

An
Bord
Pleanála

Application Form for Permission / Approval in respect of a Strategic Infrastructure Development

1.

Please specify the statutory provision under which your application is being made:	Section 37E of the Planning and Development Act 2000 (as amended)
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2. **Applicant:**

Name of Applicant:	Sheskin South Renewables Power DAC
Address:	Red Oak South, South County Business Park, Leopardstown, Dublin 18, Dublin D18 W688
Telephone No:	+353 (0)1 655 6099
Email Address (if any):	

3. Where Applicant is a company (registered under the Companies Acts):

Name(s) of company director(s):	Maria Ryan, Barry O' Regan, Paul Cooley
Registered Address (of company)	Red Oak South, South County Business Park, Leopardstown, Dublin 18, Dublin D18 W688
Company Registration No.	695212
Telephone No.	+353 (0)1 655 6099
Email Address (if any)	

4. Person / Agent acting on behalf of the Applicant (if any):

Name:	John Willoughby
Address:	MKO Tuam Road Galway H91VW84
Telephone No.	091-735611
Mobile No. (if any)	n/a
Email address (if any)	jwilloughby@mkoireland.ie

Should all correspondence be sent to the above address? (Please tick appropriate box)

(Please note that if the answer is “No”, all correspondence will be sent to the Applicant’s address)

Yes: [] No:[]

Contact Name and Contact Details (Phone number) for arranging entry on site if required / appropriate:

[John Willoughby of MKO, Tel – 091-735611](#)

5. Person responsible for preparation of Drawings and Plans:

Name:	Joe O'Brien of MKO Rajiv Pawar of CDM Smith Paul O'Reilly of Fehilly Timoney
Firm / Company:	MKO CDM Smith Fehilly Timoney
Address:	MKO, Tuam Road, Galway, H91 VW84 CDM Smith Wentworth, 15, Eblana Villas, Dublin 2, D02 WK10 Fehily Timoney, J5 Plaza, North Park Business Park, North Road, Dublin 11, D11 PXT0
Telephone No:	MKO: 091-735611 CDM Smith: +919886854856 Fehily Timoney: 01 658 3500
Mobile No:	N/A
Email Address (if any):	jobrien@mkoireland.ie paul.oreilly@ftco.ie pawarrb@cdmsmith.com
Details all plans / drawings submitted – title of drawings / plans, scale and no. of copies submitted. This can be submitted as a separate schedule with the application form. Please refer to the appended sheet for full details of all accompanying plans/drawings. 2 no. hard copies and 8 no. electronic copies of drawings have been provided, as requested.	

6. Site:

<p>Site Address / Location of the Proposed Development (as may best identify the land or structure in question)</p>	<p>The Wind Farm site is located south-east of Slieve Fyagh, approximately 6.7 km northeast of Bangor Erris and approximately 11km south of the Atlantic Coastline.</p> <p>The site is accessed by an existing entrance off an existing forestry access road which runs along the eastern boundary of the site in the townland of Sheskin. The existing forestry access road merges with the L52926 road approximately 1.5km to the south of the site in the townland of Tawnaghmore. The L52926 meets the N59 approximately 1km further south.</p> <p>The Wind Farm site is located in the townland of Sheskin, Co Mayo.</p>
<p>Ordnance Survey Map Ref No. (and the Grid Reference where available)</p>	<p>OS: OS1113, OS1114, OS1174, OS1175, OS1240, OS1241, OS1309, OS1310</p> <p>Grid Reference: E 93780, N326183</p>
<p>Where available, please provide the application site boundary, as shown in the submitted plans / drawings, as an ESRI shapefile in the Irish Transverse Mercator (ITM IRENET95) co-ordinate reference system. Alternatively, a CAD file in .dwg format, with all geometry referenced to ITM, may be provided.</p>	
<p>Area of site to which the application relates in hectares</p>	<p>c. 1010.6 ha</p>
<p>Site zoning in current Development Plan for the area:</p>	<p>The majority of the site is zoned in Tier 2 (Open for Consideration) lands in the Mayo Renewable Energy Strategy 2011-2020. 5 no. turbines lie outside the designated area.</p>
<p>Existing use of the site & proposed use of the site:</p>	<p><u>Existing:</u> Commercial Forestry</p> <p><u>Proposed:</u> Commercial Wind Farm</p>
<p>Name of the Planning Authority(s) in whose functional area the site is situated:</p>	<p>Mayo County Council</p>

