

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:	<b>Section 37E of the Planning and Development Act, 2000 (as amended)</b>
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2. **Applicant:**

Name of Applicant:	Orsted Onshore Ireland Midco Ltd
Address:	Floor 5, City Quarter, Lapp's Quay, Cork, T12 A2XD
Telephone No:	
Email Address (if any):	<a href="mailto:info@orsted.com">info@orsted.com</a>

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

Name(s) of company director(s):	John White Thomas Hunter
Registered Address (of company)	Floor 5, City Quarter, Lapp's Quay, Cork, T12 A2XD
Company Registration No.	IE137889
Telephone No.	(021) 422 3600
Email Address (if any)	info@orsted.com

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

Name:	Meabhann Crowe (MKO)
Address:	MKO, Tuam Road, Galway H91 VW84
Telephone No.	(091) 735611
Mobile No. (if any)	
Email address (if any)	mcrowe@mkoireland.ie & info@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:

Meabhann Crowe (MKO)

MKO, Tuam Road, Galway

(091) 735611

**5. Person responsible for preparation of Drawings and Plans:**

Name:	<ol style="list-style-type: none"> <li>1. J. O’Brien (MKO)</li> <li>2. Gabi Dobrowska (Hydro-Environmental Services)</li> <li>3. H&amp;MV</li> </ol>
Firm / Company:	<ol style="list-style-type: none"> <li>1. MKO</li> <li>2. Hydro-Environmental Services</li> <li>3. H&amp;MV</li> </ol>
Address:	<ol style="list-style-type: none"> <li>1. MKO, Tuam Road, Galway</li> <li>2. Hydro-Environmental Services - 22 Lower Main Street, Dungarvan, Co. Waterford. X35 HK11</li> <li>3. H&amp;MV Hamilton House Block 2, Plassey Business Park, Castletroy, Limerick, V94 YHD6</li> </ol>
Telephone No:	<ol style="list-style-type: none"> <li>1. (091) 735611 (MKO)</li> <li>2. (0)58 44122 (Hydro-Environmental Services)</li> <li>3. (061)357496 (H&amp;MV)</li> </ol>
Mobile No:	N/A
Email Address (if any):	<ol style="list-style-type: none"> <li>1. <a href="mailto:info@mkoireland.ie">info@mkoireland.ie</a></li> <li>2. <a href="mailto:info@hydroenvironmental.ie">info@hydroenvironmental.ie</a></li> <li>3. <a href="mailto:info@hmveng.ie">info@hmveng.ie</a></li> </ol>
<p>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.</p>	

Please see schedule attached to Cover Letter.

**6. Site:**

<p>Site Address / Location of the Proposed Development (as may best identify the land or structure in question)</p>	<p>In the townlands of Inchincoosh, Inchee, Lettercannon, Coomacullen and Cloonkeen, Co. Kerry.</p>	
<p>Ordnance Survey Map Ref No. (and the Grid Reference where available)</p>	<p>Os Maps - OS1006, OS1008 Grid Ref(s) - 6179, 6180, 6181, 6227, 6228, 6229, 6275, 6276, 6277, 6322, 6323, 6324</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>608.2ha</p>	
<p>Site zoning in current Development Plan for the area:</p>	<p>The site is zoned for Repowering within the Kerry County Development Plan 2022-2028 (Wind Zone Strategy)</p>	
<p>Existing use of the site &amp; proposed use of the site:</p>	<p><b>Existing:</b> Current land use on the Site comprises wind energy, low-intensity agriculture and small areas of coniferous forestry. Land use in the wider area of the site comprises a mix of agriculture, low density residential areas, commercial forestry and wind energy.</p> <p><b>Proposed:</b> The planning application submitted to An Bord Pleanála</p>	

	seeking the removal of the existing 28 no. turbines and construction of 11 no. new turbines.
Name of the Planning Authority(s) in whose functional area the site is situated:	Kerry County Council

**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 Y	Occupier
	Other	Y
Where legal interest is "Other", please expand further on your interest in the land or structure.		
Ørsted are the owners of the majority of the site, registered under the company SWS Kilgarvan Windfarm Ltd, however partial areas of the site are under the ownership of other landowners. These are listed in the following section, and letters of consent included with the application.		
<b>If you are not the legal owner</b> , 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.		
<p>Patrick Carey Coomacullen, Clonkeen, Killarney, County Kerry</p> <p>Kathleen Carey Coomacullen, Clonkeen, Killarney, County Kerry</p> <p>Commonage Helen Mary O Sullivan, Daniel Quill, Inchincoosh, Kilgarvan, Killarney, County Kerry</p> <p>John Dineen Incheese, Kilgarvan, Co. Kerry</p> <p>Please see letters of consent included with this application included within addendum 4.</p>		
Does the applicant own or have a beneficial interest in adjoining, abutting or adjacent lands? If so, identify the lands and state the interest.		
Yes, please refer to the Site Location Map Keyplan (Drawing number: 211107-02), as prepared by MKO.		

**8. Site History:**

<b>Details regarding site history (if known):</b>
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Has the site in question ever, to your knowledge, been flooded?

Yes: [ ] No: [x]

If yes, please give details e.g. year, extent:

Are you aware of previous uses of the site e.g. dumping or quarrying?

Yes: [ ] No:[x]

If yes, please give details:

Site is an existing wind farm, with borrow pits on site. However, no commercial quarrying has taken place on site.

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

Yes:  No:

For comprehensive Planning list please see EIAR Ch 2 Background

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

<b>Reg. Ref. No:</b>	<b>Nature of Proposed Development</b>	<b>Nature of Final Decision of Application Grant of Refusal by Planning Authority / An Bord Pleanála</b>
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**Kilgarvan I**

<b>02/1241</b>	Construct a windfarm consisting of 17 wind turbines, an electrical substation with control building, 2 no. 50m high meteorological masts, construct and extend existing internal site tracks and associated works - EIS received.	Kerry County Council Conditional 27/12/2002 30 Conditions
<b>03/2176</b>	Change the turbine hub height from 60m to 80m in the existing planning permission for a wind farm (EIS received)	Kerry County Council Conditional 2 Conditions 22/10/2003
<b>03/992176</b>	The change of turbine hub height from 60m to 80m in the existing planning permission for a wind farm	Kerry County Council Extension of Duration Granted – Expiry 21 <sup>st</sup> October 2018
<b>03/2306</b>	Construct a wind farm extension to planning reg no 1241/02, extension will consist of 4 wind turbines (hub height 80 m, blade diameter 80 m), construction and extension of existing internal site tracks and associated works. EIS received	Kerry County Council Conditional 15 Conditions 28/10/2003

<b>07/3648</b>	Carry out alteration to an existing electrical substation (planning ref. No. 02/1241) where the alteration is an additional transformer bay and 20kv substation including a control building, power transformer, reactive power compensation system and associated works	Kerry County Council Conditional 1 Condition 13/11/2007
<b>19/1325</b>	The installation of battery arrays, located within container units (18 number units, each 30m2 by c.2.6m tall), a control building (c.160.5m2 by c.6.4m tall) and transformer (c.5m tall). The development will include for ancillary infrastructure including security fencing, lighting, CCTV, internal access roads and drainage. The overall development site is c.1.6ha. The application includes a natura impact statement (NIS)	Kerry County Council Conditional 8 Conditions 28/07/2020
<b>Kilgarvan II</b>		
<b>Inchincoosh</b>		
<b>07/1605</b>	Erect six wind turbines hub height 80m, blade diameter 90m, one 80m high meteorological mast, four borrowpits, construction of internal site tracks and associated works	Kerry County Council Conditional for 5 no. turbines 13 Conditions 02/08/2007  Refused Turbine No. 6.
<b>07/4364</b>	Erect one wind turbine, hub height 80m, blade diameter 90m (as an addition to a five wind turbine development granted permission under planning ref. No. 07/1605) and to construct an internal site track and associated works	Kerry County Council Conditional 12 Conditions 29/01/2008
<b>Lettercannon</b>		
<b>ABP Ref: 08.209629</b>  <b>Kerry County Council LPA Ref: 03/2508</b>	6 no. 3MW wind turbines, service roadways and control house and 1 no. 60m monitoring mast (temporary) and river crossing (temp.) and associated works	Conditional (Revised) 12 Conditions 27/04/2005

