



CONSULTANTS IN ENGINEERING,
ENVIRONMENTAL SCIENCE &
PLANNING

ENVIRONMENTAL IMPACT ASSESSMENT REPORT (EIAR) FOR THE PROPOSED BARNADIVANE WIND FARM & SUBSTATION, CO. CORK

VOLUME 2 – MAIN EIAR

CHAPTER 4: EIA SCOPING, CONSULTATION AND
KEY ISSUES

Prepared for:

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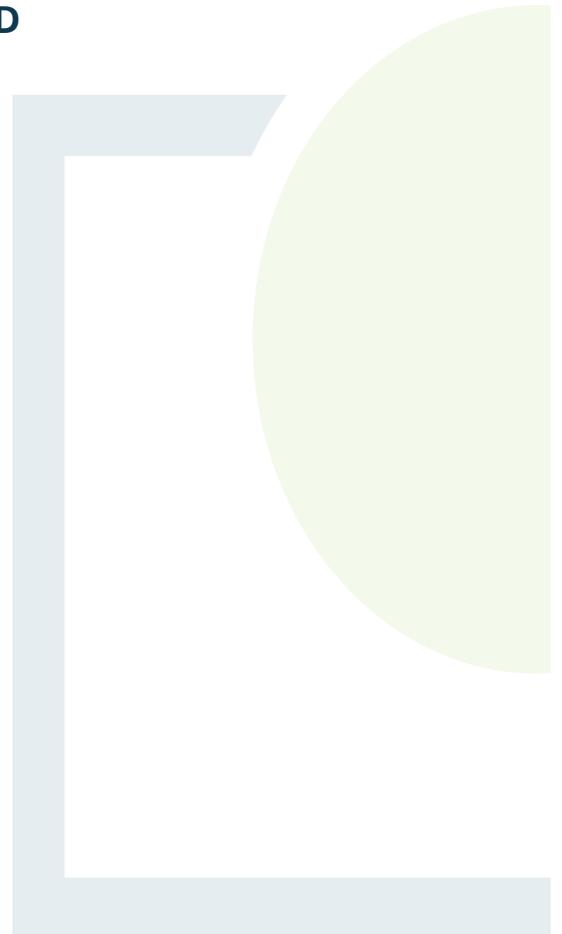


TABLE OF CONTENTS

4. INTRODUCTION	1
4.1 Scoping	1
4.1.1 Telecommunications Service Providers	9
4.2 Consultation with Statutory Bodies and Key Stakeholders	11
4.2.1 Consultation with Planning Authority	11
4.2.2 Consultation with National Parks & Wildlife Service (NPWS)	12
4.2.3 Consultation with IFI	12
4.2.4 Consultation with Department of Agriculture, Food and the Marine	12
4.3 Public Consultation	12
4.4 Local Landowners	13
4.5 Further Consultation Post-2014	13
4.6 Conclusion	16

LIST OF APPENDICES

Appendix 4.1 – Scoping Responses

Appendix 4.2 - EIA Scoping Report

LIST OF TABLES

	<u>Page</u>
Table 4-1: Pre-submission Consultation Responses	2
Table 4-2: Updated Consultation Responses	5
Table 4-3: Correspondence with the Service Providers.....	9
Table 4-4: Correspondence with the Service Providers.....	10



4. INTRODUCTION

This report describes the consultation process and EIA scoping that was undertaken in order to identify key impacts from the Proposed Development to be included in the EIAR. The application for the Proposed Development has been scrutinized over the period of a number of years, due to 3rd party appeals and legal queries. This is explained in further detail below.

It presents the issues that arose through the consultation process and how these issues were addressed in the EIAR. Records of consultation responses are contained in Appendix 4.1 of Volume 2.