7. Legal Interest of Applicant in respect of the site the subject of the application:

Please tick appropriate box to show applicant's legal interest in the land or structure:	Owner	Occupier
	Other <input checked="" type="checkbox"/>	
Where legal interest is "Other", please expand further on your interest in the land or structure.		
The Applicant has obtained the consent from the landowner – please refer to information below. A consent letter is enclosed with this application.		
If you are not the legal owner, please state the name and address of the owner and supply a letter from the owner of consent to make the application as listed in the accompanying documentation.		
Coillte Cuideachta Ghníomhaíochta Ainmnithe Dublin Road, Newtownmountkennedy, Co. Wicklow, A63 DN25		
Does the applicant own or have a beneficial interest in adjoining, abutting or adjacent lands? If so, identify the lands and state the interest.		
Please refer to MKO drawing no. 201119 - 02 with the landowner boundary shown in blue.		

8. Site History:

Details regarding site history (if known):
Has the site in question ever, to your knowledge, been flooded? Yes: [<input type="checkbox"/>] No: [<input checked="" type="checkbox"/>] If yes, please give details e.g. year, extent: Are you aware of previous uses of the site e.g. dumping or quarrying? Yes: [<input type="checkbox"/>] No: [<input checked="" type="checkbox"/>] If yes, please give details:

Are you aware of any valid planning applications previously made in respect of this land / structure?

Yes: [] No: []

If yes, please state planning register reference number(s) of same if known and details of applications

Reg. Ref. No:	Nature of Proposed Development	Nature of Final Decision of Application Grant or Refusal by Planning Authority / An Bord Pleanála
03/1298 (ABP Ref. PL16.206378)	31 no. wind turbines (60m hub height and 80m blade diameter with total height not exceeding 100m), a 110 kV substation and all other associated services and site development works at Barroosky, Glenamoy and Sheskin townlands, Co Mayo	Refused by MCC in February 2004 Refused by ABP September 2004

If a valid planning application has been made in respect of this land or structure in the 6 months prior to the submission of this application, then any required site notice must be on a yellow background in accordance with Article 19(4) of the Planning and Development regulations 2001 as amended.

Is the site of the proposal subject to a current appeal to An Bord Pleanála in respect of a similar development?

Yes: [] No:[]

If yes please specify

An Bord Pleanála Reference No.: _____

9. Description of the Proposed Development:

Brief description of nature and extent of development	<ol style="list-style-type: none"> I. Construction of 21 no. wind turbines and associated hardstand areas with the following parameters: <ol style="list-style-type: none"> a. A total tip height of 200 metres, b. Hub height of 115 metres, and c. Rotor diameter of 170 metres II. All associated underground electrical and communications cabling; III. 1 no. Meteorological Mast of 115 metres in height, and associated hardstanding area; IV. Upgrade of existing tracks and roads, provision of new permanent site access roads, upgrade of 2 no. existing site entrances, construction of 1 no. new site entrance; V. 2 no. borrow pits; VI. 12 no. permanent peat placement areas; VII. 4 no. temporary construction compounds with temporary site offices and staff facilities; VIII. Permanent recreation and amenity works, including marked trails, seating areas, viewing point, amenity car park, and associated amenity signage; IX. Site Drainage; X. Site Signage; XI. Ancillary Forestry Felling to facilitate construction and operation of the proposed development; XII. All works associated with the habitat enhancement and biodiversity management within the wind farm site; and XIII. All associated site development works and ancillary infrastructure. <p>This application is seeking a ten-year permission and 35-year operational life from the date of commissioning of the renewable energy development.</p> <p>An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared in relation to the project and accompanies this planning application.</p>
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10. In the case of mixed development (e.g. residential, commercial, industrial, etc), please provide breakdown of the different classes of development and a breakdown of the gross floor area of each class of development:

Class of Development:	Gross Floor Area in m ²
Wind Farm	540 sq. m (18 no. temporary site office / staff facilities cabins)