<b>07/4515</b>	Move one wind turbine (T1) as an alteration to a six wind turbine development granted planning permission by An Bord Pleanála (ABP ref pl. 08.209629 and Kerry County Council planning register ref 03/2508). It is proposed to move the turbine approximately 480m to the northeast of its current location	Kerry County Council Conditional 12 Conditions 13/02/2008
<b>07/4701</b>	Erect one wind turbine (T9), hub height 80m, blade diameter 90m, as an addition to a six wind turbine development granted planning permission by An Bord Pleanála (ABP ref: pl.08.209629 and Kerry County Council planning register ref. 03/2508) and to construct an internal site track and associated works	Kerry County Council Conditional 12 Conditions 22/02/2008
<b>ABP Ref: P08.232259</b>  <b>Kerry County Council LPA Ref: 08/2298</b>	Erect 1 no. permanent meteorological mast of 80 metres in height with internal access road	Conditional (Revised) 5 Conditions 07/07/2009
<b>05/1351</b>	Erect two temporary 75m high meteorological masts for a duration of 3-4 months, the erection of two permanent 75m-high meteorological masts and associated equipment for the purposes of monitoring windspeeds	Conditional 17 Conditions 31/08/2010
<b>Grid Infrastructure</b>		
<b>04/1648</b>	Construct an overhead transmission line of single circuit 110kv from the windfarm at Inchee and construct a 110kv switching substation. An EIS has been submitted in support of this application.	Kerry County Council Conditional 10 Conditions 24/02/2005
<b>06/1143</b>	Alteration to 110kv substation (planning ref. No. 04/1648) where the alteration is 1 no. Additional end mast tower (18m high), 1 no. Additional static wire lightning conductor and the re-orientation of site control building as required by ESB national grid	Kerry County Council Conditional 1 Condition 31/05/2006

<b>06/2660</b>	For the alteration to 100kv substation (planning ref no. 04/1648) where the alteration is 1 no. Additional line bay consisting of circuit breaker and associated equipment as required by ESB national grid	Kerry County Council Conditional 1 Condition 18/10/2006
<b>04/356</b>	Construction of 5.8km overhead transmission line of single circuit 110kV	Cork County Council Granted – Unconditional 12/07/2004
Other Applications		
<b>01/2351</b>	To erect a 30 meter telecommunications hexagonal lattice tower with transmission equipment container	Kerry County Council Conditional 13 Conditions 01/11/2006
<b>ABP Ref: PL08.221244 LPA Ref: 06/3727</b>	Retention of development consisting of a 30 metre hexagonal lattice tower with transmission equipment, associated equipment container and previously granted under Planning Ref No. 01/2351	Kerry County Council Conditional 2 Conditions 31/05/2007
<b>11/990</b>	Retain and operate an existing 30m hexagonal lattice tower with transmission equipment, equipment container and palisade perimeter fencing as permitted under planning ref no. 06/3727; ABP PL08.221244	Kerry County Council Conditional 4 Conditions 26/03/2012
<b>18/496</b>	Retain an existing development at this site. The development consists of an existing 30 metre high telecommunications support structure carrying telecommunications equipment, together with existing equipment container and associated equipment within a fenced compound as previously granted under local authority ref. No. 11/990.	Kerry County Council Conditional 3 Conditions 28/09/2018
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:[x]

If yes please specify

An Bord Pleanála Reference No.: \_\_\_\_\_

## 9. Description of the Proposed Development:

<p>Brief description of nature and extent of development</p>	<p>Orsted Onshore Ireland Midco Ltd. (Ørsted), are proposing to repower an existing Wind Farm at Kilgarvan, Co. Kerry.</p> <ul style="list-style-type: none"> <li>i. Removal of 28 no. existing turbines and relevant ancillary infrastructure permitted under Kerry County Council and An Bord Pleanála Planning References; 02/124, 03/2176, 03/2306, 07/1605, 07/4364, Pl. 08.209629, 07/4515, 07/4701, Pl. 08.232259 and 05/1351;</li> <li>ii. Erection of 11 no. wind turbines with a blade tip height range from 199.5m to 200m, a hub height range from 118m to 125m and a rotor diameter range from 149m to 163m, along with associated foundations and hard standing areas;</li> <li>iii. A thirty-five year operational life from the date of full commissioning of the wind farm;</li> <li>iv. Underground electrical 33kV and communication cabling connecting the proposed turbines and meteorological mast to the existing 110kV Coomagearlahy substation in the townland of Inchee;</li> <li>v. Upgrade of and the continued use of the existing onsite Coomagearlahy 110kV substation in the townland of Inchee, permitted under Kerry County Council References 07/3648, 04/1648, 06/1143, 06/2660;</li> <li>vi. Upgrade of existing tracks, hardstand areas and provision of new site access roads and junctions;</li> <li>vii. The extension and reuse of the 1 no. existing borrow pit;</li> <li>viii. 2 no. temporary construction compounds;</li> <li>ix. Meteorological mast, with a height of 100m and upgrade of existing associated foundation and hard standing area;</li> <li>x. Forestry felling;</li> <li>xi. Site drainage;</li> <li>xii. Biodiversity Enhancement measures;</li> <li>xiii. Operational stage site signage; and,</li> <li>xiv. All ancillary works and apparatus.</li> </ul> <p>The application is seeking a 10-year planning permission and 35-year operational life from the date of full commissioning of the wind farm.</p>
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	An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared in relation to the project and accompany this planning application.
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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 <sup>2</sup>
n/a	n/a

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

Gross floor space of any existing buildings(s) in m <sup>2</sup>	<b>Existing Substation: 2907m<sup>2</sup></b>
Gross floor space of proposed works in m <sup>2</sup>	<b>Substation Upgrade: 952m<sup>2</sup></b>
Gross floor space of work to be retained in m <sup>2</sup> (if appropriate)	n/a
Gross floor space of any demolition in m <sup>2</sup> (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:	Proposed:			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>		x
<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)
Current land use on the site comprises wind energy, low-intensity agriculture and small areas of coniferous forestry. Please refer to EIAR Chapter 1 – Introduction.
Proposed use (or use it is proposed to retain)
The planning application will be submitted to An Bord Pleanála seeking to remove the existing 28 no. turbines and to construct 11 no. new turbines in their place.
Nature and extent of any such proposed use (or use it is proposed to retain).
The Proposed Development will comprise the removal of 28 no. existing turbines and the construction of 11 new turbines with a blade tip of up to 200m, and all associated works. It is proposed that the Repowering of the site utilise the existing 110kV Grid Infrastructure. The Proposed Development will also make use of as much of the existing infrastructure from the existing Kilgarvan Wind Farm (i.e., access roads, areas of hardstanding, electrical infrastructure) as possible. There will be c.17.9km of existing roadways to be upgraded and used to facilitate the Proposed Development. There will only be approximately 1.5km of new access roads to be constructed as part of the Proposed Development.

**15. Development Details:**

<b>Please tick appropriate box:</b>	<b>If answer is yes please give details</b>	<b>YES</b>	<b>NO</b>
Does the proposed development involve the demolition of a Protected Structure(s), in whole or in part?			X
Does the proposed development consist of work to a protected structure and / or its curtilage or proposed protected structure and / or its curtilage?			X
Does the proposed development consist of work to the exterior of a structure which is located within an architectural conservation area (ACA)?			X
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.		X Please see Chapter 13 of EIAR on Cultural	

	Heritage for detail	
Does the application relate to work within or close to a European Site or a Natural Heritage Area?	X Please see Chapter 6 of EIAR on Biodiversity for detail	
Does the development require the preparation of a Natura Impact Statement?	X Please see Chapter 6 of EIAR on Biodiversity for detail	
Does the proposed development require the preparation of an Environmental Impact Assessment Report?	X See EIAR accompanying application	
Do you consider that the proposed development is likely to have significant effects on the environment in a transboundary state?		X
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		X
Does the application relate to a development which comprises or is for the purpose of an activity requiring a waste license?		X
Do the Major Accident Regulations apply to the proposed development?		X
Does the application relate to a development in a Strategic Development Zone?		X
Does the proposed development involve the demolition of any habitable house?		X

**16. Services:**

<b>Proposed Source of Water Supply:</b>
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): x Temporary Water Storage Tank (Please refer to Chapter 4 - Description of the EIAR). Name of Group Water Scheme (where applicable): N/A
<b>Proposed Wastewater Management / Treatment:</b>
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: 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 wastewater treatment plant (Please refer to Chapter 4 - Description of the EIAR).
<b>Proposed Surface Water Disposal:</b>
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).

