



The Secretary
An Bord Pleanála
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by e.mail; sids@pleanala.ie

Dáta | Date
9 December, 2024

Ár dTag | Our Ref.
TII24-129221

Re. Strategic Infrastructure Development – 10 year planning permission for a wind energy development consisting of 17 no. wind turbines and related works on land at Cummeennabuddoge, Clydaghroe, Glashacormick and Cummeenavrick (County Kerry), and Caherdowney (County Cork)

ABP Case ref. PA08.321029

Dear Secretary,

The Authority acknowledges receipt of referral of the above Strategic Infrastructure Development application on behalf of Cummeennabuddoge Wind Designated Activity Company and provides the following observations for the Boards consideration;

It is proposed to address the proposed development in relation to the provisions of official policy and in relation to national road network maintenance and safety.

1. Official Policy

The Board will be aware that official policy concerning development management and access to national roads is outlined in the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012). Official policy addresses both future national road scheme planning and the existing national road network.

Section 2.5 of the DoECLG Guidelines sets out policy that seeks to avoid the creation of additional access points from new development or the generation of increased traffic from existing accesses (i.e. non-public road access) to national roads, to which speed limits greater than 50 kph apply.

Section 2.6 of the DoECLG Guidelines provides that notwithstanding the provisions of Section 2.5, above, that planning authorities may apply a less restrictive approach to the management of access to a national road in 'exceptional circumstances' but only as part of the process of reviewing or varying the relevant development plan.

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 national road 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.

Próiseálann BIÉ sonraí pearsanta a sholáthraítear dó i gcomhréir lena Fhógra ar Chosaint Sonraí atá ar fáil ag www.tii.ie.
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In addition, TII Publications (Standards) documentation defines the requirements to support policy, administrative and technical procedures to govern activities with respect to the National Road Network. All relevant TII Publications are available at www.tiipublications.ie.

There is a critical requirement to ensure the strategic capacity and safety of the national road network is maintained and significant Government investment already made in the national road network is safeguarded.

In relation to the subject application, TII considers that clarification in relation to access proposals is required.

Section 1.4.2 of the EIAR 'Site Access and Turbine Delivery Route' outlines that access to the site will be via the existing site entrance currently used for forestry operations, in the west of the site, off a local access road which in turn is accessed from the National Road N22. It is also outlined that the proposed turbine delivery route is from Ringaskiddy Port, County Cork, onto the N28, N40, N22, and then onto the local road to the Site entrance.

In both instances above, Section 1.4.2 of the EIAR outlines that access to the site in the first instance is via a local road prior to access to the N22, national road.

Despite the above inclusions in the EIAR, Section 8.4 'Traffic and Access' of the Planning Statement that accompanied the application outlines; 'All general construction traffic will access the site via the existing Coillte CGA site entrance, directly from the N22 at Cummeenavrick which is approximately 7.4km north of Ballyvourney. A new site entrance will be formed at the junction of the site access road and the N22'.

In one instance the application indicates access to the site is via an existing local road junction prior to access to the N22, national road, and in another instance the Planning Statement indicates that a new site entrance will be formed at the junction of the site access road and the N22.

In the interests of road user safety and adherence to the provisions of official policy relating to development access to national roads, TII recommends that all access requirements to the subject site are facilitated via the existing local road access to the N22, national road, only.

In relation to any new proposed access to the N22, national road, as outlined above, Section 2.6 of the DoECLG Spatial Planning and National Roads Guidelines provides that planning authorities may apply a less restrictive approach to the management of access to a national road in 'exceptional circumstances' but only as part of the process of reviewing or varying the relevant development plan. The current Kerry County Development Plan has not provided any agreed 'exceptional circumstances' cases for development accessing a national road such as the development proposed in this Strategic Infrastructure Development application.

2. National Road Network Maintenance and Safety

In addition to the above, there are a number of operational issues related to the subject windfarm development proposal, in the Authority's opinion, that are required to be resolved to address concerns relating to network maintenance and road safety prior to any decision on this planning application.

2.1 Proposed Turbine Haul Route

The proposed haul route for turbine component delivery to site is outlined in Section 1.4.2 of the EIAR as being from Ringaskiddy Port to site utilising the N28, N40 and N22, national roads, and then onto the local road to the site entrance. Appendix 7-1 includes a 'Preliminary Route Assessment' of the turbine components and outlines the extent of minor works required to facilitate turbine component delivery to site. It is noted that measures are proposed which impact all national roads concerned.

The proposed haul route is within Counties Cork and Kerry, the applicant/developer should therefore consult with each County Council. In addition, the national road network is managed by a combination of PPP Concessions, Motorway Maintenance and Renewal Contracts (MMaRC) as well as the local road authorities. The applicant/developer should consult with all PPP Companies, MMaRC Contractors as well as the road authorities

over which the haul routes traverse to ascertain any operational requirements such as delivery timetabling, etc. and to ensure that the strategic function of the national road network is maintained.

In the interests of clarification, any proposed works to the national road network to facilitate turbine component delivery to site shall comply with TII Publications 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 licenses, approvals or agreements with the local road authorities shall be in place.

Where temporary works within any MMarC Contract Boundary are required to facilitate the transport of any abnormal loads to site, the applicant/developer shall contact thirdpartyworks@tii.ie in advance, as a works specific Deed of Indemnity will be needed by TII before the works can take place.

TII requests referral of all proposals agreed between the road authorities, 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. Any damage caused to the pavement of the existing national road due to the turning movement of abnormal 'length' loads (eg. tearing of the surface course) shall be rectified in accordance with TII Pavement Standards and details in this regard shall be agreed with the Road Authorities prior to the commencement of any development on site.

All national road and ancillary overground/underground assets shall be subject to proper undamaged reinstatement and properly certified to the relevant standards in accordance with the assets' functions together with any working widths/depths which they require.

2.2 Structures

As noted above, Haul Route proposals for wind turbine component delivery to site are outlined in Section 1.4.2 and Appendix 7-1. It is unclear if delivery of turbine or substation components to site might include for the potential of any abnormal 'weight' load.

In the interests of clarity, any operator who wants to transport a vehicle or load whose weight falls outside the limits allowed by the Road Traffic (Construction Equipment & Use of Vehicles) Regulations 2003, SI 5 of 2003, must obtain a permit for its movement from each Local Authority through whose jurisdiction the vehicle shall travel.

With specific reference to national road structures on the proposed haul route, all structures should be checked by the applicant/developer to confirm that all the structures can accommodate the proposed loading associated with the delivery of turbine and/or substation components where the weight of the delivery vehicle and load exceeds that permissible under the Road Traffic Regulations.

The Authority considers that it is critical a full assessment by the applicant/developer of all structures on the national road network along the haul route should be undertaken, where relevant, and all road authorities along the haul routes should confirm their acceptance of proposals by the applicant. Specific requirements for any 'Exceptional Abnormal Loads' should also be considered and addressed where required in accordance with TII Publications.

The Authority requests referral of all proposals agreed between the road authorities and the applicant impacting on national roads.

2.3 Cabling/Trenching

TII notes associated grid connection has no interactions with the strategic national road network in the area.

2.4 Greenways

In relation to any Greenway proposals in the vicinity of the proposed works, consultation with Kerry County Councils and Cork County Councils own internal project and/or design staff is recommended.

Conclusion

TII considers that there are policy and road safety matters that require clarification and resolution in the assessment of the subject application and it is requested that the above matters are taken into consideration prior to any decision on the subject application.

Yours sincerely,

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

Michael McCormack
Senior Land Use Planner