The consultation process included the EIA scoping discussions and the planning application procedure. The consultation process, including public consultation, began with a thorough review of all available documentation in relation to the Previously Consented Development (Cork County Council Ref. 14/6760 & 14/557) and the identification of the stakeholders who may have an interest in the project. A wide range of stakeholders were consulted throughout 2014 when the Proposed Development application was first considered for re-submission to Cork County Council seeking a fresh planning consent for the Proposed Development, including statutory bodies, NGO's, the planning authorities, landowners, local residents and the general public. The applicant initiated formal consultation with the planning authority (Cork County Council) with a pre-planning consultation meeting being held on 16 July 2014. In respect of the separate planning application for the substation (planning reference 14/00557), consultation with An Bord Pleanála was undertaken, to determine whether this development constituted strategic infrastructure development under the Planning and Development Act (as amended). An Bord Pleanála determined that this was not the case, and therefore this planning application was subsequently submitted to Cork County Council for determination.

Further consultation was undertaken since the submission of the planning application in 2014, which consisted of further information responses to Cork County Council including responses to third party observations and appeals at various stages throughout the planning process. Further details are included in Section 4.5 below.

4.1 Scoping

The purpose of the EIA scoping process is to identify the issues which are likely to be important during the environmental impact assessment (EIA) and to eliminate those that are not. The scoping process identifies the sources or causes of potential environmental effects, the pathways by which the effects can happen, and the sensitive receptors, which are likely to be affected. It defines the appropriate level of detail for the information to be provided in the EIAR. In essence, the primary focus of scoping is to define the most appropriate assessment of significant effects related to the Proposed Development

A letter, outlining the key aspects of the Proposed Project was sent out to 40 consultees on 28 June 2014. The recipients included relevant prescribed bodies (as defined in Article 213 of the Planning and Development Regulations, as amended), non-governmental organisations (NGOs) and key stakeholders.

This letter was issued to the following consultees:

- An Taisce
- Fáilte Ireland
- Commission for Energy Regulation
- Cork County Council
- Department of Arts, Heritage and the Gaeltacht – Development Applications Unit



- Department of Agriculture, Fisheries and Food
- Department of Communications, Energy and Natural Resources – Sustainable & Renewable Energy Division
- Geological Survey of Ireland
- Health Service Executive
- Office of Public Works
- Inland Fisheries Ireland
- South Western River Basin District Project Office
- Teagasc
- Irish Farmers Association
- Irish Peatland Conservation Council
- Heritage Council
- Sustainable Energy Authority of Ireland
- Irish Wildlife Trust
- Cork County Energy Agency
- Irish Raptor Study Group
- Birdwatch Ireland

In all there were 5 responses to the consultation letter. A summary of the replies received is provided in Table 4.1 below:

Table 4-1: Pre-submission Consultation Responses

Consultee	Date of Response	Response/Issues raised	Chapter of EIAR where Issues Raised are Addressed
Eoin McDonnell Failte Ireland	16/07/2014	Fáilte Ireland Guidelines for the treatment of tourism in an EIS, which we recommend should be taken into account in preparing the EIS	Chapter 10 Human Environment
Michael McPartland IFI	11/07/2014	Water quality, protection of watercourses/fisheries due to proposed crossing, peat stability	Chapter 5 Ecology, Chapter 6 Geology, Chapter 7 Hydrology and Water Quality, & the AA Screening Report (which accompanies this application)
Catherine Madden Department of Defence	02/07/14	Acknowledged receipt of correspondence and advised that it had been sent on to the Air Corps and Military for their observations.	Chapter 13 Telecommunications and Aviation