**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"/>

The proposed development was advertised in the Irish Examiner and Kerrys Eye both on the 16<sup>th</sup> May 2024

Details of site notice, if any, - location and date of erection

Copy of site notice enclosed Yes:  No:

The site notices were erected on site on the 16<sup>th</sup> May 2024

Details of other forms of public notification, if appropriate e.g. website

Community consultation:

<https://orsted.ie/renewable-energy-solutions/kilgarvan-repower>

Planning application:

<https://kilgarvanplanning.ie/>

## 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 1 of the planning form, please refer to Section 2.6.4 of Chapter 2 of the EIAR. The team met with An Bord Pleanála on 7th December 2022 and Kerry County Council on 1st March 2023.

Yes:  No:

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 the planning form

Yes:  No:

## 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 included in the application documentation and the EIA Portal ID is 2024085

**20. Application Fee:**

Fee Payable	€100,000.00 (Paid by EFT, copy of payment receipt enclosed)
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**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)	 <b>Meabhann Crowe, MKO Planning (AGENT), Tuam Road, Galway</b>
Date:	16 <sup>th</sup> May 2024

**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.

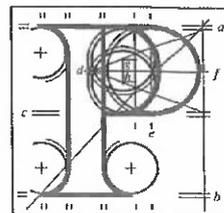
September 2018

## Addendum 1 – Details of Pre-Application Meetings

- a. An Bord Pleanála
- b. Kerry County Council
- c. SID Close out letter

**Our Case Number:** ABP-314798-22

**Your Reference:** Ørsted Onshore Ireland Midco Limited (Ørsted)



**An  
Bord  
Pleanála**

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

**Date:** 19th December 2022

**Re:** Repowering of the existing Kilgarvan Wind Farm. Provision of approximately 11 wind turbines and all associated works.  
Townlands of Inchincoosh, Inchee, Lettercannon, Coomacullen and Cloonkeen, Co. Kerry and Inchamore, Co. Cork

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 first meeting of the 7<sup>th</sup> December, 2022.

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,

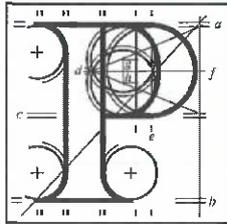
Doina Chiforescu  
Executive Officer  
Direct Line: 01-8737133

PC07

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

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





An  
Bord  
Pleanála

## Record of Meeting ABP-314798-22 and ABP-314799-22 1<sup>st</sup> meeting

<b>Description</b>	<p>ABP-314798-22 – Repowering of the existing Kilgarvan Wind Farm. Provision of approximately 11 wind turbines and all associated works at townlands of Inchincoosh, Inchee, Lettercannon, Coomacullen and Cloonkeen, Co. Kerry and Inchamore, Co. Cork</p> <p>ABP-314799-22– Proposed upgrades to the existing 110kV Coomagearlahy substation at the Kilgarvan Wind Farm at Coomagearlahy, Inchee, Co. Kerry</p>		
<b>Case Type</b>	Pre-application Consultation		
<b>1st / 2nd / 3<sup>rd</sup> Meeting</b>	1 <sup>st</sup> Meeting		
<b>Venue</b>	Virtually by Microsoft Teams		
<b>Date</b>	7/12/2022	<b>Time</b>	11:00am – 11:55am

### Representing An Bord Pleanála

Ciara Kellett, Assistant Director of Planning (Chair)

Mairead Kenny, Senior Planning Inspector

Doina Chiforescu, Executive Officer

<b>Representing the Prospective Applicant</b>
Aine Bourke – MKO
Órla Murphy – MKO
Niamh McHugh – MKO
Patrick McMorrough – Applicant – Ørsted Onshore Ireland Midco Ltd.( Ørsted)

## **Introduction:**

The Board referred to the letter received from the prospective applicant on the 11<sup>th</sup> October 2022, 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. It was noted that two separate pre-application consultations have been submitted by the prospective applicant, pursuant to section 182E and section 37B of the Planning and Development Act, 2000, as amended. Both cases will be discussed at the instant meeting.

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 opened its presentation by giving some background information into the applicant company Ørsted Onshore Ireland Midco Ltd (Ørsted).

The two proposed developments are:

1. **ABP-314798-22** – Repowering of the existing Kilgarvan Wind farm development under section 37B of the Planning and Development Act 2000, as amended.
2. **ABP-314799-22** – Proposed upgrades to the existing 110kV Coomagearlahy substation at the Kilgarvan Wind Farm under section 182E of the Planning and Development Act 2000, as amended.

### **Proposed Wind Farm Development (ABP - 314798-22)**

The proposed wind farm development involves decommissioning of the existing 28 no. turbines and replacing them with 11 no. new turbines, up to 200m tip height. The proposed wind farm is located within the footprint of the existing Kilgarvan Wind Farm, which is made up of 2 no. wind farms – Kilgarvan I and Kilgarvan II. A total of 34 turbines were granted permission, with 28 being built. The site is within the townlands of Inchincoosh, Inchee, Lettercannon, Coomacullen and Cloonkeen, Co. Kerry and Inchamore Co. Cork. The site is located approximately 5.5km northeast of Kilgarvan Town in Co. Kerry and 6km west of Coolea in Co. Cork. The site is accessed from the N22, using existing access points and roads.

The prospective applicant referenced a number of EU and national policy documents which support and encourage the development of renewable energy sources and replacement of fossil fuels.

From a local policy context the prospective applicant stated that the Kerry County Development Plan 2022-2028 (KCDP), is currently subject to a Draft Ministerial Direction relating to energy policies but this does not directly affect this proposal in principle. The site is located in a Repower Area zone which is not impacted by the Draft Ministerial Direction. Cork County Development Plan 2022 – 2028 is also subject to Ministerial Direction not relating to policies affecting this proposal. The only development proposed within Cork will be road upgrade works.

As noted above the site is designated as being located within a repower area in the KCDP. There is, therefore, policy support at local level for such development. In relation to the Cork County Development Plan 2022-2028 (CCDP), while it is only road infrastructure upgrades proposed in County Cork, it is noted that the subject area is designated as “Open to Consideration” in the Wind Strategy Map.

The prospective applicant presented a drawing indicating the detailed site constraints analysis, including buffer zones from residential dwellings, watercourses, designated sites and other constraints.

The prospective applicant said that scoping was carried out and a scoping document, providing details of the proposed development, was prepared and circulated to prescribed statutory bodies in July 2022. A follow up scoping letter was issued on 9th November 2022 and responses were received including from An Taisce, the Department of Agriculture, Food and the Marine, the Department of Defence, the HSE and Inland Fisheries Ireland. Responses were also received from Kerry County Council Environment Department, Kerry Airport and Cork County Council Roads Department.

The prospective applicant said that pre-application consultations were requested with both Cork and Kerry County Councils. Cork County Council issued a written pre-application response note on 23rd November 2022 and they advised that the development is considered acceptable at this point. A meeting with Kerry County Council is anticipated in early January 2023.

In relation to the public consultation, the prospective applicant appointed a Community Liaison Officer (CLO) at an early stage to introduce the proposal to the community and to provide an interface for addressing any queries or concerns .

The proposed chapter headings to be included in the EIAR were presented.

The prospective applicant presented a map which detailed preliminary viewpoint locations and a Zone of Theoretical Visibility. A cumulative impact drawing was presented.