11. Where the application relates to a building or buildings:

Gross floor space of any existing buildings(s) in m ²	N/A
Gross floor space of proposed works in m ²	540 sq. m (18 no. temporary site office / staff facilities cabins)
Gross floor space of work to be retained in m ² (if appropriate)	N/A
Gross floor space of any demolition in m ² (if appropriate)	N/A

12. In the case of residential development please provide breakdown of residential mix:

Number of	Studio	1 Bed	2 Bed	3 Bed	4 Bed	4 + Bed	Total
Houses	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Apartments	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Number of car-parking spaces to be provided		Existing: N/A	Proposed: N/A			Total: N/A	

13. Social Housing:

Please tick appropriate box:	Yes	No
<i>Is the application an application for permission for development to which Part V of the Planning and Development Act 2000 applies?</i>		✓
<p>If the answer to the above question is “yes” and the development is not exempt (see below), you must provide, as part of your application, details as to how you propose to comply with section 96 of Part V of the Act.</p> <p>If the answer to the above question is “yes” but you consider the development to be exempt by virtue of section 97 of the Planning and Development Act 2000, a copy of the Certificate of Exemption under section 97 must be submitted (or, where an application for a certificate of exemption has been made but has not yet been decided, a copy of the application should be submitted).</p> <p>If the answer to the above question is “no” by virtue of section 96 (13) of the Planning and Development Act 2000, details indicating the basis on which section 96 (13) is considered to apply to the development should be submitted.</p>		

14. Where the application refers to a material change of use of any land or structure or the retention of such a material change of use:

Existing use (or previous use where retention permission is sought)
The land use within the proposed development site comprises of commercial forestry
Proposed use (or use it is proposed to retain)
<ol style="list-style-type: none"> I. I. Construction of 21 no. wind turbines and associated hardstand areas with the following parameters: <ol style="list-style-type: none"> a. A total tip height of 200 metres, b. Hub height of 115 metres, and c. Rotor diameter of 170 metres II. All associated underground electrical and communications cabling; III. 1 no. Meteorological Mast of 115 metres in height, and associated hardstanding area; IV. Upgrade of existing tracks and roads, provision of new permanent site access roads, upgrade of 2 no. existing site entrances, construction of 1 no. new site entrance; V. 2 no. borrow pits; VI. 12 no. permanent peat placement areas; VII. 4 no. temporary construction compounds with temporary site offices and staff facilities; VIII. Permanent recreation and amenity works, including marked trails, seating areas, viewing point, amenity car park, and associated amenity signage; IX. Site Drainage; X. Site Signage; XI. Ancillary Forestry Felling to facilitate construction and operation of the proposed development; XII. All works associated with the habitat enhancement and biodiversity management within the wind farm site; and XIII. All associated site development works and ancillary infrastructure.
Nature and extent of any such proposed use (or use it is proposed to retain).
The development of a wind energy development including associated works.

15. Development Details:

Please tick appropriate box:	If answer is yes please give details	YES	NO
Does the proposed development involve the demolition of a Protected Structure(s), in whole or in part?			✓
Does the proposed development consist of work to a protected structure and / or its curtilage or proposed protected structure and / or its curtilage?			✓
Does the proposed development consist of work to the exterior of a structure which is located within an architectural conservation area (ACA)?			✓
Does the application relate to development which affects or is close to a monument or place recorded under section 12 of the National Monuments (Amendment) Act, 1994.			✓
Does the application relate to work within or close to a European Site or a Natural Heritage Area?		✓	
Does the development require the preparation of a Natura Impact Statement?		✓	
Does the proposed development require the preparation of an Environmental Impact Assessment Report?		✓	
Do you consider that the proposed development is likely to have significant effects on the environment in a transboundary state?			✓
Does the application relate to a development which comprises or is for the purpose of an activity requiring an integrated pollution prevention and control license			✓
Does the application relate to a development which comprises or is for the purpose of an activity requiring a waste license?			✓
Do the Major Accident Regulations apply to the proposed development?			✓
Does the application relate to a development in a Strategic Development Zone?			✓
Does the proposed development involve the demolition of any habitable house?			✓

