Tourism and Sport	customer.service@tcaqm.gov.ie	23 Kildare Street, Dublin 2, D02 TD30	17/06/2022		email	20/06/2022		Yes					
Development Applications Unit, NPWS	manager.dau.housing.gov.ie	Department of Housing, Local Government and Heritage Newtown Road Wexford Y35 AP90	17/06/2022		email		In the event of observations, you will receive a co-ordinated heritage-related response by email from Development Applications Unit (DAU).	Yes					
Digiweb Dublin Offices and Data Centre	support@digweb.ie	Digiweb Ltd, IDA Business & Technology Park, Dundalk, Co. Louth A91 K96J	17/06/2022		email	20/06/2022		Yes	Y				
Dublin Airport Authority	info@dau.ie	diar phlé, Three, The Green, Dublin Airport Central, Dublin Airport, Swords, Co Dublin, K67 X4X5	17/06/2022		email	20/06/2022		Yes					
Eastern and Midland Regional Assembly	info@emra.ie	3rd Floor North, Ballymun Civic Centre, Main Street, Ballymun, Dublin 9, D09 CB95	17/06/2022		email	20/06/2022		Yes					
Echo IT Limited	info@echoit.ie	29, 30 Mitchel St, Nenagh South, Nenagh, Co. Tipperary, E45 W883	17/06/2022		email		No response						
Eir	https://www.eir.ie/email/login/	eircom Limited, 2022 Bianconi Avenue, Citywest Business Campus, Dublin 24 D24 HX03.	17/06/2022		Letter	20/06/2022	No response						
Environment Department	environmentadmin@laosccco.ie	Áras an Chontae, JFL Ave., Portlaoise, Co. Laois R32 E1H9	17/06/2022		email		See Laois Co Co response						
Environment Department	environment@carlowccco.ie	County Buildings, Athy Rd, Carlow, R93 E7R7	17/06/2022		email		No response						
Environment Department	environment@kilkennyccco.ie	County Hall, John Street, Kilkenny	17/06/2022		email		See Kilkenny Response						
EPA	info@epa.ie	PO Box 3000, Johnstown Castle Estate, County Wexford, Y35 W821	17/06/2022	17/10/2022	email			Yes		Yes		Note: from Wexford Receptionist <REC_WEX@epa.i>	26/10/2022
ESB Telecoms	esbnetworks@esb.ie	27 Fitzwilliam Street Lower, Dublin 2, D02 K7Y9	17/06/2022		email	20/06/2022	Do not carry out any scoping for proposed projects.	Yes	Yes				
Fáilte Ireland	planning_applications@faillieireland.ie	Áras Fáilte, 88-95 Amiens St, Dublin 1, D01 WR86	17/06/2022	17/10/2022	email		Email was undeliverable - contact not found - No additional contact found.			Yes	03/11/2022	General guidelines submitted	26/10/2022
Gas Networks Ireland	networkinfo@gasnetworks.ie	Gas Networks Ireland Networks Services Centre, St. Margarets Road, Finglas, D11 Y895	17/06/2022		email	20/06/2022		Yes					
Geological Survey of Ireland	GISPlanning@gsi.ie	Geological Survey Ireland, Dept. of the Environment, Climate and Communications, Block 1, Booterstown Hall, Booterstown, Blackrock, A94 N2R6	17/06/2022		email	30/06/22	a) encourage the use of water resources in the proposed wind farm, no envisaged impacts on the integrity of current proximate GWS (Luggacurran Stream Section, Luggacurran Fireclay Pit, Moyadd Stream, Clogh River, Flemings Fireclay Quarries) to the proposed wind farm. b) within the site boundary of the proposed wind farm, no envisaged impacts on the integrity of current proximate GWS (Luggacurran Stream Section, Luggacurran Fireclay Pit, Moyadd Stream, Clogh River, Flemings Fireclay Quarries) to the proposed wind farm. c) However, would have particular concern in relation to any ancillary works around the edges of the windfarm site including potential impact of access roads during construction phase. We would ask that these sites be taken into consideration in any design of such works. d) Consider impacts to groundwater. e) The Groundwater Data Viewer indicates several aquifers classed as a 'Locally Important Aquifer - Bedrock which is Generally Moderately Productive', a 'Poor Aquifer - Bedrock which is Generally Unproductive except for Local Zones' and a 'Poor Aquifer - Bedrock which is Generally Unproductive', underlie the proposed wind farm development. We would therefore recommend use of the Groundwater Viewer to identify areas of High to Extreme Vulnerability and 'Rock at or near surface' in your assessments, as any groundwater-surface water interactions that might occur would be greatest in these areas. f) records show that there are two Public Water Scheme (PWS)/groundwater drinking water abstractions (Kyle & Orchard Springs and Swan Water Supply Scheme). Design of drainage will need to be cognisant of the public water scheme and the interactions between surface water and groundwater as well as run-off. Appropriate design should be undertaken by qualified and competent persons to include mitigation measures as necessary, such as SUDs or	No	Yes				
