

Oweninny Wind Farm Phase 3

Environmental Impact Assessment Report

Appendix 1.1 Correspondence With An Bord Pleanála



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Our Ref: 10889-04-04

8th February 2021

Your Ref:

The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1
D01 V902

Re: Proposed Development of Oweninny Wind Farm Phase 3 at Bellacorick, Co. Mayo.

Dear Sir/Madam

On behalf of our client Bord na Móna Powergen Ltd., TOBIN Consulting Engineers hereby requests to enter into pre-application consultation with An Bord Pleanála to determine the Strategic Infrastructure Development (SID) status of the proposed wind farm development known as 'Oweninny Wind Farm Phase 3'. This request is made to the Board under Section 37B of the Planning and Development Act 2000, as amended.

The following sections set out the information required by the Board to facilitate such pre-application consultations:

Agent Details (we request that all enquiries and correspondence be directed to the Agent):

TOBIN Consulting Engineers,
Fairgreen House,
Fairgreen Road,
Galway.
H91 AXK8

Contact person: Brian Gallagher

E-mail: brian.gallagher@tobin.ie

Phone: +353-91-565211

Directors: Michael Shelly (Chairman) R.F. Tobin (Managing Director) E. Connaughton (Company Secretary)
B.J. Downes D. Grehan M. McDonnell C. McGovern
M.F. Garrick J.P. Kelly

Associate Directors B. Carroll M. Casey P. Cloonan P. Cunningham B. Gallagher
B. Heaney C. Kelly A. Mulligan S. Tinnelly

Prospective Applicant Details:

Bord na Móna Powergen Ltd.
Main Street,
Newbridge,
Co.Kildare
W12 XR59
Contact person: Michael Gill
E-mail: michael.gill@bnm.ie
Phone: +353-45-439000

Site Location Details

The proposed development will be located in the townlands of Laghtanvack, Croaghaun (also known as Croaghaun West), Moneynieran, Corvoderry, Shanvolahan, Dooleeg More and Shanvodinnaun, Co. Mayo. The development will be located on the eastern part of Oweninny Bog, which is located in North Mayo, approximately 12km west of Crossmolina and 15km east of Bangor Erris, and just north of the N59 National Primary Road. The overall area of Oweninny Bog is approximately 5,090 hectares, while the site study area of the proposed development is approximately 2,345 hectares.

The closest settlement to the site is Bellacorick village which is located approximately 2km from the southwestern extents of the proposed development. To the east of the site a local road (L5292) runs northwards from the N59 to the townlands of Shanvolahan and Formoyle.

Also located on Oweninny Bog is Oweninny Wind Farm Phase 1 which is located immediately west / northwest of the proposed development site and was commissioned in 2019, while Oweninny Wind Farm Phase 2 has been consented further to the west. In addition, since 1992, Ireland's first commercial wind farm, a 21-turbine development known as Bellacorick Wind Farm, which is owned and operated by Renewable Energy Ireland Limited, has been operating on the site.

Description of Nature and Scale of Development

Oweninny Wind Farm Phase 3 will consist of the following project components (these details are provisional and subject to review as part of the design and EIA processes:

- Between 10 and 20 wind turbines (including tower sections, nacelle, hub, rotor blades) with an approximate capacity of 90 MW and a maximum blade tip height of 200 metres. The proposed turbine envelope and tip height will be confirmed as part of the design and EIA processes;
- The development will also include:
 - Associated hardstandings at each turbine location;
 - New access roads and upgrading of existing access roads;
 - Upgrading of existing drainage system;
 - Borrow pits;
 - Grid connection
 - 110kV electricity substation;
 - Electrical and communication cables, linking the turbines to the proposed grid connection



- point;
- Related site works and ancillary works;

Further information is provided in the enclosed Scoping Report, and a copy of the Project Information Brochure, which was recently provided to local residents as part of the ongoing public consultation process, is also enclosed.

Legislative Context

The wind farm will exceed the thresholds for completion of an Environmental Impact Assessment (EIA), as detailed in the Planning and Development Regulations 2001 (as amended), Schedule 5, Part 2, Class 3(I), which is:

“Installations for the harnessing of wind power for energy production (wind farms) with more than 5 turbines or having a total output greater than 5 megawatts”.

An EIA Report will be prepared in support of any future application for statutory consent. It is proposed that the following EIA guidelines will be followed during the preparation of the EIA Report:

- Guidelines on the Information to be contained in Environmental Impact Statements (EPA, 2002);
- Advice Notes on Current Practice in the Preparation of Environmental Impact Statement, (EPA, 2003);
- Draft Guidelines on the Information to be contained in Environmental Impact Statements (EPA, September 2015);
- Draft Advice Notes on Preparing Environmental Impact Statements (EPA, September 2015); and
- Draft Guidelines on the information to be contained in Environmental Impact Assessment Reports (EPA, August 2017).

In addition to the Regulations and Guidelines above, the EIAR will be prepared with cognisance to the “Wind Energy Development Guidelines for Planning Authorities (2006)”, the proposed draft revisions to these guidelines (December 2013), the Preferred Draft Approach to these guidelines as announced by the Government in June 2017 and the “Draft Revised Wind Energy Development Guidelines (December 2019)”.