In relation to the project timelines the prospective applicant highlighted that in Q2 2018, the ecological and ornithological studies began on the study area, and in Q1 2021 the environmental and planning consultants were appointed. In Q1 2022 detailed environmental and engineering studies began and initial site layouts were designed.

It is the prospective applicant's current intention to lodge a planning application in Q1 2023.

#### Grid Connection (ABP - 314799-22)

The existing on-site Coomagearlahy 110kV substation is located within the existing Kilgarvan Wind Farm site, in the townland of Inchee, Co. Kerry. It is not located proximate to a road or any residential development and is only accessible via the existing private wind farm access roads.

The prospective applicant consider that the connection to the national grid already exists and is not proposed to be altered in any way, remaining via the existing Coomagearlahy 110kV substation. The upgrade works to the existing substation at Coomagearlahy and the repowering to the existing wind farm, will be developed alongside each other in the future. These works are required to extend the capacity of the existing substation to cater for the proposed Repowering of the Kilgarvan Wind Farm, will be located within the existing substation footprint and requires the existing 110kV Coomagearlahy substation to be upgraded only.

It is the prospective applicant's opinion that the proposed upgrade works to the existing on-site substation do not fall within the scope of SID as set out under Section 182A of the Act.

## Discussion

The following matters were discussed:

- The prospective applicant considers that the proposed upgrade works to the existing on-site substation do not fall within the scope of SID as set out under Section 182A of the Act. The connection to the national grid already exists and is not proposed to be altered in any way, remaining via the existing Coomagearlahy 110kV substation.
- The Board's representatives offered a preliminary opinion that the proposed electrical work does not constitute SID, but noted that the ultimate decision is a matter for the Board.
- The Board's representatives stated their preliminary opinion is that the proposed development of repowering the existing Kilgarvan Wind farm development would constitute SID but noted that the ultimate decision is a matter for the Board.
- If the Board confirm that the substation works do not constitute SID, the option of incorporating both the windfarm development and the substation upgrade projects into one planning application was discussed. The Board's representatives noted that this approach had been adopted in other cases. An amendment to the development description to provide that it is clear that works to the substation are included in the windfarm application (assuming that the Board determine that this development is SID) will be required. This amendment would be made before the request for closure of the section 37A pre-application case. If this option is pursued the submitted application would be accompanied by an EIAR that covered both project elements.
- In response to a query on the matter, the prospective applicant said that the Ministerial Directive relevant to the KCDP is currently in draft form and more details will be supplied to the Board. The applicant noted that it is mainly relating to the areas that are open for consideration for windfarm development and not to the area of the existing windfarm.

- The Board's representatives requested the prospective applicant to provide further information relating to the planning history of the other two re-power applications. Any future application should also address the Derryadd judgement.
- Regarding the potential significant landscape and visual effects, the Board's representatives drew attention to the protected views along the N22. The Board's representatives also indicated that the LVIA section of the EIAR may benefit from a robust written justification for additional visual impacts which may result. The selection of viewpoints should be robustly defended and consideration should be given to some of the recreational assets in the area including the forest to the west and walking routes in the area. The Board's representatives requested that A3 photomontages be included with the application.
- The Board's representatives noted the importance of cumulative impact assessment and referred to a live planning application.
- In response to a query on the matter, the prospective applicant said that a NIS is needed.
- The Board's representatives advised that formal contact with NPWS should be requested and noted the importance of this consultation.
- Regarding the site entrance the Board's representatives advised the applicant to consider its suitability to cater for the proposed development.
- The Board's representatives noted that the provisions relating to design options for Seventh Schedule SID projects contained in the Planning and Development Maritime and Valuation (Amendment) Act, 2022 have not to date been commenced.
- The Board's representatives advised that the prospective applicant could submit an application accompanied by an EIAR that assessed options proposed by the applicant.

- The Board's representatives said the same record will be issued for both cases. Closure for the S182E pre-application case could be requested once the record of meeting is received from the Board.

## **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.

 19/12/22

**Ciara Kellett**

**Assistant Director of Planning**

## **Strategic Infrastructure Development - Proposed Repowering of Kilgarvan Windfarm**

Developer: Orsted Onshore Ireland Midco Ltd (Orsted)

Agent: MKO Planning and Environmental Consultants

Teams Meeting held at 3.00pm on 01/03/2023

Attendees:

Patrick McMorrough, Orsted

Aine Bourke, MKO

Orla Murphy, MKO

Cathy Fisher, Biodiversity Officer, KCC

Mick Boyce, SEE Environment, KCC

Dr Michael Connolly, Co Archaeologist, KCC

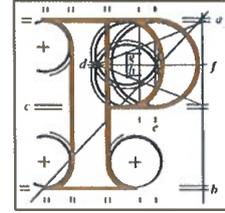
Michael Lynch, SEE Planning, KCC

- (1) Following introductions, the meeting started with a Powerpoint Presentation by MKO which described the proposed development and set out the planning policy context. The headings of the EIAR for the project were summarised and the visual impact of the proposed development was discussed.
- (2) In response to queries from KCC, Patrick McMorrough confirmed that
  - a. The proposed 11 no. new wind turbines would have a rated output of 6MW+, giving a total output exceeding 50MW.
  - b. Application will be for a 10-year planning permission.
  - c. The total output would be similar to the output of the existing windfarm. Grid capacity restricts connection of additional turbines.
  - d. Some of the existing wind turbines have a 20-years planning permission which will expire in the next few years. Proposed wind turbines will be more efficient than the existing turbines.
- (3) M Lynch advised that KCC report to An Bord Pleanála will entail assessment under the headings set out in the Windfarm Guidelines.
- (4) C Fisher advised that the main focus of the NIS to be submitted with the planning application will be on water protection. The site is located upstream of the Roughty River which has High Status under the Water Framework Directive. Ecological assessment should include possible impact on the White-Tailed Sea Eagle. EIAR should include Carbon Assessment.
- (5) M Boyce advised that assessment of impact on water quality will be critical, particularly in the light of previous incidents arising during construction of wind farms in Kerry. Construction of new hard-stand areas and the widening and re-surfacing of on-site roads will cause increased water run-off. Protection of the High Status of the Roughty River must be prioritised. EIAR should include for proposals regarding de-commissioning of the existing wind turbines and associated infrastructure and noise assessment. In response to queries regarding proposed roadworks, Patrick McMorrough advised that about 16,000 cubic metres of material for on-site roadworks is proposed to be extracted from the on-site borrow pit.

(6) Dr Michael Connolly noted that archaeological monitoring of groundworks was carried out pursuant to the previous grants of planning permission on the lands. Any new grant of planning permission would be subject to an archaeological monitoring under licence condition. Buffer zones around any monuments will need to be fenced during the construction phase of the development. The visual impact of the proposed development will need to be assessed in relation to the designated Paps Mountains and Mangerton Mountain Archaeological Landscapes

**Our Case Number:** ABP-314798-22

**Your Reference:** Ørsted Onshore Ireland Midco Limited (Ørste



**An  
Bord  
Pleanála**

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



**Date:** 14 August 2023

**Re:** Repowering of the existing Kilgarvan Windfarm. Provision of approximately 11 no. wind turbines and all associated works.  
Townlands of Inchincoosh, Inchee, Lettercannon, Coomacullen and Cloonkeen, Co. Kerry and Inchamore, Co. Cork.

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), (b) and (c) 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.

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

1. Minister for Housing, Local Government and Heritage
2. Minister for the Environment, Climate and Communications
3. Commission for Regulation of Utilities
4. Department of Agriculture, Food and Marine
5. Department of Tourism, Culture, Arts, Gaeltacht, Sports and Media
6. An Taisce
7. An Chomhairle Ealaíon
8. Fáilte Ireland
9. Heritage Council
10. Inland Fisheries Ireland
11. Transport Infrastructure Ireland
12. Irish Aviation Authority
13. Uisce Éireann
14. Health Service Executive
15. Southern Regional Assembly
16. Kerry County Council
17. Cork County Council

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

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

Further notifications should also be made where deemed appropriate.

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.