Health Service Executive	*can't contact through email	Dr. Steevens' Hospital, Steevens's Lane, Dublin 8, D08 W2A8	17/06/2022		letter	20/06/2022	No response						
The Heritage Council	mail@theheritagecouncil.ie	The Heritage Council, Áras na hOidhreacht, Church Lane, Kilkenny, R95 X264		17/10/2022	email					No	27/10/2022	The Heritage Council will not be responding to this p	26/10/2022
Heritage Officer	heritage@laosccco.ie	Áras an Chontae, JFL Ave., Portlaoise, Co. Laois R32 E1H9	17/06/2022		email								
Heritage Officer	erisullivan@carlowccco.ie	County Buildings, Athy Rd, Carlow, R93 E7R7	17/06/2022		email		Believes consultation request was issued to him in error. (Note: No response from Carlow)		Y				
Heritage Officer	dearbhalta.lewdidge@kilkennyccco.ie	County Hall, John Street, Kilkenny	17/06/2022		email		Out of office received - recommended to contact heritage@kilkennyccco.ie -						

Iarnród Éireann	https://www.irishrail.ie/en-ie/contact-us	Iarnród Éireann HQ, Connolly Station, Armin Street, Dublin 1, D01 V6V6	20/06/2022		Letter		No response					
							<p>If notes that the proposed development is in the Nore and Barrow catchments and notes that it is in the catchment areas of the following surface water bodies Clogh 010 (WFD Status - Good; Risk Status - At Risk), Oweng (Nore) 010 (WFD Status - Good; Risk Status - Not at Risk), Crooked (Stradbally) 010 (WFD Status - Good; Risk Status - Not at Risk), Stradbally (Laois) 020 (WFD Status - Good; Risk Status Not at Risk), Douglas (Laois) 010 (WFD Status - High; Risk Status - not at Risk)</p> <p>a) Article 28(2) of the Surface Water Regulations (SI 272 of 2009) states that a surface water body whose status is determined to be less than good shall be restored to at least good status. Furthermore, Article 5 states that there should be no deterioration in ecological status.</p> <p>b) The proposed surveys / reports must demonstrate how this project would cause no deterioration to the above surface water bodies within the third cycle of the national River Basin Management Plan.</p> <p>c) a comprehensive map of all aquatic habitats potentially affected by the project should be provided in the reports. Include assessment of all potential adverse effects on all relevant aquatic receptors, including fish. The cumulative effects of the proposed development along with other existing or approved projects should also be considered. This should include an assessment of the impact on the conservation objectives of species listed as qualifying interests in the Barrow – Nore SAC, which include Lamprey species and Atlantic Salmon.</p> <p>d) Baseline ecological assessments of water courses potentially affected by the proposed development, including biological and physico-chemical surveys, should also be provided. Following the commencement of works, field testing and laboratory analysis of parameters should be undertaken at agreed sites. The reports should include locations, timing and frequency of the proposed monitoring of biological and physico-chemical parameters. A full list of parameters should also be provided.</p> <p>e) Records should be kept of biological and chemical monitoring of undertaken before, during and after the works. Records should also be kept of inspections of proposed surface water mitigation measures. These records should be made available upon request to any authorised person as defined under the Local Government (Water Pollution) Acts.</p> <p>f) Must adhere to Guidelines on Protection of Fisheries during Construction Works in and adjacent to Waters 2016.</p> <p>g) Instream works may only take place during the period 1 July to 30 September. There should be no interference with the bed, gradient, profile or alignment of watercourses without prior notification and the agreement of Inland Fisheries Ireland. Proposed instream works must be accompanied by a site-specific method statement provided to IFI.</p> <p>h) The number of new water crossings should be minimised. Where existing crossings must undergo alteration, IFI</p>					