A Screening for Appropriate Assessment and a Natura Impact Statement (NIS) will also be prepared. The purpose of the AA/NIS will be to inform the consenting authority in its undertaking of an ‘Appropriate Assessment’ of the proposal, as required under Article 6(3) of the EU Habitats Directive (92/43/EC).

Oweninny Wind Farm Phase 3 will be subject to the provisions of the Mayo County Development Plan (CDP) 2014-2020 which is due to be revised and updated. The EIAR and all associated assessments will comply with the planning policies and objectives of the extant CDP at the time of submitting the planning application. The current most relevant policies to this wind farm are:



Table 1 – Mayo County Development Plan 2014-2020 Policy Objectives

| CDP Objective | Policy | Description |
|---------------|--------|---|
| RE-01 | | It is an objective of the Council to implement the Renewable Energy Strategy for Co. Mayo 2011-2020 or any amendment to same. |
| RE-02 | | It is an objective of the Council to identify at least one renewable energy hub in the County which will allow for the development of renewable energy devices and associated infrastructure/vessels/equipment and deployment of the same having regard to the needs of the industry while ensuring no adverse impact on the environment including Natura 2000 sites. |
| RE-03 | | It is an objective of the Council that proposals for wind farms shall demonstrate consistency with the Landscape Appraisal of County Mayo with reference to the four Principal Policy Areas shown on Map 3A Landscape Protection Policy Areas and the Landscape Sensitivity Matrix (Figure 3), and the Wind Energy – Guidelines for Planning Authorities (2006). |
| EY-01 | | It is an objective of the Council to support and facilitate the provision of a reliable energy supply in the County, with emphasis on increasing energy supplies derived from renewable resources whilst seeking to protect and maintain bio-diversity, wildlife habitats, the landscape, nature conservation, and residential amenity. |

It is noted also that the Wind Energy Strategy, which forms part of the CDP, identifies the proposed location of Oweninny Wind Farm Phase 3 within an area designated as a 'Tier 1 (Large Wind Farm)- ...area for which the potential for large wind farms is greatest'.

Legal Interest in Land

Bord na Móna Powergen Ltd. is part of Bord na Móna plc which owns the lands on which the Oweninny Wind Farm Phase 3 is proposed.

Class of Development

The proposed development falls within the development thresholds specified in Class 1 'Energy Infrastructure' of the Seventh Schedule of the Planning and Development Act 2000, as amended, which states:

An installation for the harnessing of wind power for energy production (a wind farm) with more than 25 turbines or having a total output greater than 50 megawatts.

It is anticipated that the proposed development will likely have an output of at least 50 Megawatts.

Planning Authority

The proposed development is located entirely within the functional boundaries of Mayo County Council.

Statement as to Section 37(A) Criteria

Section 37A(2) of the Planning Act provides that the following matters be taken into account in determining whether or not a development shall be regarded as SID:

- (a) *the development would be of strategic economic or social importance to the State or the region in which it would be situate,*
- (b) *the development would contribute substantially to the fulfilment of any of the objectives in the National Planning Framework or in any regional spatial and economic strategy in force in respect of the area or areas in which it would be situate,*



(c) the development would have a significant effect on the area of more than one planning authority.

With regard to these three matters, we have considered the following:

(a) the development would be of strategic economic or social importance to the State or the region in which it would be situate.

The proposed wind farm, with an output of approximately 90 MW, will constitute a significant addition to Ireland's renewable electricity supply, contributing towards Ireland's target of an additional 8.2 gigawatts (GW) of onshore wind capacity to be added to the national grid by 2030 as set out in the Government's *Climate Action Plan 2019*.

Due to the scale of the proposal, the project is considered to be of strategic economic and social importance to the Region and the State. The capital investment required for a project of this scale, will represent a significant economic contribution to the region, including the provision of community development funding upon commissioning of the wind farm.

(b) the development would contribute substantially to the fulfilment of any of the objectives in the National Planning Framework or in any regional spatial and economic strategy in force in respect of the area or areas in which it would be situate.

The Government's *Project Ireland 2040 - National Planning Framework* sets out the overarching policy and planning framework for the social, economic and cultural development of the country. The Plan covers a wide range of national policy objectives and National Strategic Outcomes (NSO) and in respect of the proposed development, sets out the following key objectives:

- National Policy Objective 54
Reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions.
- National Policy Objective 55
Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050.

The proposed development is in keeping with the above objectives in terms of developing a sustainable renewable energy resource which can replace fossil fuels and contribute to a reduction in greenhouse gas emissions.