In accordance with the fees payable to the Board and where not more than one pre-application meeting is held in the determination of the case, a refund of €3,500 is payable to the person who submitted the pre-application consultation fee. As a meeting only one meeting was required in this case, a refund of €3,500 will be sent to you in due course.

The following 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.

### **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](http://www.citizensinformation.ie).

<b>Teil</b>	<b>Tel</b>	(01) 858 8100
<b>Glaó Áitiúil</b>	<b>LoCall</b>	1800 275 175
<b>Facs</b>	<b>Fax</b>	(01) 872 2684
<b>Láithreán Gréasáin</b>	<b>Website</b>	<a href="http://www.pleanala.ie">www.pleanala.ie</a>
<b>Ríomhphost</b>	<b>Email</b>	<a href="mailto:bord@pleanala.ie">bord@pleanala.ie</a>

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

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.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email [sids@pleanala.ie](mailto:sids@pleanala.ie) quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

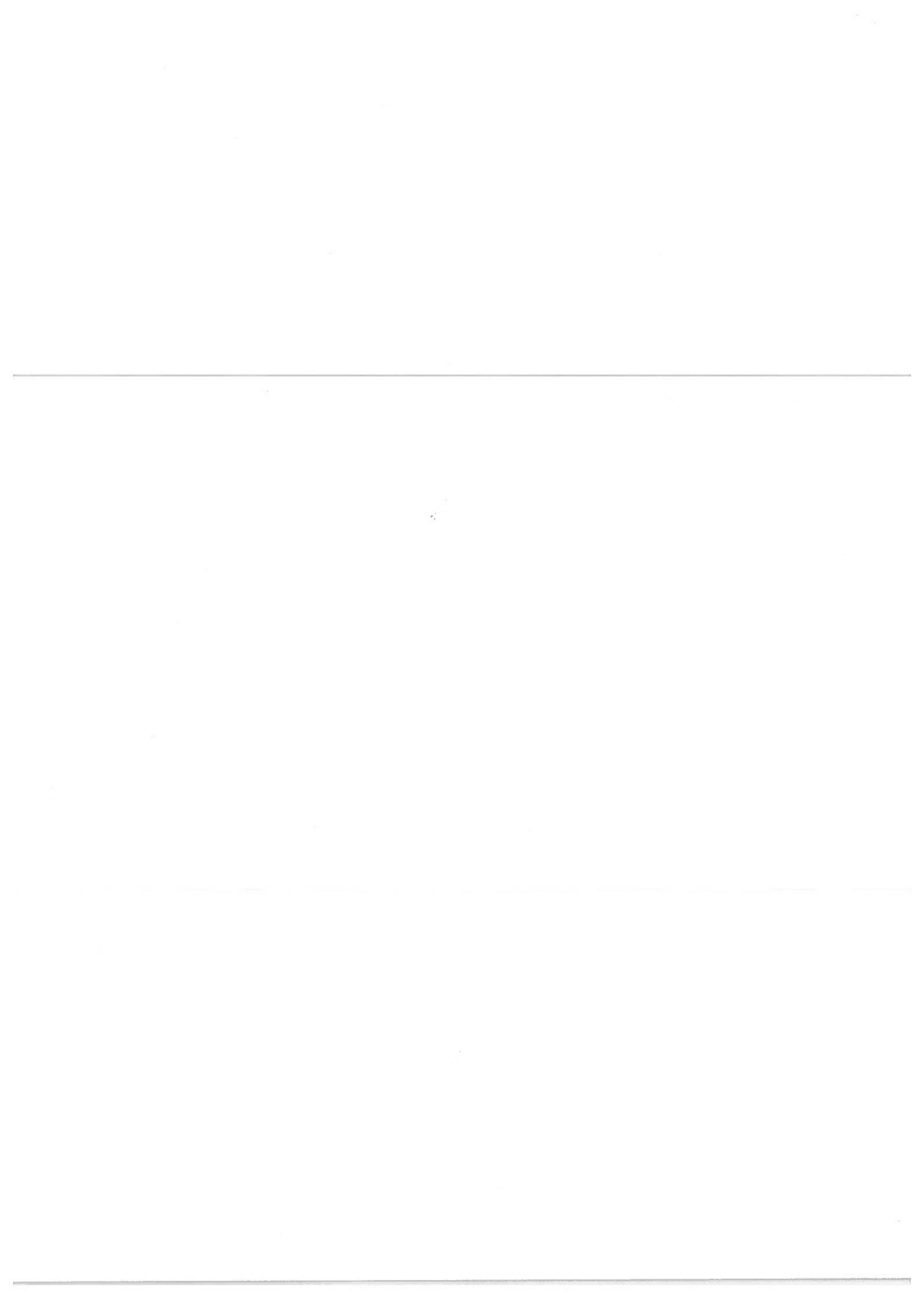


Ashling Doherty  
Executive Officer  
Direct Line: 01-8737160

PC09

<b>Teil</b>	<b>Tel</b>	(01) 858 8100
<b>Glaó Áitiúil</b>	<b>LoCall</b>	1800 275 175
<b>Facs</b>	<b>Fax</b>	(01) 872 2684
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64 Sráid Maoilbhríde	64 Marlborough Street
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## Addendum 2 – Prescribed Bodies Letters

- a. Minister for Housing, Local Government and Heritage
- b. Minister for the Environment, Climate and Communications
- c. Commission for Regulation of Utilities
- d. Minister for Agriculture, Food and the Marine
- e. Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media
- f. An Tasice
- g. An Chomhairle Ealaíon
- h. Fáilte Ireland
- i. The Heritage Council
- j. Inland Fisheries Ireland
- k. Transport Infrastructure Ireland
- l. Irish Aviation Authority
- m. Uisce Éireann
- n. Health Service Executive
- o. Southern Regional Assembly
- p. Kerry County Council
- q. Cork County Council



Tailors' Hall,  
Back Lane,  
Dublin,  
D08 X2A3

Our ref: 211107

16<sup>th</sup> May 2024

**Re: Section 37E of the Planning and Development Act 2000, as amended – Planning Application to An Bord Pleanála for a Proposed Wind Farm Repowering Application of the existing Kilgarvan Wind Farm, in the townlands of Inchincoosh, Inchee, Lettercannon, Coomacullen and Cloonkeen, Co. Kerry**

Dear Sir/Madam,

On behalf of our client, Orsted Onshore Ireland Midco Ltd (Ørsted) of the 5<sup>th</sup> Floor City Quarter, Cork, Co. Cork, T12 A2XD, please find enclosed a copy of a planning application for a renewable energy development in County Kerry. The planning application constitutes Strategic Infrastructure Development (SID), and the application has therefore been made directly to An Bord Pleanála. You have received a copy of the application as a noted Prescribed Body.

The application is being made directly to An Bord Pleanála as Strategic Infrastructure Development (SID) under the provisions of Section 37E of the Planning and Development Act 2000, as amended. This position was confirmed by An Bord Pleanála to the applicant in correspondence dated the 14<sup>th</sup> of August 2023 following pre-application consultations with the Board (ref: ABP-314798-22). A copy of that correspondence is included in the application pack.

The Development Description as set out in the public notices is as follows,

*In accordance with Section 37E of the Planning and Development Act 2000 (as amended), Orsted Onshore Ireland Midco Ltd. (Ørsted) gives notice of its intention to make an application to An Bord Pleanála for permission for a period of 10 years for development in the townlands of Inchincoosh, Inchee, Lettercannon, Coomacullen and Cloonkeen, Co. Kerry.*

*The Proposed Development will consist of:*

- i. Removal of 28 no. existing turbines and relevant ancillary infrastructure permitted under Kerry County Council and An Bord Pleanála Planning References; 02/124, 03/2176, 03/2306, 07/1605, 07/4364, Pl. 08.209629, 07/4515, 07/4701, Pl. 08.232259 and 05/1351;*
- ii. Erection of 11 no. wind turbines with a blade tip height range from 199.5m to 200m, a hub height range from 118m to 125m and a rotor diameter range from 149m to 163m, along with associated foundations and hard standing areas;*
- iii. A thirty-five year operational life from the date of full commissioning of the wind farm;*
- iv. Underground electrical 33kV and communication cabling connecting the proposed turbines and meteorological mast to the existing 110kV Coomagearlalyh substation in the townland of Inchee;*

- v. Upgrade of and the continued use of the existing onsite Coomagearlahy 110kV substation in the townland of Inchee, permitted under Kerry County Council References 07/3648, 04/1648, 06/1143, 06/2660;
- vi. Upgrade of existing tracks, hardstand areas and provision of new site access roads and junctions;
- vii. The extension and reuse of the 1 no. existing borrow pit;
- viii. 2 no. temporary construction compounds;
- ix. Meteorological mast, with a height of 100m and upgrade of existing associated foundation and hard standing area;
- x. Forestry felling;
- xi. Site drainage;
- xii. Biodiversity Enhancement measures;
- xiii. Operational stage site signage; and,
- xiv. All ancillary works and apparatus.