Consultee	Date of Response	Response/Issues raised	Chapter of EIAR where Issues Raised are Addressed
Joan Stone Department of Agriculture, Food and the Marine	11/08/2014	Raised issues in relation to tree felling, water quality, soils, landscape and visual and ecology and enclosed Forest Service Policy on the granting of Felling Licences for Wind Farm Development.	Chapter 2 the Proposed Development, Chapter 5 Ecology, Chapter 6 Soils & Geology, Chapter 7 Hydrology and Water Quality, Chapter 8 Landscape and Visual Impact
Melissa Walsh Cork County Council	16/07/2014	Alternatives, Human Beings, Flora and Fauna, Soil Geology and Slope Stability, Air and Noise, Water, Landscape, Material Assets & waste management	Chapter 10 Human Environment, Chapter 6 Ecology, Chapter 7 Soils and Geology, Chapter 14 Air Quality and Climate, Chapter 9 Noise and Vibration & Chapter 8 Landscape and Visual

The responses received were fully considered and issues raised were followed up through contact with the respondent where clarification was necessary and addressed throughout the EIAR.

Given the passage of time since the original assessment relevant prescribed bodies (as defined in Article 213 of the Planning and Development Regulations, as amended), non-governmental organisations (NGOs) and key stakeholders were re-consulted as part of the updated EIAR scoping and consultation process. A letter, outlining the key aspects of the Proposed Project was sent out to 41 consultees on 15 December 2022.

This letter was issued to the following consultees:

- Department of Housing, Local Government and Heritage
- Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media
- Department of Agriculture, Food and the Marine
- Department of Transport
- Department of Transport, Tourism and Sport
- Department of Communications, Climate Action and Environment
- Department of Defence
- Irish Community Rapid Response
- Inland Fisheries Ireland (IFI)
- Transport Infrastructure Ireland (TII)
- Environmental Protection Agency (EPA)
- The Heritage Council
- An Taisce
- An Chomhairle Ealaíon (Arts Council)
- Fáilte Ireland
- Irish Water



- Commission for Regulation of Utilities
- Office of Public Works
- Health Service Executive (HSE)
- Geological Survey Ireland (GSI)
- Southern Regional Assembly
- Biodiversity Ireland
- Irish Wildlife Trust
- Butterfly Conservation Ireland
- Birdwatch Ireland
- Irish Environmental Network
- Teagasc
- Gas Networks Ireland
- The Irish Meteorological Service (Met Eireann)
- ESB Networks
- Sustainable Energy Authority Ireland
- National Transport Authority
- Geographical Society of Ireland
- An Garda Síochána - Macroom
- Environmental Sciences Association of Ireland
- Forestry Service
- Angling Council of Ireland
- Cork County Council, Environmental Department
- Cork County Council, Heritage & Conservation Department
- Cork County Council, Planning & Development Department
- National Monuments Service

A summary of the consultation responses received are presented in Table 4-2 below.



Table 4-2: Updated Consultation Responses

Consultee	Date of Response	Response/Issues raised	Chapter of EIA where Issues Raised are Addressed
Diarmuid Buttimer Department of Housing, Local Government and Heritage	03/02/2023	Reply included observations and recommendations by the Development Applications Unit (DAU) related to nature Conservation in relation to Guidance on EIA, Project planning and design, Project components, Ecological Data and Surveys, Ornithology, Hen Harrier, Bats, Watercourses and wetlands, Flood plains, Hedgerows, Scrub, grasslands and related habitats, Marsh Fritillary, Alien invasive species, Impact assessment, Construction Management Plans and Mitigation.	Chapter 7- Hydrology and Water Quality Chapter 6 - Soils, Geology and Hydrogeology Chapter 5- Biodiversity
Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media	19/12/2022	Planning matters in general fall within the remit of the Department of Housing, Local Government and Heritage (DHLGH). 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 DHLGH.	N/A
Catherine Boyce Department of Agriculture, Food and the Marine	05/01/2023	Reply described that if the Proposed Development involved the felling or removal of any trees, the developer must first obtain a Felling License prior to any trees being felled or removed. Reply also included the Felling and Reforestation Policy and process in obtaining a valid Tree Felling Licence.	Chapter 5- Biodiversity, Chapter 7 – Hydrology and Water Quality. NIS
Department of Transport	15/12/2022	Acknowledgement of receipt of email but no further comments received.	N/A



