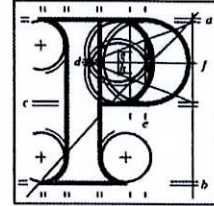


Our Case Number: ABP-316051-23



**An
Bord
Pleanála**

Transport Infrastructure Ireland
Land Use Planning
Parkgate Business Centre
Parkgate Street
Dublin 8
D08 DK10

Date: 05 May 2023

Re: Renewable energy development comprising 9 no. wind turbines and associated infrastructure.
Umma More and adjacent townlands, County Westmeath.

Dear Sir / Madam,

An Bord Pleanála has received your submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter.

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

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

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

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

Yours faithfully,

Niamh Thornton
Executive Officer
Direct Line: 01-8737247

PA09

Tel	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

Niamh Thornton

From: SIDS
Sent: Friday 28 April 2023 16:42
To: Niamh Thornton
Subject: FW: ABP Case ref. PA25M.316051 (Umma More Limited)
Attachments: ABP Case ref. PA25M.316051.pdf

From: Landuse Planning <LandUsePlanning@tii.ie>
Sent: Friday 28 April 2023 16:09
To: SIDS <sids@pleanala.ie>
Subject: ABP Case ref. PA25M.316051 (Umma More Limited)

Dear Sir/Madam,

Please find attached a copy of TII's observations on the above application.

Yours sincerely,
Michael McCormack
Senior Land Use Planner

In accordance with TII's Right to Disconnect policy, if you are receiving this email outside of normal working hours, I do not expect a response or action outside of your own working hours unless it is clearly noted as requiring urgent attention.

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The Secretary
An Bord Pleanála
64 Marlborough St.
Dublin 1
D01 V902

by e.mail; sids@pleanala.ie

Dáta | Date
28 April, 2023

Ár dTag | Our Ref.
TII23-122294

Re. Strategic Infrastructure Development – Proposed Renewable Energy Development comprising 9 no. wind turbines and associated infrastructure at Umma More and adjacent townlands, County Westmeath

ABP Case ref. PA25M.316051

Dear Secretary,

The Authority acknowledges receipt of referral of the above Strategic Infrastructure Development application on behalf of Umma More Limited 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).

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.

In that regard, the Authority acknowledges that access to all turbine locations is facilitated via the non-national road network in the first instance.

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

Haul Route proposals for wind turbine components are outlined in Section 14.1.2.2 of the EIAR. The Authority notes the proposals to deliver turbine components to site utilising the M6/N6 and N55 national roads in the first instance.

Section 14.1.9 outlines the applicants Abnormal Load Route Assessment including modifications to the national road network to facilitate turbine component delivery to site.

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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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. Subject to the outcome of Road Safety Audit, works should ensure the ongoing safety for all road users.

TII requests referral of all proposals agreed between the road authority 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 Authority prior to the commencement of any development on site.

In addition, the national road network being traversed is managed by a combination of PPP Concessions, Motorway Maintenance and Renewal Contracts (MMaRC) and local road authorities.

The applicant/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 safeguarded.

Where temporary works within any MMaRC Contract Boundary are required to facilitate the transport of turbine components 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.

2.2 Structures

While abnormal 'oversized' loads are addressed in the EIAR in the context of haul route proposals, no details appear to be included in the EIAR related to abnormal 'weight' loads.

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.

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.

The Authority has reviewed the EIAR documentation referred and is concerned that no technical load assessment of structures appears to have been undertaken in support of this proposed application. However, it is acknowledged that abnormal weight loads may not be a feature of the proposed development.

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, to confirm that all structures can accommodate the proposed loading associated with the delivery of turbine and substation components to site where the weight of the delivery vehicle and load exceeds that permissible under the Road Traffic Regulations.

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

2.3 Grid Connection Proposals

Section 1.1 of the EIAR confirms that the grid connection 110kV infrastructure and associated works do not form part of this subject planning application, however, a grid connection routing is outlined.

The Grid Connection routing includes a proposed 8.3km of cabling in the N52, national road, with associated joint bays, one national road bridge structure crossing and a number of national road culvert crossings.

The works outlined have the potential to significantly impact the levels of safety and strategic function of the national road network in this area.

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.

TII has identified a number of significant implications for TII and road authorities in the management and maintenance of the strategic national road network resulting from the laying of high voltage electricity cabling in the national road reservation, including;

- Impacts on embankments, bridges, drainage and road furniture infrastructure leading to future maintenance liabilities,
- Impediments to future maintenance and operations activities, such as safety barrier repair and French drain renewal,
- Impediments to future routine network improvements such as pavement overlay and strengthening, installation of new verge-side signs and other road furniture,
- Impacts on network traffic flows during installation,
- Impediment to future on-line upgrades of national roads because of the implications to road authority / TII in having to incur the additional costs of moving underground cables in order to accommodate the road improvements.