16. Services:

Proposed Source of Water Supply:
Existing connection: <input type="checkbox"/> New Connection: <input type="checkbox"/>
Public Mains: <input type="checkbox"/> Group Water Scheme: <input type="checkbox"/> Private Well: <input type="checkbox"/>
Other (please specify): <input checked="" type="checkbox"/>
Please refer to Chapter 4 of the EIAR Due to the specific nature of the Proposed Development there will be a very small water requirement for occasional toilet flushing and hand washing and therefore the water requirement of the Proposed Development does not necessitate a potable source
_____ Name of Group Water Scheme (where applicable): _____
Proposed Wastewater Management / Treatment:
Existing: <input type="checkbox"/> New: <input type="checkbox"/>
Public Sewer: <input type="checkbox"/> Conventional septic tank system: <input type="checkbox"/>
Other on site treatment system: <input checked="" type="checkbox"/> Please Specify: Please refer to chapter 4 of the EIAR.
It is not proposed to treat wastewater on site. Wastewater from the staff welfare facilities in the control buildings will be managed by means of a sealed storage tank, with all wastewater being tankered off site by a permitted waste collector to a licenced waste facility.

Proposed Surface Water Disposal:
Public Sewer / Drain: <input type="checkbox"/> Soakpit: <input type="checkbox"/>
Watercourse: <input type="checkbox"/> Other: <input checked="" type="checkbox"/> Please specify: A controlled drainage system will be used. Refer to Chapter 4 of the EIAR for more detail.

17. Notices:

Details of public newspaper notice – paper(s) and date of publication
Copy of page(s) of relevant newspaper enclosed Yes: [<input checked="" type="checkbox"/>] No:[<input type="checkbox"/>] National Paper: Irish Times, Published Tuesday 28 th February 2023 Local Paper: The Western People, Published Tuesday 28 th February 2023
Details of site notice, if any, - location and date of erection
Copy of site notice enclosed Yes: [<input checked="" type="checkbox"/>] No:[<input type="checkbox"/>] Site notices have been erected on site on the 28 th February 2023 Site notice locations are shown on MKO Drawing ref: 201119 - 02
Details of other forms of public notification, if appropriate e.g. website
Project website: www.sheskinsouthwfplanning.com

18. Pre-application Consultation:

Date(s) of statutory pre-application consultations with An Bord Pleanála
Schedule of any other pre application consultations –name of person / body and date of consultation to be provided as appropriate and also details of any general public consultations i.e. methods, dates, venues etc. This can be submitted as a separate schedule with the application form.
Enclosed: Refer to Addendum 2 of this planning form
Yes: [<input checked="" type="checkbox"/>] No:[<input type="checkbox"/>]
Schedule of prescribed bodies to whom notification of the making of the application has been sent and a sample copy of such notification.

Enclosed: Refer to Addendum 2 of this planning form

Yes: [] No:[]

Please refer to the appended sheet for full details. Copies of the notification letters to the prescribed bodies are also enclosed with this application.

19. Confirmation Notice:

Copy of Confirmation Notice

Attach a copy of the confirmation notice in relation to the EIA Portal where an EIAR accompanies the application.

A copy of the notice is attached, and the EIA Portal (ID number 2023027) confirmation is attached in the Addendum of this form.

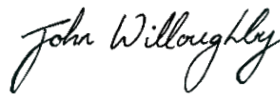
20. Application Fee:

Fee Payable

€100,000 (paid by EFT on 22nd December 2022 by SSE Renewables)

I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct and accurate and that the application documents being deposited at the planning authority offices, and any other location specified by the Board in pre application consultations, including a website (if any) will be identical to the application documents being deposited with the Board.

Signed:
(Applicant or Agent as appropriate)



John Willoughby, MKO (Agent), Tuam Road, Galway

Date:

28/02/2023

General Guidance Note:

The range and format of material required to be compiled / submitted with any application in respect of a proposed strategic infrastructure development shall generally accord with the requirements for a planning application as set out in the Planning and Development Regulations, 2001 to 2018 and those Regulations should therefore be consulted prior to submission of any application.