Consultee	Date of Response	Response/Issues raised	Chapter of EIAR where Issues Raised are Addressed
Department of Communications, Climate Action and Environment	15/12/2022	Acknowledgement of receipt of email but no further comments received.	N/A
Don Watchorn Department of Defence	13/01/2023	Having consulted with the subject matter experts in the Irish Air Corps, the Department of Defence wishes to make the following observations: 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 H24/7 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.	Chapter 10 – Population, Human Health & Materiel Assets Chapter 13 - Telecommunications and Aviation
Michael Mc Partland Inland Fisheries Ireland (IFI)	19/12/2022	Reply stated the Proposed Wind Farm and associated works pose significant risk of negative impact on fisheries primarily during various elements of the construction phase including site preparation, construction and upgrading of access roads and crossings and the installation of the grid cable. IFI provided a list of planning conditions that need to be considered should permission be granted for the Proposed Development.	Chapter 5 - Biodiversity Chapter 7- Hydrology and Water Quality



Consultee	Date of Response	Response/Issues raised	Chapter of EIAR where Issues Raised are Addressed
Alban Mills Transport Infrastructure Ireland (TII)	03/01/2023	With respect to EIAR scoping issues, TII provided a list of recommendations to provide general guidance for the preparation of an EIAR, which may affect the national road network.	Chapter 11- Traffic and transportation
Gerard Croke The Heritage Council	15/12/2022	Acknowledgement of receipt of email but no further comments received.	N/A
An Chomhairle Ealaíon (Arts Council)	15/12/2022	Acknowledgement of receipt of email but no further comments received.	N/A
Yvonne Jackson Fáilte Ireland	11/01/2023	Reply included a copy of Fáilte Ireland's non-statutory guidelines for the Treatment of Tourism in an Environmental Impact Assessments (EIA). The guidelines are to be used by those conducting an EIA and compiling Environmental Impact Assessment Reports (EIAR).	Considered Throughout EIAR
Cillian Claffey Irish Water	20/12/2022	Reply outlined Irish Water currently does not have the capacity to advise on scoping of individual projects. However, they outlined general considerations they wish followed in preparation of an EIAR.	Chapter 7 – Hydrology and Water Quality.
Andy Walker Commission for Regulation of Utilities	06/01/2023	Acknowledgement of receipt of email but no further comments received.	N/A
Geological Survey Ireland (GSI)	31/01/2023	Replied with comments related to Geo-heritage, Groundwater, mapping and resources, Geohazards and the use of Natural Resources (Minerals/Aggregates).	Chapter 6: Soils, Geology and Hydrogeology Chapter 7: Hydrology & Water Quality Chapter 10 - Human Environment
Alice Byrne Kelly Southern Regional Assembly	15/12/2022	Acknowledgement of receipt of email but no further comments received.	N/A



Consultee	Date of Response	Response/Issues raised	Chapter of EIAR where Issues Raised are Addressed
Biodiversity Ireland	15/12/2022	Acknowledgement of receipt of email but no further comments received.	N/A
Irish Wildlife Trust	22/12/2022	Acknowledgment of receipt of email but no further comments received.	N/A
BirdWatch Ireland	15/12/2022	Acknowledgment of receipt of email but no further comments received.	N/A
Gas Networks Ireland	15/12/2022	Acknowledgment of receipt of email but no further comments received.	N/A
ESB Networks	15/12/2022	Acknowledgment of receipt of email but no further comments received.	N/A
National Transport Authority	15/12/2022	Acknowledgement of receipt of email but no further comments received.	N/A
Pat O'Leary An Garda Síochána, Macroom	29/12/2022	Response made reference to the benefits of the project regarding sustainable energy and local community. No issues raised regarding EIAR considerations.	Chapter 10 - Population, Human Health and Material Assets
Claire Murphy Cork County Council, Planning & Development Department	15/12/2022	Acknowledgement of receipt of email but no further comments received.	N/A
Karen Donovan Office of Public Works	07/02/2023	If the development interacts with a watercourse, Section 50 of the 1945 Arterial Drainage Act should be considered. Advised at this stage that the existing horizontal and vertical alignment of watercourses, where crossings are proposed is not interfered with in so far as is practicable. Recommended that a flood risk assessment be carried out with regard to the proposed development and its construction.	Chapter 7- Hydrology and Water Quality Chapter 6 - Soils, Geology and Hydrogeology Chapter 10 – Population, Human Health & Material Assets