The proposed development is also in keeping with the following objectives set out in the *Regional Spatial & Economic Strategy* (RSES) published by the Northern and Western Regional Assembly:



Table 2 – RSES Regional Policy Objectives (Wind & Renewables)

| Regional Policy Objective | Description |
|---------------------------|--|
| RPO 4.16 | The NWRA shall co-ordinate the identification of potential renewable energy sites of scale in collaboration with Local Authorities and other stakeholders within 3 years of the adoption of the RSES. The identification of such sites (which may extend to include energy storage solutions) will be based on numerous site selection criteria including environmental matters, and potential grid connections |
| RPO 4.17 | <p>To position the region to avail of the emerging global market in renewable energy by:</p> <ul style="list-style-type: none"> • Stimulating the development and deployment of the most advantageous renewable energy systems • Supporting research and innovation • Encouraging skills development and transferability • Raising awareness and public understanding of renewable energy and encourage market opportunities for the renewable energy industry to promote the development and growth of renewable energy businesses • Encourage the development of the transmission and distribution grids to facilitate the development of renewable energy projects and the effective utilization of the energy generated from renewable sources having regard to the future potential of the region over the lifetime of the Strategy and beyond |
| RPO 4.18 | Support the development of secure, reliable, and safe supplies of renewable energy, to maximise their value, maintain the inward investment, support indigenous industry and create jobs |
| RPO 4.19 | Support the appropriate development of offshore wind energy production through the adequate provision of land-based infrastructure and services, in line with national policy and in a manner that is compatible with environmental, ecological and landscape considerations |

(c) the development would have a significant effect on the area of more than one planning authority.

The site is located entirely within the administrative area of Mayo County Council. The county boundary of Sligo is approximately 27 km to the east, Galway is approximately 65km to the south and Roscommon is approximately 65 km to the south east.

A number of options will be considered in relation to turbine delivery routes, and these will be assessed by the project team as part of the EIA process.

The current proposed grid connection is also located within the functional boundaries of Mayo County Council.

Based on the preliminary turbine layouts under consideration, it is not considered likely that there will be any significant landscape or visual impacts experienced from any of the neighbouring counties.



Conclusion

Based on the information provided herein, we are seeking to initiate the consultation process with the An Bord Pleanála with a view to determining whether the Oweninny Wind Farm Phase 3 is a Strategic Infrastructure Development. The applicant and the project team, led by TOBIN Consulting Engineers, are available to meet with the Board and to present the details of the project at your earliest possible convenience.

An Electronic Funds Transfer (EFT) for the statutory fee of €4,500 for this pre-application consultation has been arranged between Bord na Móna Powergen Ltd. and An Bord Pleanála. Should there be any query in relation to the cheque/EFT, please do not hesitate to contact the undersigned. We understand that this matter will not be progressed until payment has been confirmed.

We look forward to your response in due course.

Yours sincerely,

Brian Gallagher

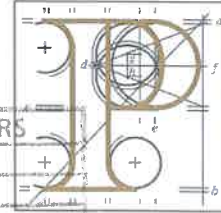
Brian Gallagher
for TOBIN Consulting Engineers (Agent)

*encl: Scoping Report
Project Information Brochure*



Our Case Number: ABP-309375-21

Your Reference: Bord Na Móna Powergen Ltd.



**An
Bord
Pleanála**

| TOBIN CONSULTING ENGINEERS | | |
|----------------------------|-------------|------|
| PROJECT NO. | | |
| FILE REF: | | |
| Date Received | 12 MAY 2021 | |
| PASS TO | ACTION BY | DATE |
| SK/BP | | |
| | | |
| | | |

TOBIN Consulting Engineers
Fairgreen House
Fairgreen Road
Co. Galway
H91 AXK8

Date: 06 May 2021

Re: Oweninny Wind Farm Phase 3. Between 10 and 20 wind turbines (including tower sections, nacelle, hub, rotor blades) with an approximate capacity of 90 MW and a maximum blade tip height of 200 metres.

Oweninny Wind Farm, townlands of Laghtanvack, Croaghaun (also known as Croaghaun West), Moneynieran, Corvoderry, Shanvolahan, Dooleeg More and Shanvodinnaun, Co. Mayo

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned pre-application consultation request.

Please find enclosed a copy of the written record of the meeting of the 28th April 2021.

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.

Yours faithfully,

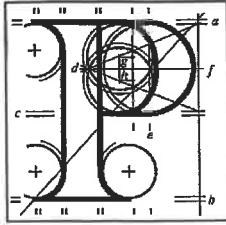


Sarah Kerley
Executive Officer
Direct Line: 01-8737287

PC07

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Glao Áitiúil LoCall 1890 275 175
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Láithreán Gréasáin Website www.pleanala.ie
Ríomhphost Email bord@pleanala.ie

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



An
Bord
Pleanála

Record of Meeting ABP-309375-21 1st meeting

| | | | |
|---|---|-------------|----------------|
| Description | ABP-309375-21 – Oweninny Wind Farm Phase 3, Co. Mayo | | |
| Case Type | Pre-application Consultation under Section 37B of the P&D Act 2000, as amended. | | |
| 1st / 2nd / 3rd Meeting | 1 st Meeting | | |
| Venue | Virtually by Microsoft Teams | | |
| Date | 28/04/2021 | Time | 11am – 12:15am |

Representing An Bord Pleanála

Ciara Kellett, Assistant Director of Planning (Chair)

Patricia Calleary, Senior Planning Inspector

Sarah Kerley, Executive Officer

s.kerley@pleanala.ie

01-8737287

Representing the Prospective Applicant

Sean Creedon, Bord na Móna Powergen Limited

Caitriona Carter, Bord na Móna Powergen Limited

Michael Gill, Bord na Móna Powergen Limited

Brian Gallagher, TOBIN Consulting Engineers

Mark McCarthy, TOBIN Consulting Engineers

Introduction:

The Board referred to the letter received from the prospective applicant on the 8th February 2021, requesting pre-application consultations and advised the prospective applicant that the instant meeting essentially constituted an information-gathering exercise for the Board; it also invited the prospective applicant to outline the nature of the proposed development and to highlight any matters that it wished to receive advice on from the Board. The Board mentioned the following general procedures in relation to the pre-application consultation process:

- The Board will keep a record of this meeting and any other meetings, if held. Such records will form part of the file which will be made available publicly at the conclusion of the process. The record of the meeting will not be amended by the Board once finalised, but the prospective applicant may submit comments on the record which will form part of the case file.
- The Board will serve notice at the conclusion of the process as to the strategic infrastructure status of the proposed development. It may form a preliminary view at an early stage in the process on the matter.
- A further meeting or meetings may be held in respect of the proposed development.
- Further information may be requested by the Board and public consultations may also be directed by the Board.
- The Board may hold consultations in respect of the proposed development with other bodies.
- The holding of consultations does not prejudice the Board in any way and cannot be relied upon in the formal planning process or in any legal proceedings.

Presentation by the prospective applicant:

The prospective applicant started its presentation by introducing the team and providing a high-level overview of the company's history. Bord na Móna have been undergoing a transition from 'brown to green' energy for over ten years, with one of the key milestones being the announcement in January 2021, that it has permanently ceased harvesting peat on its lands. This has resulted in a transformation from a traditional peat harvesting business to a climate solutions company, with a focus on renewable energy, recycling, restoration and the provision of low carbon goods and services.

The prospective applicant referred to the subject site for the proposed development, which is situated on the Oweninny bog, in North Mayo. The proposed development would make up the third phase of development on this site. Phase 1, consisting of 29 turbines is currently operational and Phase 2, consisting of 31 turbines is currently under construction.

The prospective applicant outlined the nature of the proposed development which includes approximately 18 wind turbines, with an approximate capacity of 90mW and a maximum tip height of 200m. It would also include a 110kV substation and grid connection, alongside all ancillary works.

The prospective applicant stated that the region is sparsely populated, and that peat extraction had occurred on the site for many years. The proposed site comprises cutover/cutaway bog, with industrial scale peat production operations having formerly occurred at the site for over 50 years and which supplied the ESB Bellacorrick peat burning power station. Peat production ceased in 2005 following the closure of the power station and the plant was later decommissioned. Bellacorrick Wind Farm (Ireland's first windfarm), consisting of 21 turbines, built in 1992 would be decommissioned as part of the proposed development.

The prospective applicant provided a map which illustrated the proximity of the proposed development to sensitive receptors. Due to the area being sparsely populated, the prospective applicant stated there are no sensitive receptors within 1km of the turbines. This would increase to 11 sensitive receptors within a 2km radius.

The prospective applicant gave an overview of other wind farms in the region, mainly the Phase 1 and Phase 2 Oweninny development within the Oweninny bog site, the Corvoderry Wind Farm (consented), a separate entity, which is located within the Oweninny bog but outside of the prospective applicant's site and Sheskin windfarm (consented) which is located to the north of Oweninny Phase 2 turbines/Oweninny Bog site.

With regards to whether the proposed development would fall within the scope of Strategic Infrastructure Development, the prospective applicant put forward their view that it would fall within the development thresholds specified in the seventh schedule, as it would exceed 50MW. Furthermore, it stated the proposed development would be of strategic, economic or social importance to the State or region and it would contribute substantially to the fulfilment of national, regional and local objectives.

The prospective applicant stated that careful consideration is being taken in relation to cumulative impacts for the proposed development. They intend to assess the impacts in relation to the three wind farm sites and not just in relation to the proposed development. The prospective applicant highlighted some of the key considerations including, ornithology, bats, noise and landscape and visual impacts. A substantial quantity of bird surveys have been carried out since 2002, with very little of significance being found. With respect to bat surveys, it was presented that there is a low level of bat activity in the area. One maternity roost of Natterer's bat was recorded, and the prospective applicant is currently investigating mitigation measures in relation to same. The prospective applicant also noted it is taking a conservative approach to the design in order to minimise the noise impact and discussed the noise conditions that were attached to the approval on the Phase 1 and Phase 2 developments.

The prospective applicant provided an overview of the statutory and non-statutory consultees to-date. These include various Departments, prescribed bodies, the aviation industry and telecommunications, among others. It is also intended to hold a pre-planning meeting with the local authority shortly. The Environmental Impact Assessment Scoping Report has also been distributed to all statutory and non-statutory consultees.

The prospective applicant proposes to develop an amenity facility as part of the proposed development. This track would pass through the site, with access to the local road and away from the busy N59 regional road. During consultations, local residents highlighted safety concerns in relation to this road. The prospective applicant also noted that features of interest would be installed in order to enhance the journey as you pass through the site.

The prospective applicant discussed the public consultation that has been completed to date. Due to the current Covid-19 pandemic, it wasn't possible to hold consultations in local venues, however, door to door consultations were carried out in June and December 2020. A Community Liaison Officer was appointed, and local residents were provided with project information documents, brochures and feedback forms. The prospective applicant noted that a dedicated email address and project website had been set up in order to provide as much information as possible to members of the community.