Proposals to lay cable in the national road reservation, including the construction of associated joint bays, such as that outlined in the subject application, have the potential to impact road authorities and TII in undertaking future maintenance and improvement requirements. There may also be additional cost implications to national road improvements and maintenance resulting from the presence of high voltage cabling within the national road reservation.

Furthermore, Section 14.1.7 of the EIAR outlines that for the 8.3km section of the grid connection cable route which travels along the N52 it is estimated that the construction will take approximately 45 days. During the construction of this section two-way traffic flow on the N52 will be maintained by means of a "Stop and Go" traffic management arrangement.

TII's traffic monitoring unit on the N52 (TMU N52 115.0 E) on the Kilbeggan to Tullamore link records an AADT in excess of 14,000 vehicles for 2022. It does not appear that the impact on traffic flows of this traffic management arrangement has been considered in any detail and this is a serious concern given the high AADT on this road link.

2.3.1 National Road Scheme Planning

In addition to the foregoing, the proposed grid connection routing on the section of N52 concerned is also proposed in an area subject to the development of a proposed national road scheme in accordance with National Development Plan investment objectives.

The National Development Plan, 2021 – 2030, includes the N52 Tullamore to Kilbeggan Scheme as an investment objective subject to further approvals. The scheme is also included as an objective of both the Westmeath County Development Plan, 2022 – 2028, and the Offaly County Development Plan, 2022 – 2028.

To assist the Board, TII advises that the NDP N52 Tullamore to Kilbeggan Scheme Emerging Preferred Route has been published and is available to view on the project website; www.n52tullamoretokilbeggan.ie/

Although Section 14.1.11.5 of the EIAR references the NDP N52 Tullamore to Kilbeggan Scheme it does so in the context of the assessment of cumulative impacts. No assessment appears to be undertaken of the implication for the NDP Objective, N52 Tullamore to Kilbeggan Scheme, of the proposed laying of high voltage cabling in the area of the proposed national road scheme safeguarded in the relevant County Development Plans.

The Board will be aware that Section 2.9 of the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012) require that development objectives must not compromise the route selection process, particularly in circumstances where road scheme planning is underway and potential route corridors or upgrades have been identified and brought to the attention of the planning authority. TII considers that the proposal to lay high voltage cabling in the N52 Tullamore to Kilbeggan Scheme constraints study area prior to the finalisation of the proposed preferred route corridor for the road scheme is premature and contrary to the foregoing provisions of official policy.

2.3.2 TII National Road Structures

In addition to the foregoing, TII notes proposals for grid connection routing in the Silver River Bridge. The Silver River Bridge is a TII Structure (Structure ID OY-N52-015.00) and TII has not confirmed any acceptance for the proposals related to TII Structures included in the subject application.

There are Technical Acceptance requirements relating to modification or works impacting TII Structures and insufficient information has been provided in the subject application to demonstrate that the proposed works can be accommodated in the manner proposed. TII recommends identification of an alternative grid connection routing avoiding impact to national roads and associated structures in the interests of safeguarding the investment in and levels of safety on the strategic national road network in accordance with the provisions of official policy.

None of the above concerns appear to have been factored into the applicants consideration of the proposed cable routing and the availability of alternative cable routes in the region that avoid such significant impacts to the strategic national road network in the area.

In summary, in the interests of safeguarding the investment in and the potential for future upgrade works to the national road network, the Authority is of the opinion that the Proposed Grid Connection Cable Routing fails to address important policy considerations impacting national roads.

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. TII is of the opinion that the proposed grid connection cable routing does not reflect the foregoing provisions of official policy and recommends that an alternative grid connection proposal is prepared.

2.4 Observations Without prejudice

It is noted that grid connection proposals include a proposed HDD crossing of the M6 in the vicinity of Junction 5. The national road is classified as a Motorway at this location, therefore, consent for this crossing under Section 53 of the Roads Act is required.

In addition, other consents are required, for example, local authority consent, licencing or arrangements for third party access to the national road network, etc.

Contact should be made to 'thirdpartyworks@tii.ie' to progress proposals for the HDD motorway crossing and consultation, as required, should also take place with relevant PPP Companies and MMArc Contractors as well as the local road authorities.

Any proposed excavation of the existing path beneath the concrete arch structure which carries the M6 Motorway requires careful consideration to ensure the works do not damage the hidden foundations of the structure. Full details in this regard, in the opinion of TII, should be provided prior to any decision on this aspect of the proposed development. TII will need to see full proposals from the applicant confirming the proposed location of any services and the construction methodology in the vicinity of the structure, for TII Approval.

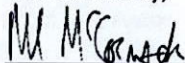
2.5 Greenways

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

Conclusion

It is requested that the above matters are taken into consideration prior to any decision on the subject application.

Yours sincerely,



Michael McCormack

Senior Land Use Planner