The responses received were fully considered and issues raised were followed up through contact with the respondent where clarification was necessary and addressed throughout the EIAR.

4.1.1 Telecommunications Service Providers

Telecommunication providers were contacted separately. Table 4-3 below details the correspondence with the telecommunication providers:

Table 4-3: Correspondence with the Service Providers

Telecommunications Operator	Impact Identified	Comments
Radio Telefís Éireann	No	Telecoms scoping letter issued 28/06/14
O2 Telefónica Ireland	No	Telecoms scoping letter issued 28/06/14. Response stating no impact received 10/07/14.
UPC Ireland	No	Telecoms scoping letter issued 28/06/14
ESB Telecoms Ltd	No	Telecoms scoping letter issued 28/06/14. Response stating that matter referred to Peter Byrne.
An Garda Síochána	No	Telecoms scoping letter issued 28/06/14. Response stating no impact dated 14/10/14
TnaG	No	Telecoms scoping letter issued 28/06/14.
TETRA	No	Telecoms scoping letter issued 28/06/14.
Cork County Council	No	Telecoms scoping letter issued 28/06/14.
TowerCom Ltd.	No	Telecoms scoping letter issued 28/06/14. Response stating no impact on 18/07/14.
Arra Communications	No	Telecoms scoping letter issued 28/06/14.
Irish Broadband (Imagine)	No	Telecoms scoping letter issued 10/07/2014. Response confirming no impact on 15/07/14 by email.
Echo IT Ltd.	No	Telecoms scoping letter issued 28/06/14.
Wireless Connect Ltd.	No	Telecoms scoping letter issued 28/06/14
Munster Broadband	No	Telecoms scoping letter issued 28/06/14.
Meteor Communications	No	Telecoms scoping letter issued 28/06/14.
Three	No	Telecoms scoping letter issued 28/06/2014
Vodafone	No	Telecoms scoping letter issued 28/06/2014
Netshare	No	Telecoms scoping letter issued 28/06/2014
BT	No	Telecoms scoping letter issued 28/06/2014
Ripplecom	No	Telecoms scoping letter issued 28/06/2014
Cork Airport	No	Telecoms scoping letter issued 28/06/14.
Commission for Energy Regulation	No	Telecoms scoping letter issued 28/06/14.



Telecommunications Operator	Impact Identified	Comments
Department of Defence	No	Telecoms scoping letter issued 28/06/2014. Response on 02/07 acknowledging receipt and confirming that the letter has been forwarded to Air Corps and Military for observations.

Telecommunication providers were reconsulted in 2022 due to a slight change to the location of the wind turbines. Table 4-4 below details the re-consultation correspondence with telecommunication providers:

Table 4-4: Correspondence with the Service Providers

Telecommunications Operator	Impact Identified	Comments
Irish Aviation Authority	No response	No response
Cork Airport IAA-ANSP	No response	No response
Commission for Communications Regulation	No response	No response
An Garda Siochana	No Impact	The turbine locations are not close to any existing FM transmitter sites.
Arra Communications Ltd.	No response	No response
Broadcasting Authority of Ireland	Referred to alternative email address, no further response	Referred to alternative email address: "Could you please send this directly through to RFOperations@viatel.com ". No further response
BT Ireland Communications Ltd.	No Impact	No transmission links within the proposed area of Barnadivane and it has no risk to the network.
Digiweb	No Impact	The turbines won't affect the current network
Eir (Eircom)	No response	No response
Enet Telecommunications Network Limited	No response	No response
ESB Telecoms	No response	No response
Irish Broadband/Imagine	No response	No response
ITS Irish Networks Services	No response	Acknowledged Receipt by Email, no further response
Ivertec Ltd.	No impact	Munster Broadband has ceased operating as of June 30 th 2022.
Magnet Networks	No response	No response
Munster Broadband	No response	No response
Nova Telecom	No response	No response