Inland Fisheries Ireland	info@fisheriesireland.ie	Inland Fisheries Ireland, 3044 Lake Drive, Irish Aviation Authority, The Times Building, 11-12 D'Olier Street, Dublin 2	17/06/2022	17/10/2022	email	20/06/2022		Yes	Yes	Yes	26/10/2022	General observations
Irish Aviation Authority	info@iaa.ie	Imagine Broadband, Unit 5/6 Sandford, Business Centre, Blackthorn Road, Sandford Industrial Estate, Dublin 18.	17/06/2022	17/10/2022	email	20/06/2022		Yes		Yes		
Irish Broadband/Imagine	care@imagine.ie	Irish Farm Centre, Bluebell, Dublin 12, Ireland, D12 YKWS	17/06/2022	17/10/2022	email		no response			No		
Irish Farmers Association	ethethoran@ifa.ie or riallmadigan@ifa.ie	Clonbullogue Airfield, Edenderry, Co. Offaly	17/06/2022	17/10/2022	email	20/06/2022		Yes		No		
Irish Parachute Club	info@skydive.ie	Irish Peatland Conservation Council, Bog of Allen Nature Centre, Lullymore, Rathangan, Co. Kildare, K51 V293	17/06/2022		email		No response			No		
Irish Peatland Conservation Council	bogs@ipcc.ie	n/a	17/06/2022		email		No response					
Irish Raptor Group	secretary@irsg.ie	Ballygram House, Craughwell, Ireland, H913R66	17/06/2022		email		No response					
Irish Red Grouse Association	skyned6@yahoo.ie	The Courtyard, Sport Ireland Campus, Snugborough Road, Blanchardstown, Dublin 15	17/06/2022		email		No response					
Irish Sports Council	FOI@sportireland.ie	Unit 403, Q House, Furze Rd, Sandford, Dublin 18, Ireland	17/06/2022	17/10/2022	email		No response			No	26/10/2022	
Irish Telecom (now viatel)	info@viatel.com		17/6/2022, 22/6/2022	17/10/2022	Email		NPKWS will issue a response via the DAU. Engagement with project ecologists is ongoing.			Yes	26/10/2022	Note: response came from ministerofstate@housing.gov.ie on 26/10/2022. The response was not specific to the project and did not address the request to advise on the scoping of individual projects. However, in general the following aspects of Water Services should be considered in the scope of an EIA where relevant:
National Parks and Wildlife Service	manager_dau@housing.gov.ie , Aine Lyons						<p>Does not have capacity to respond to individual projects but in general, has provided the following comments:</p> <p>a) ensure no negative impact/ measures on drinking water.</p> <p>b) N/A</p> <p>c) mitigation for any negative impact on water sources.</p> <p>d) assess all potential impacts on nearby reservoir or public water supply, e) consider whether impacts of the development on the capacity of water services. If a development will require a connection to either a public water supply or sewage collection system, the developer is advised to submit a Pre Connection Enquiry (PCE) enquiry to IW to determine the feasibility of connection to the Irish Water network.</p> <p>f) any upgrade in water services infrastructure required.</p> <p>g) In relation to a development that would discharge trade effluent – any upstream treatment or attenuation of discharges required prior to discharging to an IW collection network.</p> <p>h) Management of surface water impacts.</p> <p>i) any physical impacts to Irish Water assets.</p> <p>j) as above.</p> <p>k) potential impacts to receiving waters.</p> <p>l) potential impact on the contributing catchment of water sources.</p> <p>m) conservation objectives of site</p> <p>n) mitigation measures. This is not an exhaustive list.</p> <p>Please note:</p> <ul style="list-style-type: none"> Where connection(s) to the public network is required as part of your development proposal, applicants are advised to complete the Pre Connection Enquiry process and have received a Confirmation of feasibility letter from Irish Water ahead of any planning application. Irish Water will not accept new surface water discharges to combined sewer networks. 					