The prospective applicant provided the Board's representatives with a project timeline. It is anticipated to begin EIAR preparation in May 2021 and submit a planning application in late 2021.

Discussion

The following matters were discussed:

- The Board's representatives sought further information in relation to the Corvoderry Wind Farm, which lies in the middle of the proposed site. The prospective applicant said it is not constructed however, planning approval will expire in 2022.

- The Board's representatives expressed their preliminary view that it is likely that the proposed development would be strategic infrastructure but emphasised that the ultimate decision will be a matter for the Board.
- The Board's representatives queried the height of the existing and permitted turbines. The prospective applicant stated the original Bellacorrick windfarm turbines, erected in 1992 are 64 metres in height and the previous two phases of the Oweninny development are 176 metres. It stated that the proposed turbines would have a tip height of c.200m.
- In response to a query in relation to the turbine delivery route, the prospective applicant said this was still currently under review and was not finalised at this point.
- In relation to consideration of proximity to European sites and the issue of Appropriate Assessment, the prospective applicant tabled a constraints map with the site shown in the context of those sites stating that it was progressing AA through the various stages.
- The Board's representatives highlighted that the current 2006 Wind Energy Guidelines are expected to be replaced by the awaited new guidelines and suggested that, notwithstanding the guidelines are not yet adopted, the provisions may be relevant particularly if they are adopted prior to the Board's decision. The prospective applicant sought clarity from the Board's representatives in relation to noise conditions attached to recent Board decisions. The Board's representatives agreed to send reference numbers of recent decisions for information. (post meeting note – ABP-306303-20 is an example)
- The prospective applicant highlighted the interest in the community fund and the amenity development which is proposed to run through the site.

- In response to the Board's query on the matter, the prospective applicant stated its intention to carry out further site investigation works in relation to peat on site. The Board's representatives stated that any future planning application should include details of peat depths and volume of peat proposed to be excavated and the safe management of peat movement and drainage during construction.
- The Board's representative stated that a decommissioning plan for the turbines associated with the 'Bellacorrick windfarm' erected in 1992 should be included with any future planning application.
- The Board's representatives asked whether there is an active EPA licence on the site. The prospective applicant said the IPC licence is still live, however, they are entering the final stages and intend to surrender this licence soon. Furthermore, the Board's representatives advised to clearly indicate the status of this licence at an application stage.
- The Board's representatives queried whether the grid connection would form part of any subsequent application. The prospective applicant said this is their intention and the grid connection would connect back to the Bellacorrick site.
- In response to the Board's query on the matter, the prospective applicant stated the total number of turbines between the three phases would total 78.

Conclusion

The record of the meeting will issue to the prospective applicant and it will then be a matter for the prospective applicant to submit any comments on this if it wishes to do so. The Board advised the prospective applicant to keep the pre-application consultation process open for the time being, in the event that a further meeting might be required. The prospective applicant noted this and said it will consider this further following the meeting. The prospective applicant stated its current intention to lodge a planning application for the proposed development prior to the end of 2021.

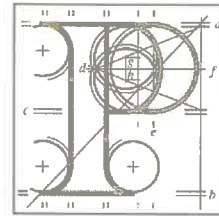
 5/5/21

Ciara Kellett

Assistant Director of Planning

Our Case Number: ABP-309375-21

Your Reference: Bord Na Móna Powergen Ltd.



**An
Bord
Pleanála**

Brian Gallagher
TOBIN Consulting Engineers
Fairgreen House
Fairgreen Road
Co. Galway
H91 AXK8

| TOBIN CONSULTING ENGINEERS | | |
|----------------------------|-------------|------|
| PROJECT NO.: | | |
| FILE REF: | | |
| Date Received | 17 NOV 2021 | |
| PASS TO | ACTION BY | DATE |
| SK/BG | | |
| | | |
| | | |
| | | |

Date: 16th November 2021

Re: Oweninny Wind Farm Phase 3. Between 10 and 20 wind turbines (including tower sections, nacelle, hub, rotor blades) with an approximate capacity of 90 MW and a maximum blade tip height of 200 metres.

Oweninny Wind Farm, townlands of Laghtanvack, Croaghaun (also known as Croaghaun West), Moneynieran, Corvoderry, Shanvolahan, Dooleeg More and Shanvodinnaun, Co. Mayo

Dear Sir,

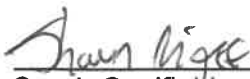
I have been asked by An Bord Pleanála to refer further to the above-mentioned pre-application consultation request.

Please find enclosed a copy of the written record of the second meeting of the 11th November, 2021..

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.