Telecommunications Operator	Impact Identified	Comments
Premier Broadband	No response	No response
Pure Telecom	Potential Impact	Risk of interference to broadcast services in the area from Mullaghanish. Request for protocol to be signed between the developer and 2rn should the site go ahead
Ripple Communications Ltd	No response	No response
RTE Transmission Network Ltd	No response	No response
Sky Broadband Ireland	No Impact	No impact, request to contact eir
Skylink Communications	No Impact	3ireland microwave transmission network will not be impacted
TETRA Ireland Communications Ltd	No response	No response
Three	No response	No response
TG4	No response	No response
TowerCom Ltd.	No Impact	No impact to the Network
Virgin Media Ireland	No impact	No effect on the Network
Vodafone Ireland Ltd	No response	No response
Wireless Connect Ltd.	No response	No response

Further details on the impacts on telecommunications are contained in Chapter 13 Telecommunications and Aviation.

4.2 Consultation with Statutory Bodies and Key Stakeholders

In preparing this EIAR, a programme of consultation has been undertaken with a wide range of statutory bodies and key stakeholders. All concerns raised in the course of project design and impact appraisal are addressed in this EIAR. Details of some of the key consultations are discussed in further detail below.

4.2.1 Consultation with Planning Authority

A pre-planning meeting was held with Cork County Council in relation to the Proposed Development. This meeting, held with Ms. Melissa Walsh, Senior Executive Planner, Cork County Council, on 16 July 2014, was in relation to the Proposed Wind Farm Development, as well as in relation to the Proposed Substation (which is the subject of a separate planning application, reference 14/00557).

At the meeting, the planning history of the Proposed Development site, the proposed changes to the Previously Consented Development and the rationale for these changes were discussed. The potential for reduced impacts on the surrounding environment, as a result of these changes were also discussed.



An EIA scoping report was tabled, and discussed, with reference made to the need to consult with relevant parties.

4.2.2 Consultation with National Parks & Wildlife Service (NPWS)

Consultation with the NPWS began in 2013, when winter bird surveys were being scoped for the site, when the local NPWS ranger was consulted in relation to species of conservation concern in the area. These consultations continued through 2014, with written consultation for the AA Screening and the EIA being undertaken during the summer of 2014.

NPWS was consulted as part of a data request, which was returned on 15th November 2022. No specific receptors were flagged in the area.

4.2.3 Consultation with IFI

Consultation with IFI was undertaken in June 2014. IFI responded to the consultation letter, dated June 2014, setting out the issues which the organisation considered relevant for the Proposed Development to consider during the EIA process.

Their concerns relate specifically to ensuring that the release of sediment and other pollutants to local watercourses is adequately controlled and that any new watercourse crossings are designed appropriately with regard to the passage of fish. Comments raised in the response have been dealt with throughout the EIAR.

4.2.4 Consultation with Department of Agriculture, Food and the Marine

Consultation with the Department of Agriculture, Food and the Marine (DAFM) was undertaken in June 2014. DAFM responded to the consultation letter, dated June 2014, setting out the issues which the Department wished to be considered in the EIAR. The Department requested that, if any trees are to be felled as part of the development, that the developer was cognisant of felling licence requirements and took account of the Forest Service policy in this regard. It is estimated that 337m of existing treeline habitats will be felled to facilitate development of the Proposed Development infrastructure.