September 2018

Addendum 1 - Response to Q5 of SID Application Form – Schedule of Drawings/Plans and Scales



Schedule of Drawings

Drawing No.	Drawing Title	Scale	Page Size
201119 - 01	Location Context Map	1: 50,000	A3
201119 - 02	Site Location Map	1: 25,000	A3
201119 - 02A	Site Notice Location Map A	1:2,500	A3
201119 - 02B	Site Notice Location Map B	1:2,500	A3
201119 - 02C	Site Notice Location Map C	1:2,500	A3
201119 - 02D	Site Notice Location Map D	1:2,500	A3
201119 - 03	Site Layout Key Plan (1:5,000)	1: 10,000	A1
201119 - 04	Site Layout Plan Sheet 1 of 2	1: 5,000	A1
201119 - 05	Site Layout Plan Sheet 2 of 2	1: 5,000	A1
201119 - 06	Site Layout Key Plan (1:2,500)	1: 10,000	A1
201119 - 07	Site Layout Plan Sheet 1 of 8	1: 2,500	A1
201119 - 08	Site Layout Plan Sheet 2 of 8	1: 2,500	A1
201119 - 09	Site Layout Plan Sheet 3 of 8	1: 2,500	A1
201119 - 10	Site Layout Plan Sheet 4 of 8	1: 2,500	A1
201119 - 11	Site Layout Plan Sheet 5 of 8	1: 2,500	A1
201119 - 12	Site Layout Plan Sheet 6 of 8	1: 2,500	A1
201119 - 13	Site Layout Plan Sheet 7 of 8	1: 2,500	A1
201119 - 14	Site Layout Plan Sheet 8 of 8	1: 2,500	A1
201119 - 15	Turbine 1 Layout	1:500	A2
201119 - 16	Turbine 2 Layout	1:500	A2
201119 - 17	Turbine 3 Layout	1:500	A2
201119 - 18	Turbine 4 Layout	1:500	A2
201119 - 19	Turbine 5 Layout	1:500	A2
201119 - 20	Turbine 6 Layout	1:500	A2
201119 - 21	Turbine 7 Layout	1:500	A2
201119 - 22	Turbine 8 Layout	1:500	A2
201119 - 23	Turbine 9 Layout	1:500	A2
201119 - 24	Turbine 10 Layout	1:500	A2
201119 - 25	Turbine 11 Layout	1:500	A2
201119 - 26	Turbine 12 Layout	1:500	A2
201119 - 27	Turbine 13 Layout	1:500	A2
201119 - 28	Turbine 14 Layout	1:500	A2
201119 - 29	Turbine 15 Layout	1:500	A2
201119 - 30	Turbine 16 Layout	1:500	A2
201119 - 31	Turbine 17 Layout	1:500	A2
201119 - 32	Turbine 18 Layout	1:500	A2
201119 - 33	Turbine 19 Layout	1:500	A2
201119 - 34	Turbine 20 Layout	1:500	A2
201119 - 35	Turbine 21 Layout	1:500	A2
201119 - 36	Temporary Construction Compound 1	1:500	A3
201119 - 37	Temporary Construction Compound 2	1:500	A3
201119 - 38	Temporary Construction Compound 3	1:500	A3
201119 - 39	Temporary Construction Compound 4	1:500	A3
201119 - 40 (FT)	Borrow Pit 1 Layout & Sections	As shown	A3
201119 - 41 (FT)	Borrow Pit 2 Layout & Sections	As shown	A3
201119 - 42	Met Mast - Free Standing Mast	1:500	A3
201119 - 43	Wind Turbine Elevations & Plan	1:500	A1
201119 - 44 (FT)	Upgrade of Existing Excavated Access Roads	1:50	A3
201119 - 45 (FT)	New Excavate and Replace Access Road	1:50	A3
201119 - 46	Visitor Carpark Layout	1:500	A3
201119 - 47	Site Office & Staff Facilities Detail	1:100	A3
201119 - 48	Proposed Bench Detail	1:10	A3
201119 - 49	Amenity Signage Detail	1:20	A3
201119 - 50	Wheel Wash Detail	1:50	A3
201119 - 51	Steel Barrier Detail	1:25	A3
201119 - 52	Pre-cast Concrete Clearspan Watercourse Crossing	1:100	A3
201119 - 53	Pre-cast Concrete Clearspan Service Crossing	1:100	A3
201119 - 54 (FT)	Peat Placement Area Standard Section	1:500	A3
FIG-1 (CDM)	Proposed Drainage Layout Sheet 1 of 8	1:2,000	A1
FIG-2 (CDM)	Proposed Drainage Layout Sheet 2 of 8	1:2,000	A1
FIG-3 (CDM)	Proposed Drainage Layout Sheet 3 of 8	1:2,000	A1
FIG-4 (CDM)	Proposed Drainage Layout Sheet 4 of 8	1:2,000	A1
FIG-5 (CDM)	Proposed Drainage Layout Sheet 5 of 8	1:2,000	A1
FIG-6 (CDM)	Proposed Drainage Layout Sheet 6 of 8	1:2,000	A1
FIG-7 (CDM)	Proposed Drainage Layout Sheet 7 of 8	1:2,000	A1
FIG-8 (CDM)	Proposed Drainage Layout Sheet 8 of 8	1:2,000	A1