*The application is seeking a 10-year planning permission and 35-year operational life from the date of full commissioning of the wind farm.*

*An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared in relation to the project and accompany this planning application.'*

As the project requires an EIAR the application has been notified to the EIA Portal. The EIA Portal ID is 2024085 and the project details have been uploaded to the EIA Portal.

The following documents are included in the application pack:

- Planning Application Documentation
  - Planning Application Form;
  - Letter of consent from relevant landowners – included with the planning application form;
  - Copies of cover letters issued to Prescribed Bodies
  - Site Notice (copy, as erected on site on the 16<sup>th</sup> May 2024);
  - Newspaper Notices – Local Publication: *Kerry's Eye* and National Publication: *The Irish Examiner* (both publications dated 16<sup>th</sup> May 2024);
  - EIA Portal Confirmation (ID: 2024085) - included with the planning application form;
  - Planning Application Drawings (Drawing Schedule included with the planning application form);
- Environmental Impact Assessment Report (EIAR);
  - Volume 1 – Non-Technical Summary (NTS) and Main Report
  - Volume 2 – Photomontage Booklet
  - Volume 3 – EIAR Appendices
- Natura Impact Statement (NIS)
- Planning Report.

An electronic copy of the planning application pack as outlined above is enclosed with this letter. An Bord Pleanála, and Kerry County Council have received a copy of the application pack. The application will be available for inspection at the offices of An Bord Pleanála and Kerry County Council for a period of seven weeks commencing on the 24<sup>th</sup> May 2024.

All documentation associated with the application as lodged can also be found at the dedicated project website: <https://kilgarvanplanning.ie/>

MKO, Tuam Road, Galway, H91 VW84  
+353 (0)91 735 611 | mkoireland.ie | info@mkoireland.ie

Dublin - MKO, 9C Beckett Way, Park West Business Park, Dublin, D12 XN9W  
McCarthy Keville O'Sullivan Ltd t/a MKO. Registered in Ireland No: 462657. VAT No: IE9693052R

Submissions or observations may be made only to An Bord Pleanála (“the Board”) in writing or online at [www.pleanala.ie](http://www.pleanala.ie), 64 Marlborough Street, Dublin 1 during the above-mentioned period of seven weeks relating to:

- i. The implications of the proposed development for proper planning and sustainable development, and
- ii. The likely effects on the environment of the proposed development, and
- iii. The likely effects of the proposed development on a European site, if carried out.

Any submissions/observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by the Board not later than 5.30 p.m. on the 12<sup>th</sup> July 2024.

Such submissions/observations must also include the following information:

- The name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- The subject matter of the submission or observation, and
- The reasons, consideration and arguments on which the submission or observation is based in full (Article 217 of the Planning and Development Regulations 2001, as amended, refers)

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board.

The Board may at its absolute discretion hold an oral hearing on the application (refer to ‘A Guide to Public Participation in Strategic Infrastructure Development’ at [www.pleanala.ie](http://www.pleanala.ie)). The Board may in respect of an application for permission decide to:

- (a) (i) grant the permission, or
  - (ii) make such modifications to the proposed development as it specifies in its decision and grant permission in respect of the proposed development as so modified,
  - or
  - (iii) grant permission in respect of part of the proposed development (with or without specified modifications of the foregoing kind), and any of the above decisions may be subject to or without conditions,
  - or
- (b) Refuse to grant the permission

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of An Bord Pleanála (Tel. 01-8588100).

A person may question the validity of any such decision of the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No. 15 of 1986, as amended by S.I. No. 691 of 2011), in accordance with Section 50 of the Planning and Development Act, 2000 as amended. Practical Information on the review mechanism can be accessed on the Boards website ([www.pleanala.ie](http://www.pleanala.ie)) under the following heading: Legal Notices – Judicial Review Notice. This information is also available on the Citizens Information Service website [www.citizensinformation.ie](http://www.citizensinformation.ie).

Yours sincerely,

Meabhann P. Crowe

Meabhann Crowe,  
Senior Planner,  
MKO



Planning Department,  
County Hall,  
Carrigrohane Road,  
Cork,  
Ireland.

Our ref: 211107

16<sup>th</sup> May 2024

**Re: Section 37E of the Planning and Development Act 2000, as amended – Planning Application to An Bord Pleanála for a Proposed Wind Farm Repowering Application of the existing Kilgarvan Wind Farm, in the townlands of Inchincoosh, Inchee, Lettercannon, Coomacullen and Cloonkeen, Co. Kerry**

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*The Proposed Development will consist of:*

- i. Removal of 28 no. existing turbines and relevant ancillary infrastructure permitted under Kerry County Council and An Bord Pleanála Planning References; 02/124, 03/2176, 03/2306, 07/1605, 07/4364, Pl. 08.209629, 07/4515, 07/4701, Pl. 08.232259 and 05/1351;*
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Meabhann P. Crowe

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Failte Ireland,  
88-95 Amiens Street,  
Dublin 1  
D01 WR86

Our ref: 211107

16<sup>th</sup> May 2024

**Re: Section 37E of the Planning and Development Act 2000, as amended – Planning Application to An Bord Pleanála for a Proposed Wind Farm Repowering Application of the existing Kilgarvan Wind Farm, in the townlands of Inchincoosh, Inchee, Lettercannon, Coomacullen and Cloonkeen, Co. Kerry**

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Aras nahOidhreachta,  
Church Lane,  
Kilkenny,  
R95 X264

Our ref: 211107

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Health Service Executive,  
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Senior Planner,  
MKO



Head Office,  
3044 Lake Drive,  
Citywest Business Campus,  
Dublin,  
D24 CK66

Our ref: 211107

16<sup>th</sup> May 2024

**Re: Section 37E of the Planning and Development Act 2000, as amended – Planning Application to An Bord Pleanála for a Proposed Wind Farm Repowering Application of the existing Kilgarvan Wind Farm, in the townlands of Inchincoosh, Inchee, Lettercannon, Coomacullen and Cloonkeen, Co. Kerry**

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Kerry County Council,  
County Buildings,  
Rathass,  
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V92 H7VT

Our ref: 211107

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Yours sincerely,

*Meabhann P. Crowe*

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Senior Planner,  
MKO



Department of the Environment,  
Climate and Communications,  
29-31 Adelaide Road,  
Dublin 2,  
D02 X285

Our ref: 211107

16<sup>th</sup> May 2024

**Re: Section 37E of the Planning and Development Act 2000, as amended – Planning Application to An Bord Pleanála for a Proposed Wind Farm Repowering Application of the existing Kilgarvan Wind Farm, in the townlands of Inchincoosh, Inchee, Lettercannon, Coomacullen and Cloonkeen, Co. Kerry**

Dear Sir/Madam,

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Development Applications Unit,  
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Newtown Road,  
Wexford,  
Y35 AP90

Our ref: 211107

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Our ref: 211107

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The Minister,  
Department of Tourism, Culture, Arts, Gaeltacht, Sport and  
Media,  
23 Kildare Street,  
Dublin 2,  
D02 TD30

Our ref: 211107

16<sup>th</sup> May 2024

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Our ref: 211107

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- (a) (i) grant the permission, or
  - (ii) make such modifications to the proposed development as it specifies in its decision and grant permission in respect of the proposed development as so modified,
  - or
  - (iii) grant permission in respect of part of the proposed development (with or without specified modifications of the foregoing kind), and any of the above decisions may be subject to or without conditions,
  - or
- (b) Refuse to grant the permission

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of An Bord Pleanála (Tel. 01-8588100).