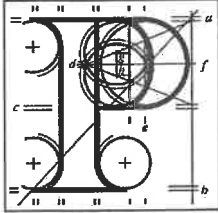
Yours faithfully,


Sarah Caulfield
Executive Officer
Direct Line: 01-873 7287

PC07

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Baile Átha Cliath 1 Dublin 1
D01 V902 D01 V902



An
Bord
Pleanála

Record of Meeting
ABP-309375-21 2nd
meeting

| | | | |
|---|---|-------------|---------------|
| Description | ABP-309375-21 – Oweninny Wind Farm Phase 3, Co. Mayo | | |
| Case Type | Pre-application Consultation under Section 37B of the P&D Act 2000, as amended. | | |
| 1st / 2nd / 3rd Meeting | 2 nd Meeting | | |
| Venue | Virtually by Microsoft Teams | | |
| Date | 11/11/2021 | Time | 11am –12:03pm |

| | | |
|---|-------------------------|------------|
| Representing An Bord Pleanála | | |
| Ciara Kellett, Assistant Director of Planning (Chair) | | |
| Patricia Calleary, Senior Planning Inspector | | |
| Sarah Caulfield, Executive Officer | s.caulfield@pleanala.ie | 01-8737287 |
| Representing the Prospective Applicant | | |
| Sean Creedon, Bord na Móna Powergen Limited | | |
| Michael Gill, Bord na Móna Powergen Limited | | |
| Brian Gallagher, TOBIN Consulting Engineers | | |
| Mark McCarthy, TOBIN Consulting Engineers | | |

Introduction

The Board referred to its previous meeting with the prospective applicant held on the 28th April, 2021 and the record of that meeting. The Board asked if the prospective applicants had any comments it wished to make on the record of this meeting and the prospective applicant replied that it had no comments to make.

Presentation by the prospective applicant:

The prospective applicant outlined that the main topics to be discussed at this meeting would include a recap on the previous meeting, an update on the proposed development/design and the current project timeline.

The prospective applicant provided an update on some items raised at the previous meeting. With regard to peat depths and stability, the prospective applicant noted that the proposed site is relatively flat, however, it said a peat stability assessment would be carried out and submitted as part of any future planning application. In relation to the Bellacorrick turbines (constructed in 1992), the prospective applicant said their intention is to decommission these 21 turbines as part of the proposed development.

The prospective applicant noted that construction commenced in Spring 2021 on the phase 2 development of Oweninny which is located to the west of the proposed site.

In relation to a previous query in relation to turbine foundations, the prospective applicant said 75% of turbines (22/29 turbines) in phase 1 of the Oweninny development required piled foundations, which was largely due to the proximity to the Bellacorrick Iron Flush Special Area of Conservation. This figure is anticipated to be approximately 20% for the phase 2 development.

With regard to Ornithology, the prospective applicant said the findings from the 2021 breeding bird season have been gathered and noted that there was no unusual additional activity recorded in 2021 compared to previous years. It said these findings would be included along with historical surveys from the entire site and submitted in the Ornithology chapter of the EIAR.

The prospective applicant said there has been little change made to the proposed development, mainly with reference to the positioning of some turbines. The proposed development would consist of 18 wind turbines, with an approximate capacity of 90MW and with a tip height ranging between 180-200metres. The corresponding blade length would be between 72-80 metres with the hub height would range between 108-120 metres.

It was noted that the preferred location for the associated 110kV substation has been agreed.

The prospective applicant presented a site layout map which detailed the elements of the proposed development. It was noted that the planning boundary has yet to be finalised. The map identified the turbine locations, proposed substation location, the grid connection route, the internal site access roads, proposed amenity track, potential borrow pit locations and the construction compounds and storage areas.

The prospective applicant said there has been some minor changes to the turbine locations. Two turbine locations have been removed from the south west and have been re-positioned throughout the site. The prospective applicant stated that this change would be beneficial from an environmental perspective due to the proximity to the Lough Dahybaun Special Area of Conservation (SAC).

It was noted that a consultation meeting was held with Mayo County Council in June 2021 and additional public information clinics were also held in August 2021.

The prospective applicant said a leave for substitute consent application for peat extraction was submitted to the Board on the 4th November 2021 (ABP-311862-21) and it is prospective applicant's intention to submit a planning application in March 2022.

Discussion

The following matters were discussed:

- Following a request from the Board's representatives, the prospective applicant agreed to submit a full context map following this meeting which identifies all

existing and proposed turbine locations on the site and neighbouring sites including those of the proposed development

- There was a general discussion had in relation to the recent Derryadd High Court Judgement in relation to providing specific turbine tip heights as part of the planning application. The Board's representatives advised that if a specific tip height is not finalised and that ranges are instead brought forward, these configurations within the ranges should be specific (as distinct from a worst-case envelope configuration) and the specific configurations should be examined in the EIAR to allow the Board to also examine and evaluate the likely impacts. Specific configuration details should also be presented on the planning application drawings.
- There was a general discussion had in relation to the Climate Action Plan 2021 and in particular, carbon sequestration. The prospective applicant said there is historical site data available from the Oweninny site in relation to carbon flux measurements and carbon sequestration on the site. The prospective applicant said that this data would be included in any subsequent planning application. (Post meeting note: The data to be included in any future Climate Assessment should be relevant to the forthcoming application).
- In relation to noise, the prospective applicant confirmed there are 11 sensitive receptors within two kilometres and no sensitive receptors within one kilometre. The prospective applicant said they typically use a conservative approach to ensure flexibility in relation to the noise limit values.

Conclusion

The record of the meeting will issue to the prospective applicant and it will then be a matter for the prospective applicant to submit any comments on this if it wishes to do so. It will be a matter for the prospective applicant to revert to the Board if it requires a further meeting or if it wishes to close the pre-application consultation process.