Addendum 2 - Response to Q18 of SID Application Form – Consultation and Prescribed Bodies

Schedule of Pre-Application Stakeholder Consultation (excluding An Bord Pleanála)
All stakeholder engagement is set out in full in Chapter 2 of the submission Environmental Impact Assessment Report.

Mayo County Council

The prospective applicant and members of the design team met on two occasions with the County Council in relation to the Proposed Development prior to the submission of this planning application.

The meeting took place on 9th September 2021 via MS Teams and included representatives from Mayo County council, MKO, SSE and Coillte. The team gave a PowerPoint presentation as an introduction to the site and development proposals, including a summary of the Strategic Infrastructure Development (SID) thresholds and criteria noting the application would be made to ABP as an SID application. Matters discussed included:

- Site selection and location
- Policy context
- Public consultation – overview of consultations to date and potential to the area
- Landscape appraisal – designations, views and vulnerable areas
- Stakeholder engagement – scoping process and purpose
- Wind Farm design process, grid and TDR

An Bord Pleanála

A first pre-application meeting with ABP was held via MS Teams on 22nd September 2021 and included representatives from SSE, MKO and ABP. ABP invited the prospective applicant to outline the nature of the proposed developments and to highlight any matter that it wished to receive advice from the ABP.

Matters discussed included:

- Site selection and location
- Policy context
- Planning history and previously refused applications
- Landscape appraisal – site constraints, geotechnical site investigations, hydrological and hydrogeological surveys, ecological surveys and archaeological site walk over.
- Public consultation – overview of consultations to date and potential to the area
- Stakeholder engagement – scoping process and purpose

A second meeting with the Board was held on 3rd February 2022 via a MS Teams call with representatives from MKO, SSE and ABP.

The meeting commenced with updates from MKO on the project since the last meeting held on 9th September 2021, explaining that turbine locations have remained consistent since last meeting and that the project exceeds SID threshold, however highlighting that is for the discretion of the ABP.

Matters discussed included:

- Design updates
- Planning and environmental considerations – possibility of material contravention and need to highlight the material contravention in application accompanied by a strong justification, cumulative impacts,
- Public Consultation and stakeholder engagement – updates and dates
- Biodiversity - aquatic surveys, birds, drainage, habitat enhancement measures,

The meeting closed with no anticipated requirement for further meetings. The Board issued a notice under Section 37B(4)(a) on the 9th August 2022, outlining that it is under the opinion that the Proposed Development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act and the Proposed Development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act 2000, amended.

The determination issuing from An Bord Pleanála required the following prescribed bodies to be notified of the application with regards the Wind Farm:

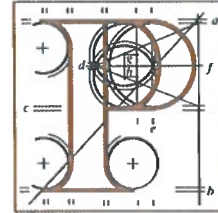
- Minister for Housing, Local Government and Heritage
- Minister for Tourism, Culture, Arts, Gaeltacht, Sports and Media (Development Applications Unit)
- Minister for Agriculture, Food and the Marine
- Minister for the Environment, Climate and Communications
- Mayo County Council
- Northern and Western Regional Assembly
- Transport Infrastructure Ireland
- An Taisce
- An Chomhairle Ealaíon
- Fáilte Ireland
- The Heritage Council
- National Parks & Wildlife Services
- Inland Fisheries Ireland
- Irish Water
- Irish Aviation Authority
- Health Service Executive
- Commission for Regulation of Utilities
- Office of Public Works

Details regarding EIA Scoping and Consultation are set out in Chapter 2 of the EIAR as lodged.