The Department also recommended that any potential impacts on agriculture/agricultural activities, such as soil stability, water quality, noise and shadow flicker are considered. Comments raised in the response have been dealt with throughout the EIAR.

4.3 Public Consultation

The public consultation event was advertised in the Southern Star newspaper and on local public notice boards at Teerelton, Coppeen, Crookstown & Kilmurry. All houses within a 1km radius of the proposed turbines received a flyer informing them about the public information event.

The event was held in the Riverside Park Hotel, Macroom, Co. Cork on 12th November 2014, between 6 and 8 pm. Representatives for the applicant were available to deal with any queries which arose in relation to the Proposed Development.

Approximately 20 people attended the event, with engagement on a host of issues, ranging from the existing permitted development, to potential noise impacts, proximity to dwellings and the separate application for the Proposed Substation.



Issues that arose during this public consultation event are summarised as follows:

- Potential noise impacts from Proposed Wind Farm, particularly in combination with nearby Garranereagh wind farm
- Why was the wind farm being changed from 14 to 6 turbines?
- How did the development relate to recent application for substation?
- Would this wind farm replace the existing permitted wind farm or was it additional?
- Why was this site considered suitable for wind energy development?

Concerns raised in relation to noise impacts in particular, are addressed in Chapter 9 Noise, with visual impact issues addressed in Chapter 8 Landscape and Visual. Details of the Proposed Development relative to the permitted development and the separate application for the substation are addressed in Chapter 1 Introduction and Chapter 2 Proposed Development.

4.4 Local Landowners

Local landowners were also kept informed through the project and invited to attend the public information event.

4.5 Further Consultation Post-2014

Windfarm Application:

The application for permission from Cork County Council for the windfarm itself was submitted on the 19th December 2014. The applicant was subsequently issued with a Further Information (FI) request from Cork County Council on the 20th February 2015. This FI request centred on the following elements:

- Revised drawings and layouts;
- Revised Zones of Theoretical Visibility;
- Revised photomontages;
- Project splitting;
- Wind take;
- Additional ecological information;
- Additional noise and vibration information; and
- Additional transport and traffic information.

The applicant submitted detail in response to this FI request on the 26th May 2015, and this was deemed to be significant FI by Cork County Council on the 28th May 2015, requiring further public consultation. However, upon completion of this further public consultation period, another FI request was issued to the applicant by Cork County Council on the 28th July 2015. This FI request centred on the following elements:

- Additional noise information; and
- Revised Outline CEMP.



The applicant responded to this FI request on the 10th September 2015 with further detail. The application was then determined on the 4th November 2015, granting the Proposed Development subject to 32 no. conditions. This decision was then appealed to An Bord Pleanála by 3rd parties on the 30th November 2015.

The applicant responded to the appeal on a number of points including:

- The effect of wind turbines on property values;
- Policy support;
- Proximity to dwellings;
- Residential amenity;
- Bat surveys;
- Noise impact;
- Water quality;
- Bird surveys;
- Hedgerow removal;
- Hydrology impacts; and
- Cumulative impacts.

On the 8th July 2016 An Bord Pleanála issued a determination to grant the Proposed Wind Farm, subject to 17 no. conditions.

Substation Application:

The application for permission from Cork County Council for the substation to support the Proposed Wind Farm was submitted on the 26th September 2014. However, in advance of this, pre-planning consultations were held with An Bord Pleanála to determine whether or not the Proposed Substation constituted strategic infrastructure. It was subsequently determined that the Proposed Substation did not constitute strategic infrastructure, therefore requiring a planning application submission to Cork County Council.

Upon submission of the application to Cork County Council, the applicant was issued with an FI request on the 18th November 2014. This FI request centred on the following elements:

- Revised site layout;
- Winter bird surveys;
- Eirgrid substation guidelines;
- Rationale for moving the substation from previously permitted location;
- Detailed Landscaping Plan; and
- Detailed justification for the requirement of a 10 year permission.