 15/11/21

Ciara Kellett

Assistant Director of Planning



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F23 Y427
Tel: +353 (0)94 9021401
Email: info@tobin.ie

Our Ref: 10889-04-04

7th February 2022

Your Ref:

The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1
D01 V902

Re: Proposed Development of Oweninny Wind Farm Phase 3 at Bellacorick, Co. Mayo.

Dear Sir/Madam

On behalf of our client Bord na Móna Powergen Ltd., TOBIN Consulting Engineers wish to thank you for arranging the Strategic Infrastructure Development (SID) pre-application consultation meetings of 28th April 2021 and 11th November 2021 in respect of the proposed wind farm development known as 'Oweninny Wind Farm Phase 3'.

We would like to close the pre-application consultation with An Bord Pleanála in respect of the proposed wind farm development. We have set out below the Applicant's view on how the proposed development meets the criteria of Strategic Infrastructure Development.

Statement on Criteria in the Planning and Development Act 2000 (as amended) Seventh Schedule

Given that the proposed wind farm has an output of approximately 90 MW, the Applicant considers the proposed development to fall within the development thresholds specified in Class 1 'Energy Infrastructure' of the Seventh Schedule of the Planning and Development Act 2000, as amended, which states:

An installation for the harnessing of wind power for energy production (a wind farm) with more than 25 turbines or having a total output greater than 50 megawatts.

Statement as to Section 37(A) Criteria

Section 37A (2) of the Planning Act provides that the following matters be taken into account in determining whether or not a development shall be regarded as Strategic Infrastructure Development:

Directors: Michael Shelly (Chairman) R.F. Tobin (Managing Director) E. Connaughton (Company Secretary)
B.J. Downes D. Grehan M. McDonnell C. McGovern
M.F. Garrick J.P. Kelly

Associate Directors B. Carroll M. Casey P. Cloonan P. Cunningham B. Gallagher
B. Heaney C. Kelly A. Mulligan S. Tinnelly

- (a) *the development would be of strategic economic or social importance to the State or the region in which it would be situate,*
- (b) *the development would contribute substantially to the fulfilment of any of the objectives in the National Planning Framework or in any regional spatial and economic strategy in force in respect of the area or areas in which it would be situate,*
- (c) *the development would have a significant effect on the area of more than one planning authority.*

With regard to these criteria, the Applicant considers the proposed development to meet the criteria of items (a) and (b) above as follows:

(a) the development would be of strategic economic or social importance to the State or the region in which it would be situate.

The proposed wind farm, with an output of approximately 90 MW, will constitute a significant addition to Ireland's renewable electricity supply, contributing towards Ireland's onshore wind capacity target in the Government's *Climate Action Plan 2021*.

Due to the scale of the proposal, the project is considered to be of strategic economic and social importance to the Region and the State. The capital investment required for a project of this scale, will represent a significant economic contribution to the region, including the provision of community development funding upon commissioning of the wind farm.

(b) the development would contribute substantially to the fulfilment of any of the objectives in the National Planning Framework or in any regional spatial and economic strategy in force in respect of the area or areas in which it would be situate.

The Government's *Project Ireland 2040 - National Planning Framework* sets out the overarching policy and planning framework for the social, economic and cultural development of the country. The Plan covers a wide range of national policy objectives and National Strategic Outcomes (NSO) and in respect of the proposed development, sets out the following key objectives:

- National Policy Objective 54
Reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions.
- National Policy Objective 55
Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050.

The proposed development is in keeping with the above objectives in terms of developing a sustainable renewable energy resource which can replace fossil fuels and contribute to a reduction in greenhouse gas emissions.

We now request a determination on whether the proposed Oweninny Wind Farm Phase 3 is a Strategic Infrastructure Development, and confirmation that an application can be made to An Bord Pleanála under Section 37E of the Planning and Development Act 2000, as amended.



We look forward to your response in due course.

Yours sincerely,

Brian Gallagher

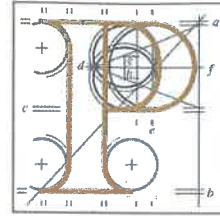
Brian Gallagher

for TOBIN Consulting Engineers (Agent)



Our Case Number: ABP-309375-21

Your Reference: Bord Na Móna Powergen Ltd.



**An
Bord
Pleanála**

Brian Gallagher
TOBIN Consulting Engineers
Fairgreen House
Fairgreen Road
Co. Galway
H91 AXK8

Date: 07 February 2022

Re: Oweninny Wind Farm Phase 3. Between 10 and 20 wind turbines (including tower sections, nacelle, hub, rotor blades) with an approximate capacity of 90 MW and a maximum blade tip height of 200 metres.

Oweninny Wind Farm, townlands of Laghtanvack, Croaghaun (also known as Croaghaun West), Moneynieran, Corvoderry, Shanvolahan, Dooleeg More and Shanvodinnaun, Co. Mayo

Dear Sir,

I have been asked by An Bord Pleanála to acknowledge receipt of your request to close the pre-application consultation process in relation to the above.

The Board will revert to you once a formal determination has been made.