In addition, and as set out in pre-application discussions with the Board, the applicant has undertaken community consultation and stakeholder engagement. A full report of same is enclosed in Appendix 2-2 of the EIAR.

Our Case Number: ABP-310529-21

Your Reference: Sheskin South Renewables Power DAC



**An
Bord
Pleanála**

MKO
Planning & Environmental Consultants
Tuam Road
Galway
Co. Galway
H91 VW84



Date: 09 August 2022

Re: Wind energy development and associated works and services.
Within Sheskin and adjacent townlands, Co. Mayo

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act, 2000 as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act, 2000, as amended. Any application for permission for the proposed development must therefore be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

In accordance with section 146(5) of the Planning and Development Act, 2000 as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

The attachment contains information in relation to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act, 2000, as amended.

If you have any queries in relation to the matter, 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.

Tel	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1890 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

Yours faithfully,



Sarah Caulfield
Executive Officer
Direct Line: 01-8737287

Appendix A:

Note 1: The following is a list of prescribed bodies considered relevant for the purposes of section 37E(3)(c) of the Act.

- Minister for Housing, Local Government and Heritage.
- Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media (Development Applications Unit).
- Minister for Agriculture, Food and the Marine.
- Minister for the Environment, Climate and Communications.
- Mayo County Council.
- North and West Regional Assembly.
- Transport Infrastructure Ireland.
- An Taisce
- An Chomhairle Ealaíon
- Fáilte Ireland
- The Heritage Council
- National Parks & Wildlife Service.
- Inland Fisheries Ireland.
- Irish Water.
- Irish Aviation Authority.
- Health Service Executive.
- Commission for Regulation of Utilities.
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

Tel	Tel	(01) 858 8100
Glaos Áitiúil	LoCall	1890 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

Note 2: The prospective applicant is advised to submit a standalone document (which may form part of the EIAR) with the planning application, which outlines all proposed mitigation measures, in the interest of convenience and ease of reference.

Note 3: The prospective applicant is advised to submit sufficient drawings and details, including turbine dimensions, to fully describe the nature and extent of the proposed development and to allow its potential impacts to be adequately assessed.

Teil
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Facs
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Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(7) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

Addendum 3 Response to Q19 of SID Application Form – EIA Portal ID

John Willoughby

From: Housing Eiaportal <EIAportal@housing.gov.ie>
Sent: 23 February 2023 11:47
To: John Willoughby
Subject: EIA Portal Confirmation Notice Portal ID 2023027

You don't often get email from eiaportal@housing.gov.ie. [Learn why this is important](#)

Caution: This is an external email and may be malicious. Please take care when clicking links or opening attachments.

Dear John,

An EIA Portal notification was received on 2023027 in respect of this proposed application. The information provided has been uploaded to the EIA Portal on 23/02/2023 under EIA Portal ID number 2023027 and is available to view at <http://housinggovie.maps.arcgis.com/apps/webappviewer/index.html?id=d7d5a3d48f104ecbb206e7e5f84b71f1>.

Portal ID: 2023027

Competent Authority: An Bord Pleanála

Applicant Name: Sheskin South Renewables Power DAC

Location: The Wind Farm site is located in the townland of Sheskin, Co Mayo, south-east of Slieve Fyagh, c. 6.7 km northeast of Bangor Erris and c. 11km south of the Atlantic Coastline.

Description: 21 no. turbines (max blade tip height 200m), underground cabling, mast, upgrade of existing roads, provision of access roads, borrow pits, peat management, temporary construction compounds, amenity works, tree felling, and associated works

Linear Development: No

Date Uploaded to Portal: 23/02/2023

Regards,

Karl.

EIA Portal team

An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreachta
Department of Housing, Local Government and Heritage

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**An Roinn Tithíochta,
Rialtais Áitiúil agus Oidhreachta**
Department of Housing,
Local Government and Heritage