Irish Water	operations@water.ie	Colville House, 24-26 Talbot Street, Dublin 1	17/06/2022	17/10/2022	email	05/07/2020		Yes	Yes	20/10/2022	26/10/2022	d) Any and all potential impacts on the nearby reservoir or public water supply water source(s) are
Irish Wildlife Trust	info@iwt.ie	The Irish Wildlife Trust, 8 Cabra Road, Dublin 7, D07T1W2	17/06/2022		email		No response					
							<p>a) Ensure inclusion of regional context in addition to both national and local context in the Introduction chapter.</p> <p>b) Consider it necessary to consider alternative turbine numbers in Site Selection and Alternatives.</p> <p>c) Noise - EIAK should have regard to LCC Noise Action Plan 2018.</p> <p>d) Water (Hydrology, Flood Risk and Hydrogeology) 1) Storm Water Management - Manage storm water run off from the proposed development in a sustainable nature-based way. Storm water runoff calculations to be included. If sediment/silt runoff is a potential risk, identify all mitigation measures that are proposed to prevent the contamination to surface and groundwaters. 2) Surface Water Quality - A baseline water quality analysis for each watercourse identified to be carried out. Surface water quality monitoring points to be identified on a drawing and the proposed surface water monitoring regime to be employed. 3) Groundwater Quality - The EIAK shall include for any potential impact on the groundwater quality of the Kyle Spring Public Water Supply. Clarification is required as to whether the proposed subsaltation will contain any transformers and associated oils. Details on bunding etc. to be included if relevant. Groundwater quality monitoring points to be identified on a drawing and the proposed groundwater monitoring regime to be employed. All mitigation measures to safeguard against the contamination of surface waters and groundwater shall be included in the EIAK.</p> <p>e) Scoping report does not detail Record of Protected Structures as per Appendix 1 of LCC DP 2021 - 2027, EIAK should provide detail of Protected Structures.</p> <p>f) Access, Traffic and Transport information needs to be updated with regard to Laois Roads and Parking Standards 2007 Document. It is limited to access arrangements. Additional listed requirements include 1) measures to prevent flow of surface water from the site onto public road(s). 2) Wheel washes to prevent dirt and debris onto public road(s). 3) Details relating to haulage routes, the number of traffic movements per day together with the weights and types of vehicles. 4) The locations of quarries from which stone and concrete will be sourced, and associated traffic movements shall be incorporated into a transport impact assessment. 5) A road opening/closure for the route of the ESB grid connection will be required. 6) A preconstruction survey identifying bridges and culverts on haulage routes and the ESB grid connection route. This shall include tests such as visual video inspections and FWD tests and Pavement Condition Survey (PCS). Post road video inspection and post PCS surveys will need to be carried out for a number of years post construction. Bridge inspection surveys (preconstruction and post construction). Heavy load permits for the delivery of the wind turbines will be required. Any alterations that may be required to bridges, signs, road junctions will need to be identified.</p>					
Laois County Council	glanning@laoiscoco.ie	Áras an Chontae, James Fintan Lalor Ave, Kyeekproe, Portlaoise, Co. Laois, R32 E9P9	18/06/2022	17/10/2022	email	15/07/2022		Yes	No	26/10/2022		