A person may question the validity of any such decision of the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No. 15 of 1986, as amended by S.I. No. 691 of 2011), in accordance with Section 50 of the Planning and Development Act, 2000 as amended. Practical Information on the review mechanism can be accessed on the Boards website ([www.pleanala.ie](http://www.pleanala.ie)) under the following heading: Legal Notices – Judicial Review Notice. This information is also available on the Citizens Information Service website [www.citizensinformation.ie](http://www.citizensinformation.ie).

Yours sincerely,

*Meabhann P. Crowe*

Meabhann Crowe,  
Senior Planner,  
MKO



Irish Water  
Colvill House,  
24-26 Talbot St,  
Mountjoy, Dublin,  
D01 NP86

Our ref: 211107

16<sup>th</sup> May 2024

**Re: Section 37E of the Planning and Development Act 2000, as amended – Planning Application to An Bord Pleanála for a Proposed Wind Farm Repowering Application of the existing Kilgarvan Wind Farm, in the townlands of Inchincoosh, Inchee, Lettercannon, Coomacullen and Cloonkeen, Co. Kerry**

Dear Sir/Madam,

On behalf of our client, Orsted Onshore Ireland Midco Ltd (Ørsted) of the 5<sup>th</sup> Floor City Quarter, Cork, Co. Cork, T12 A2XD, please find enclosed a copy of a planning application for a renewable energy development in County Kerry. The planning application constitutes Strategic Infrastructure Development (SID), and the application has therefore been made directly to An Bord Pleanála. You have received a copy of the application as a noted Prescribed Body.

The application is being made directly to An Bord Pleanála as Strategic Infrastructure Development (SID) under the provisions of Section 37E of the Planning and Development Act 2000, as amended. This position was confirmed by An Bord Pleanála to the applicant in correspondence dated the 14<sup>th</sup> of August 2023 following pre-application consultations with the Board (ref: ABP-314798-22). A copy of that correspondence is included in the application pack.

The Development Description as set out in the public notices is as follows,

*In accordance with Section 37E of the Planning and Development Act 2000 (as amended), Orsted Onshore Ireland Midco Ltd. (Ørsted) gives notice of its intention to make an application to An Bord Pleanála for permission for a period of 10 years for development in the townlands of Inchincoosh, Inchee, Lettercannon, Coomacullen and Cloonkeen, Co. Kerry.*

*The Proposed Development will consist of:*

- i. Removal of 28 no. existing turbines and relevant ancillary infrastructure permitted under Kerry County Council and An Bord Pleanála Planning References; 02/124, 03/2176, 03/2306, 07/1605, 07/4364, Pl. 08.209629, 07/4515, 07/4701, Pl. 08.232259 and 05/1351;*
- ii. Erection of 11 no. wind turbines with a blade tip height range from 199.5m to 200m, a hub height range from 118m to 125m and a rotor diameter range from 149m to 163m, along with associated foundations and hard standing areas;*
- iii. A thirty-five year operational life from the date of full commissioning of the wind farm;*
- iv. Underground electrical 33kV and communication cabling connecting the proposed turbines and meteorological mast to the existing 110kV Coomagearlaha substation in the townland of Inchee;*

- v. Upgrade of and the continued use of the existing onsite Coomagearlahy 110kV substation in the townland of Inchee, permitted under Kerry County Council References 07/3648, 04/1648, 06/1143, 06/2660;
- vi. Upgrade of existing tracks, hardstand areas and provision of new site access roads and junctions;
- vii. The extension and reuse of the 1 no. existing borrow pit;
- viii. 2 no. temporary construction compounds;
- ix. Meteorological mast, with a height of 100m and upgrade of existing associated foundation and hard standing area;
- x. Forestry felling;
- xi. Site drainage;
- xii. Biodiversity Enhancement measures;
- xiii. Operational stage site signage; and,
- xiv. All ancillary works and apparatus.

*The application is seeking a 10-year planning permission and 35-year operational life from the date of full commissioning of the wind farm.*

*An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared in relation to the project and accompany this planning application.'*

As the project requires an EIAR the application has been notified to the EIA Portal. The EIA Portal ID is 2024085 and the project details have been uploaded to the EIA Portal.

The following documents are included in the application pack:

- Planning Application Documentation
  - Planning Application Form;
  - Letter of consent from relevant landowners – included with the planning application form;
  - Copies of cover letters issued to Prescribed Bodies
  - Site Notice (copy, as erected on site on the 16<sup>th</sup> May 2024);
  - Newspaper Notices – Local Publication: *Kerry's Eye* and National Publication: *The Irish Examiner* (both publications dated 16<sup>th</sup> May 2024);
  - EIA Portal Confirmation (ID: 2024085) - included with the planning application form;
  - Planning Application Drawings (Drawing Schedule included with the planning application form);
- Environmental Impact Assessment Report (EIAR);
  - Volume 1 – Non-Technical Summary (NTS) and Main Report
  - Volume 2 – Photomontage Booklet
  - Volume 3 – EIAR Appendices
- Natura Impact Statement (NIS)
- Planning Report.

An electronic copy of the planning application pack as outlined above is enclosed with this letter. An Bord Pleanála, and Kerry County Council have received a copy of the application pack. The application will be available for inspection at the offices of An Bord Pleanála and Kerry County Council for a period of seven weeks commencing on the 24<sup>th</sup> May 2024.

All documentation associated with the application as lodged can also be found at the dedicated project website: <https://kilgarvanplanning.ie/>

MKO, Tuam Road, Galway, H91 VW84  
+353 (0)91 735 611 | mkoireland.ie | info@mkoireland.ie

Dublin - MKO, 9C Beckett Way, Park West Business Park, Dublin, D12 XN9W  
McCarthy Keville O'Sullivan Ltd t/a MKO. Registered in Ireland No: 462657. VAT No: IE9693052R

Submissions or observations may be made only to An Bord Pleanála (“the Board”) in writing or online at [www.pleanala.ie](http://www.pleanala.ie), 64 Marlborough Street, Dublin 1 during the above-mentioned period of seven weeks relating to:

- i. The implications of the proposed development for proper planning and sustainable development, and
- ii. The likely effects on the environment of the proposed development, and
- iii. The likely effects of the proposed development on a European site, if carried out.

Any submissions/observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by the Board not later than 5.30 p.m. on the 12<sup>th</sup> July 2024.

Such submissions/observations must also include the following information:

- The name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- The subject matter of the submission or observation, and
- The reasons, consideration and arguments on which the submission or observation is based in full (Article 217 of the Planning and Development Regulations 2001, as amended, refers)

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board.

The Board may at its absolute discretion hold an oral hearing on the application (refer to ‘A Guide to Public Participation in Strategic Infrastructure Development’ at [www.pleanala.ie](http://www.pleanala.ie)). The Board may in respect of an application for permission decide to:

- (a) (i) grant the permission, or
  - (ii) make such modifications to the proposed development as it specifies in its decision and grant permission in respect of the proposed development as so modified,
  - or
  - (iii) grant permission in respect of part of the proposed development (with or without specified modifications of the foregoing kind), and any of the above decisions may be subject to or without conditions,
  - or
- (b) Refuse to grant the permission

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of An Bord Pleanála (Tel. 01-8588100).

A person may question the validity of any such decision of the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No. 15 of 1986, as amended by S.I. No. 691 of 2011), in accordance with Section 50 of the Planning and Development Act, 2000 as amended. Practical Information on the review mechanism can be accessed on the Boards website ([www.pleanala.ie](http://www.pleanala.ie)) under the following heading: Legal Notices – Judicial Review Notice. This information is also available on the Citizens Information Service website [www.citizensinformation.ie](http://www.citizensinformation.ie).