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 with the Board

Yours faithfully,

Sarah Caulfield

Sarah Caulfield
Executive Officer
Direct Line: 01-8737287

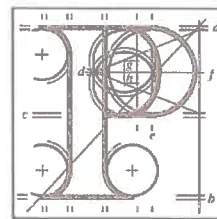
| TOBIN CONSULTING ENGINEERS | | |
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| PROJECT NO. | | |
| FILE REF: | | |
| Date Received | 08 FEB 2022 | |
| PASS TO | ACTION BY | DATE |
| B-G | | |
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Láithreán Gréasáin Website www.pleanala.ie
Ríomhphost Email bord@pleanala.ie

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

Our Case Number: ABP-309375-21

Your Reference: Bord Na Móna Powergen Ltd.



**An
Bord
Pleanála**

Brian Gallagher
TOBIN Consulting Engineers
Fairgreen House
Fairgreen Road
Co. Galway
H91 AXK8

Date: 05 April 2022

Re: Oweninny Wind Farm Phase 3. Between 10 and 20 wind turbines (including tower sections, nacelle, hub, rotor blades) with an approximate capacity of 90 MW and a maximum blade tip height of 200 metres.

Oweninny Wind Farm, townlands of Laghtanvack, Croaghaun (also known as Croaghaun West), Moneynieran, Corvoderry, Shanvolahan, Dooleeg More and Shanvodinnaun, Co. Mayo

Dear Sir,

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.

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|--------------------|---------|------------------|
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Yours faithfully,

Sarah Caulfield

Sarah Caulfield
Executive Officer
Direct Line: 01-8737287

PC09

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

Further notifications should also be made, where deemed appropriate.

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

Note 3: In addition to setting out the overall height of the turbines, the prospective applicant is advised to submit drawings and documents, including turbine dimensions, sufficient to describe the nature and extent of the development.

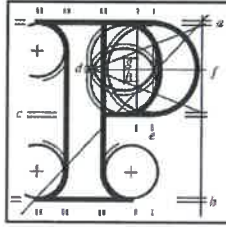
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An
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S.37A Application Procedures

- An application can only be lodged after formal notice has been received by the prospective applicant under section 37A(4)(a) of the Planning and Development Act, 2000 as amended.
- The application must be made by way of full completion of an application form to An Bord Pleanála.
- The sequencing of the application process and the content of the public notice is as set out at section 37E of the Planning and Development Act, 2000, as amended.
- The Board requires as a minimum that the public notice of the application would be in two newspapers circulating in the area to which the proposed development relates, one of which should be a national newspaper (A sample public notice is attached). A site notice in accordance with the protocols set out in the Planning and Development Regulations, 2001-2019 must also be erected. The date of the erection of the site notice is to be inserted; otherwise it should contain the same information as the newspaper notices and should remain in place for the duration of the period during which the public can make submissions to the Board.
- The documentation relating to the application is to be available for public inspection at the offices of the relevant planning authority and the offices of An Bord Pleanála. In this regard the requirements in terms of the number of copies of the documentation to be lodged with the relevant planning authority and the Board is as follows:
 - Planning Authority – 5 hard copies and 2 electronic copies.
 - An Bord Pleanála – 2 hard copies and 8 electronic copies.

The Board also requires the prospective applicant to provide a stand- alone website containing all of the application documentation. The address of this website is to be included in the public notice.

- The public notice of the application is to indicate that the application documentation will be available for public inspection after a period of at least 5 working days has elapsed from the date of the publication of the notice so as to ensure that the documentation is in place for such inspection.
- The time period for the making of submissions by the public is to be at least seven weeks from the date the documents become available for inspection (not from the date of publication of the public notices). The Board requires that the public notice must indicate the deadline time and date for the making of submissions to the Board. The prospective applicant should advise the Board's administrative personnel in advance, of the details of its proposed public notice and further definitive advice on the notice including confirmation of dates/times can be communicated at that stage.

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- The service of notice of the application on any prescribed bodies must include a clear statement that the person served can make a submission to the Board by the same deadline as specified in the public notice.
- The letter serving notice on the planning authority with the necessary copies of the documents should be addressed to the Chief Executive Officer and should also alert the authority to the Board's requirement that the application documentation be made available for public inspection/purchase by the planning authority in accordance with the terms of the public notice (copies of any newspaper/site notices should be provided to the planning authority). It is the Board's intention that all of the application documentation will remain available for public inspection during the currency of the application.
- The deposition of the application documentation and the making of the application to the Board should take place immediately after the publication of the notice and the completion of the service requirements. It should not await the conclusion of the period for the public to make submissions. The application documentation should include a copy of all letters serving notice of the application on prescribed bodies and the local authority, copies of the actual newspaper notices as published and the site notice.
- The fee for lodging an application is €100,000. The fee for making a submission in respect of an application is €50 (except for certain prescribed bodies which are exempt from this fee). There is an existing provision enabling the Board to recover its costs for processing any application from the applicant. In addition, the legislation also enables the Board to direct payment of costs or a contribution towards costs incurred by the planning authority and third parties.

The sequencing of the making of the application is summarised as follows:

1. Publish newspaper notices.
2. Serve copy of relevant documents on bodies/persons required to be notified of the application. Deposit required number of copies with relevant planning authority.
3. Deposit required number of copies of application documentation with An Bord Pleanála and make an application to it.

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