Magnet Networks	support@magnetbusiness.ie	IDA Business & Technology Park, Clonsilla, Dublin 17, AK77	19/06/2022		email	20/06/2022	Thank you for your email to Mr. Darragh O'Brien, T.D., Minister for Housing, Local Government and Heritage. The issue you raise comes under the remit of the Minister of State Peter Burke. I have, therefore, forwarded your correspondence to his Office for attention and direct reply.	Yes		
Minister for Housing, Local Government, Heritage	minister@housing.gov.ie	Newtown Rd, Carricklawn, Wexford, Y35 AP90	20/06/2022	17/10/2022	email	22/06/2022	Planning matters in general fall within the remit of the Department of Housing, Local Government and Heritage. Please note that following the coming into force of the Planning and Development, Heritage and Broadcasting (Amendment) Act 2021 (Act 11 of 2021) all Heritage functions previously held by the Department of Culture, Heritage and the Gaeltacht are now held by that Department. The Development Applications Unit may be contacted at Manager DAU@housing.gov.ie (copied above).	Yes	Yes	Yes
Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media	manager_dau@cha.gov.ie	Minister for Culture, Heritage and the Gaeltacht, c/o The Manager, Development Applications Unit, Department of Culture, Heritage and the Gaeltacht, Newtown Road, Wexford, Y35 AP90	21/06/2022	17/10/2022	email	20/06/2022		Yes		No
Minister for Rural and Community Development	planning@agriculture.gov.ie	Agriculture House, Kildare St. Dublin 2, D02 WK12	22/06/2022	17/10/2022	email		No response			No
Minister for Transport	info@dtas.gov.ie	Department of Transport, Tourism and Sport, Leeson Lane, Dublin 2, D02 TM60	23/06/2022	17/10/2022	email		No response			No
National Trails Office (Now Sport Ireland Outdoors)	contactus@sportireland.ie	Sport Ireland, The Courtyard, Sport Ireland Campus, Snugborough Road, Blanchardstown, Dublin 15, D15PN0N	17/06/2022	17/10/2022	email		No response			No
Office of Public Works	info@opw.ie	Jonathan Swift Street, Trim, Meath, C15 NX36	17/06/2022		email	20/06/2022		Yes		
Planning Department	planning@laosococo.ie	Aras an Chontae, JFL Ave., Portlaoise, Co. Laois R32 EHP9	17/06/2022		email		see LCC response			
Planning Department	planningdevman@carlowcoco.ie	County Buildings, Athy Rd, Carlow, R93 E787	17/06/2022		email		No response			
Planning Department	planning@kilkennycoco.ie	County Hall, John Street, Kilkenny	17/06/2022		email	20/06/2022	Wind Energy Development Strategy: On 15th October 2021, the Minister of State at the Department of Housing, Local Government and Heritage, consequent to a recommendation made to him by the Office of the Planning Regulator under section 31A(4)(b) of the Planning and Development Act 2000 (as amended), notified Kilkenny County Council of his intention to issue a Direction to the Kilkenny City and County Development Plan 2021-2027. In accordance with Section 31(4) of the Planning and Development Act 2000, those parts of the Kilkenny City and County Development Plan 2021 - 2027 Plan referred to in the notice shall be taken not to have come into effect, been made or amended; namely: Chapter 11, Renewable Energy Section 11.4 Kilkenny Targets, Section 11.5.1 Current status and targets and Figure 11.4 Wind Strategy areas. Nature Conservation: The River Barrow and River Nore SAC, which is designated Natura 2000 site, is located close to the proposed wind farm and the associated NIS should ensure that there shall be no significant impact on the conservation objectives of the Natura 2000 site. The EIAR shall also address potential impacts pertaining to County Kilkenny in addition to County Laois. Visual impacts: The visual impacts of the proposed development and cumulative visual impacts with existing and permitted windfarms shall also be taken into account in the overall assessment of the proposed windfarm.	Yes		