Yours sincerely,

Meabhann P. Crowe

Meabhann Crowe,  
Senior Planner,  
MKO

## Addendum 3 – EIAR Portal Confirmation

## Martin Molloy

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**From:** Housing Eiaportal <EIAportal@housing.gov.ie>  
**Sent:** 14 May 2024 11:07  
**To:** Martin Molloy  
**Subject:** EIA Portal Confirmation Notice Portal ID 2024085

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 Martin,

An EIA Portal notification was received on 14/05/2024 in respect of this proposed application. The information provided has been uploaded to the EIA Portal on 14/05/2024 under EIA Portal ID number 2024085 and is available to view at <http://housinggovie.maps.arcgis.com/apps/webappviewer/index.html?id=d7d5a3d48f104ecbb206e7e5f84b71f1>.

**Portal ID:** 2024085

**Competent Authority:** An Bord Pleanála

**Applicant Name:** Orsted Onshore Ireland Midco Ltd.

**Location:** In the townlands of Inchincoosh, Inchee, Lettercannon, Coomacullen and Cloonkeen, Co. Kerry.

**Description:** The Removal of 28 no. existing turbines and relevant ancillary infrastructure permitted, and Erection of 11 no. wind turbines and all other ancillary and associated development.

**Linear Development:** No

**Date Uploaded to Portal:** 14/05/2024

Kindest Regards,

Hugh Wogan,

EIA Portal team

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

**Teach an Chustaim, Baile Átha Cliath 1, D01 W6X0**  
Custom House, Dublin 1, D01 W6X0

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T +353 (0) 1 888 2142

[www.gov.ie/housing](http://www.gov.ie/housing)



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

## Addendum 4 – Land Ownership

SWS Kilgarvan Windfarm Ltd

Patrick Carey  
Coomacullen, Clonkeen, Killarney, County Kerry

Kathleen Carey  
Coomacullen, Clonkeen, Killarney, County Kerry

Commonage  
Helen Mary O Sullivan, Daniel Quill,  
Inchincoosh, Kilgarvan, Killarney, County Kerry

John Dineen  
Incheese, Kilgarvan, Co. Kerry

**Landowner(s):** SWS Kilgarvan Windfarm Ltd  
**Address:** Cloonkeen, Coomacullen and Inchee, Kilgarvan, Kerry  
**Folio Numbers:** KY62217F, KY65762F & KY68172F

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**RE: Planning application for the repowering of the existing Kilgarvan I and Kilgarvan II (Lettercannon and Inchincoosh) wind farms, in the following townlands: Cloonkeen, Coomacullen, Inchamore, Inchee, Lettercannon and Inchincoosh ("The Development").**

To Whom It May Concern,

I confirm that I am aware of and I hereby consent to the submission of a planning application by Orsted Onshore Ireland Midco Ltd. for The Development, located on my lands within the registered land folio KY62217F, KY65762F and KY68172F, County Kerry and as described in the plans and particulars submitted with the planning application. I also consent to this letter and all the information contained herein being displayed on the public planning file.

Regards,

**Signed:**   
**Date:** 14.02.2023

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**Landowner(s):** Patrick Carey  
**Address:** Coomacullen, Killaha, Kerry  
**Folio Numbers:** KY62641F

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**RE: Planning application for the repowering of the existing Kilgarvan I and Kilgarvan II (Lettercannon and Inchincoosh) wind farms, in the following townlands: Cloonkeen, Coomacullen, Inchamore, Inchee, Lettercannon and Inchincoosh ("The Development").**

To Whom It May Concern,

I confirm that I am aware of and I hereby consent to the submission of a planning application by Orsted Onshore Ireland Midco Ltd. for The Development, located on my lands within the registered land folio KY62641F, County Kerry and as described in the plans and particulars submitted with the planning application. I also consent to this letter and all the information contained herein being displayed on the public planning file.

Regards,

Signed:

Date:

PAT Carey  
21/02/23

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**Landowner(s):** Kathleen Carey  
**Address:** Coomacullen, Killaha, Kerry  
**Folio Numbers:** KY62642F

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**RE: Planning application for the repowering of the existing Kilgarvan I and Kilgarvan II (Lettercannon and Inchincoosh) wind farms, in the following townlands: Cloonkeen, Coomacullen, Inchamore, Inchee, Lettercannon and Inchincoosh ("The Development").**

To Whom It May Concern,

I confirm that I am aware of and I hereby consent to the submission of a planning application by Orsted Onshore Ireland Midco Ltd. for The Development, located on my lands within the registered land folio KY62642F, County Kerry and as described in the plans and particulars submitted with the planning application. I also consent to this letter and all the information contained herein being displayed on the public planning file.

Regards,

**Signed:** Kathleen Carey  
**Date:** 21/02/23

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Landowner(s): Helen Mary O'Sullivan  
Address: Inchincoosh, Kilgarvan, Kerry  
Folio Numbers: KY7675F

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**RE: Planning application for the repowering of the existing Kilgarvan I and Kilgarvan II (Lettercannon and Inchincoosh) wind farms, in the following townlands: Cloonkeen, Coomacullen, Inchamore, Inchee, Lettercannon and Inchincoosh ("The Development").**

To Whom It May Concern,

I confirm that I am aware of and I hereby consent to the submission of a planning application by Orsted Onshore Ireland Midco Ltd. for The Development, located on my lands within the registered land folio KY7675F, County Kerry and as described in the plans and particulars submitted with the planning application. I also consent to this letter and all the information contained herein being displayed on the public planning file.

Regards,

Signed: *Helen O'Sullivan*  
Date: *21<sup>st</sup> March 2023*

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**Landowner(s):** Daniel Quill

**Address:** Inchincoosh, Kilgarvan, Kerry

**Folio Numbers:** KY14581

**RE: Planning application for the repowering of the existing Kilgarvan I and Kilgarvan II (Lettercannon and Inchincoosh) wind farms, in the following townlands: Cloonkeen, Coomacullen, Inchamore, Inchee, Lettercannon and Inchincoosh ("The Development").**

To Whom It May Concern,

I confirm that I am aware of and I hereby consent to the submission of a planning application by Orsted Onshore Ireland Midco Ltd. for The Development, located on my lands within the registered land folio KY14581, County Kerry and as described in the plans and particulars submitted with the planning application. I also consent to this letter and all the information contained herein being displayed on the public planning file.

Regards,

**Signed:**



**Date:**

21 - 3 - 2023

Landowner(s): Johnny O Donoghue  
Address: Inchincoosh, Kilgarvan, Kerry  
Folio Numbers: KY7675F

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**RE: Planning application for the repowering of the existing Kilgarvan I and Kilgarvan II (Lettercannon and Inchincoosh) wind farms, in the following townlands: Cloonkeen, Coomacullen, Inchamore, Inchee, Lettercannon and Inchincoosh ("The Development").**

To Whom It May Concern,

I confirm that I am aware of and I hereby consent to the submission of a planning application by Orsted Onshore Ireland Midco Ltd. for The Development, located on my lands within the registered land folio KY7675F, County Kerry and as described in the plans and particulars submitted with the planning application. I also consent to this letter and all the information contained herein being displayed on the public planning file.

Regards,

Signed:

Date:

John A O Donoghue  
21-03-2023

**Landowner(s):** John Dineen  
**Address:** Lettercannon, Kilgarvan, Kerry  
**Folio Numbers:** KY34260 and KY34261

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**RE: Planning application for the repowering of the existing Kilgarvan I and Kilgarvan II (Lettercannon and Inchincoosh) wind farms, in the following townlands: Cloonkeen, Coomacullen, Inchamore, Inchee, Lettercannon and Inchincoosh ("The Development").**

To Whom It May Concern,

I confirm that I am aware of and I hereby consent to the submission of a planning application by Orsted Onshore Ireland Midco Ltd. for The Development, located on my lands within the registered land folio KY34260 and KY34261, County Kerry and as described in the plans and particulars submitted with the planning application. I also consent to this letter and all the information contained herein being displayed on the public planning file.

Regards,

**Signed:**

**Date:**

*John Dineen*  
28-4-2023

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