The applicant responded to this FI request on the 5th December 2014. On the 13th January 2015 Cork County Council granted the application, subject to 28 no. conditions. This decision was appealed by 3rd parties to An Bord Pleanála on the 9th February 2015. The applicant responded to the appeal on a number of points including:

- Size of the Proposed Substation;
- Connection of the Proposed Substation to the national grid;



- Visual impact;
- Fill requirement;
- 10 year permission;
- Cumulative impact;
- Strategic infrastructure;
- EIA Screening; and
- Policy support.

On the 11th July 2016 An Bord Pleanála issued a determination to grant the Proposed Substation, subject to 12 no. conditions.

Judicial Review Proceedings:

The decisions on of Bord Pleanála granting planning for both the Proposed Wind Farm and the Proposed Substation were subject to Judicial Review Proceedings which culminated in both decisions being remitted back to an Bord Pleanála.

The Applicant was invited to make a submission on the remitted applications but elected not to do so at this stage. A detailed submission was however made by the parties who had taken the Judicial Review proceedings (the Appellants). This led to a series of submissions being lodged by both the Appellants and the Applicant.

On the 2nd April 2019, An Bord Pleanála granted permission for the windfarm application subject to 19 no. conditions and for the substation application subject to 12 no. conditions.

However, further judicial proceedings were requested by the appellants on the 24th May 2019 and subsequently commenced on the 27th May 2019. The separate windfarm and substation applications were again combined as part of these proceedings. The focus of the proceedings were concerns surrounding the assessment of noise impacts in line with the Balz v. An Bord Pleanála (2019) judgement which determined that submissions claiming that the 2006 Wind Energy Guidelines are outdated and cannot be relied upon, cannot be dismissed by An Bord Pleanála. As such, an order certiorari was issued by the High Court on the 17th April 2020, remitting both applications back to An Bord Pleanála again.

On the 18th September 2020 both applications were reactivated under new reference numbers. On the 13th May 2021, An Bord Pleanála wrote to the applicant inviting further information to update the existing information relating to both the Proposed Wind Farm and Proposed Substation applications. This EIAR updates and combines the information relating to both the Proposed Wind Farm and the Proposed Substation.

Public Consultation 2022

In order to provide further opportunities for the general public to input into the Proposed Development before the submission of updated detail to An Bord Pleanála, a further public consultation event was held in the Castle Hotel in Macroom, County Cork on the 5th December 2022 between 6 and 8 pm. Representatives for the applicant were available to deal with any queries which arose in relation to the Proposed Development.

A letter drop was carried out to a buffer of 2km from the proposed turbine positions, and advertisements were placed in local newspapers.

Approximately 17 people (including 2 children) attended the event, with engagement on a host of issues, ranging from the potential noise impacts, proximity to dwellings, the separate application for the Proposed Substation and the existing Garranereagh Windfarm.



4.6 Conclusion

Extensive consultation has been undertaken with the local community, local authority and prescribed bodies. Given that this Proposed Development is to replace a permitted development in the same location, there is already an understanding among stakeholders around the concept of a wind energy development in the area. The current proposal is to reduce significantly the impact (in terms of number of turbines and development footprint) in relation to the Previously Consented Development.

The attendees at the public consultation engaged with the developer's representatives, raising issues which need to be addressed in the EIAR.

A consultation letter was issued to 71 stakeholders (including telecommunications providers). In all there were 26 responses (including those from telecommunications providers) to the scoping letter. Responses to the consultation letter have been incorporated into the EIAR.

Extensive consultation has occurred since 2014, as shown in section 4.5 above. This has further shaped the EIAR itself and has resulted in the further clarification of various outcomes. Therefore, not only have statutory stakeholders such as Cork County Council and An Bord Pleanála shaped the EIAR; The Appellant's have also shaped the EIAR as the remittal and judicial review processes have allowed for multiple inputs into the EIAR from the Appellant's.



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