Premier Broadband	info@premierbb.ie	88, The National Enterprise Park, Dublin Rd, Knockmay, Portlaoise, Co. Laois	17/06/2022	17/10/2022	email		no response			No
Ripplecom	noc@viatel.com	Houston Hall, Ballycurmin Ave, Rahen Business Park, Limerick, V94 PKF3, Ireland	17/06/2022	17/10/2022	email	20/06/2022		Yes	Y	No
Roads Department	roadsadmin@laosococo.ie	Aras an Chontae, JFL Ave., Portlaoise, Co. Laois R32 EHP9	17/06/2022		email		see LCC response			
Roads Department	roads@carlowcoco.ie	County Buildings, Athy Rd, Carlow, R93 E787	17/06/2022		email		No response			
Roads Department	roads@kilkennycoco.ie	County Hall, John Street, Kilkenny	17/06/2022		email		No response			
RTE / 2RN	info@rte.ie	RTE, Donnybrook, Dublin 4.	17/06/2022	17/10/2022	email	21/10/2022	There is no risk of interference to our fixed linking. We are concerned about the risk to broadcast services in the area and would request that the attached protocol be signed between 2m and the Developer should the site go ahead.	Yes		Yes
South Eastern River Basin District	rspin@carlowcoco.ie	SERBD Project Office, Carlow County Council, Athy Road, Carlow.	17/06/2022		email					
Sustainable Energy Authority of Ireland	FOI@seai.ie	Sustainable Energy Authority of Ireland, 3 Park Place, Hatch Street Upper, Dublin 2, D02 FX65	17/06/2022		email		No response			
Teagasc	info@teagasc.ie	Teagasc, Oak Park, Carlow R93 XE12	17/06/2022		email		No response			
Telecommunications Section, An Garda Síochána	ICT_Executive_Director@Garda.ie	Office of the Executive Director ICT, Garda Headquarters, Phoenix Park, Dublin 8, D08 HN3X	17/06/2022		email		No response			
TETRA Ireland Ltd.	info@tetraireland.ie	Block 42a, Second floor, Yeats Way, New Nangor Road, Park West Business Park, Dublin, 12	17/06/2022	17/10/2022	email		We have received a copy of the attached proposed windfarm development from An Garda Síochána for review. Do you have co-ordinates for the proposed turbine locations so that we can review in detail?	Yes		No
The Arts Council	reception@artscouncil.ie	70 Merrion Square, Dublin 2, Ireland.	17/06/2022		email					
The Heritage Council	mail@heritagecouncil.ie	The Heritage Council, Áras na hOidhreacht, Church Lane, Kilkenny, R95 X264	17/06/2022		email					
Three	customer.care@three.ie	28/29 St John Rogerson's Quay, Dublin 2.	17/06/2022	17/10/2022	email		Email undeliverable - address does not exist.			No
TowerCom Ltd.	https://towercom.ie/contact/	Usher House, Main Street, Dundrum, Dublin 14	20/06/2022		Letter		No response			
Transport Infrastructure Ireland	info@tii.ie	Parkgate Business Centre, Parkgate Street, Dublin 8, D08 DK10.	17/06/2022	17/10/2022	email	20/06/2022		Yes	y	Yes
TV3	vmvinfo@virginmedia.ie	Wickgate Business Park, Ballymount, Dublin.	17/06/2022	17/10/2022	email	20/06/2022		Yes		Yes
Údaráis na Gaeltachta	ecolap@udaras.ie	Údaráis na Gaeltachta, Na Forbacha, Co. na Gallainne, H93 TY22	17/06/2022		email		No response			
Vodafone	office.ie@vodafone.com	MountainView, Leopardstown Dublin 18	17/06/2022	17/10/2022	email		No response			No
Waterways Ireland	kathina.mcgr@waterwaysireland.org	2 Sligo Road, Enniskillen, Co. Fermanagh, BT74 7JY	17/06/2022		email		No response			
Wireless Connect Ltd.	support@wirelessconnect.ie	Unit 2, Park West Enterprise Centre, Lavery Ave, Park West Industrial Park, Dublin	17/06/2022	17/10/2022	email		No response			No

27/10/2022 Acknowledgment

20/10/2022 Setting up meeting with Laois Co. Co.

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