

Date: 04 July 2024

Our Ref. SEP-0398/Project_1

Planning Department
Galway County Council
Áras an Chontae
Prospect Hill
Galway

Dear Sir /Madam,

Re. Strategic infrastructure Development (SID): Application by Coolpowra Flexgen Limited for Planning Permission for a Proposed Reserve Gas-Fired Generator at Coolpowra, Cooldorragha, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

On behalf of the applicant, Coolpowra Flexgen Limited, we hereby submit a planning application for a Strategic Infrastructure Development (SID) for a Reserve Gas-Fired Generator on c. 42.3 hectare (ha) site located in the townlands of Coolpowra, Cooldorragha, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

This planning application is further to a determination received from An Bord Pleanála (Appendix A) confirming that the Proposed Development constitutes SID within the meaning of Section 37A of the Planning and Development Act 2000, as amended.

The Proposed Development for which permission is being sought constitutes a Reserve Gas-Fired Generator comprising three Open Cycle Gas Turbine (OCGT) units positioned within a building. It is designed to provide flexible, dispatchable electricity generation capacity, which will help to maintain security of electricity supply, while supporting Ireland in its transition to a low carbon economy in line with National Development Plan 2021-2030 and Climate Action Plan 2024 objectives. It will assist with replacement of generation capacity that will be lost through the planned retirement of older, more carbon-intensive power stations in the coming years.

The location of the development is adjacent to a proposed Gas Insulated Switchgear (GIS) electricity substation and proposed Energy Storage System (ESS) Project which are subject to separate concurrent planning applications with An Bord Pleanála and Galway County Council respectively. The Reserve Gas-Fired Generator will electrically connect to the adjoining 400kV High Voltage (HV) electricity network at the Oldstreet node in Co. Galway.

The Proposed Development will include: (i) demolition of an existing farmhouse, outbuildings and agricultural sheds; (ii) construction of a Reserve Gas-Fired Generator building which will house 3no. 385MW OCGT units, 3no. 45m high stacks with Continuous Emissions Monitoring System (CEMS), 3no. recessed and roof mounted air intake filter houses and ducts, fire suppression skid and distribution system, power control centre and balance of plant (BoP), administration control /building containing a control room, offices administration and welfare facilities; (iii) secondary fuel storage tanks and unloading area (3no. fuel storage tanks, fuel pumping plant, fuel polishing plant, air compressor and fuel forwarding building);(iv) 3no. banded HV transformers and auxiliary transformers; (v) Air insulated switchgear (AIS) compound containing HV electrical lines /cables, circuit breakers and associated electrical plant; (vi) fin fan coolers with a 7m high noise barrier;(vii) 3no. containerised emergency diesel generators with integrated stacks; (viii) Above Ground Installation (AGI) compound containing above ground pipework, a regulator house enclosure, instrument kiosk, boiler house enclosure and analyser kiosk; gas heater compound; (ix) firewater pump building and firewater storage tank; (x) workshop and stores; (xi) security building;(xii) temporary construction compound); (xiii) a main entrance connecting to the L8763 public road; (xiv) improvement works to the junction of the N65/L8763 public roads; and (xv) all ancillary development including new internal roads, fencing and gates, car parking, lighting, utilities, lightning protection masts, underground services, landscaping and associated engineering works to provide for the connection of site services and foul and surface water management and drainage.

This application is seeking a ten-year permission. The application relates to development for the purpose of an activity requiring an Industrial Emissions Licence from the Environmental Protection Agency (EPA) under the Industrial Emissions Directive. It also relates to a Lower Tier COMAH establishment and therefore falls under the requirements of the Control of Major Accident Hazard (COMAH) Regulations, 2015. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and accompanies this planning application.

The planning application is being made directly to An Bord Pleanála under the provision of Section 37E of the Planning and Development Act 2000, as amended.

The application may also be viewed/downloaded on the following stand-alone website: www.coolpowraflexgen.com

One hard copy and one electronic copy of the complete planning application including EIAR and NIS are submitted herewith to Galway County Council as requested.

In accordance with the SID application process, Galway County Council are required to make these application documents available to the public so that they may be inspected free of charge, or purchased on payment of a specified fee (which fee shall not exceed the cost of making a copy) during the public opening house of Galway County Council offices, for a period of seven weeks commencing on 12 July 2024.

Submissions or observations may be made only to An Bord Pleanála ('the Board'), 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,
- (ii) the likely effects on the environment of the proposed development, and
- (iii) the likely significant effects of the proposed development on a European site, if carried out.

Any submissions or 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 30 August 2024. Such submissions or 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, considerations and arguments on which the submission or observation is based in full. (Article 217 of the Planning & 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. (For further details see 'A Guide to Public Participation in Strategic Infrastructure Development' on the Board's website 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 it of the foregoing kind),

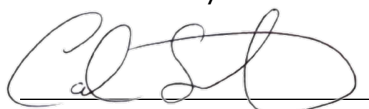
and any of the above decisions may be subject to or without conditions, or

- (b) refuse to grant the permission.

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of a Bord Pleanála (Tel. 01- 8588100). A person may question the validity of any such decision by 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), in accordance with section 50 of the Planning and Development Act, 2000, as amended. Practical information on the review mechanism can be accessed under the heading Information on cases / Weekly lists - Judicial review of planning decisions on the Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie.

If you have any queries in relation to the above, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Colm Staunton', written over a horizontal line.

Mr Colm Staunton

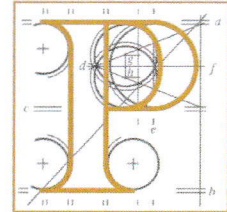
Director
Halston Environmental & Planning Limited

APPENDIX A

AN BORD PLEANÁLA SID PREAPPLICATION DECISION

Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 10 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

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

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

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

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann

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- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,
- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

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 a case, a refund of €3,500 is payable to the person who submitted the pre-application consultation fee. As a meeting was not required / only one meeting was required in this case, a refund of 3,500 will be sent to you in due course.

The following information relates 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

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Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
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adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

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

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

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

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

Yours faithfully,


Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

PC09A

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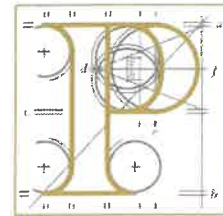
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Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
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Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 23 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned proposed development and in particular to its letter to you dated 10th May, 2024.

Please note that the Board inadvertently omitted from this letter its decision in relation to the GIS substation Energy Storage System, Synchronous Condenser and their associated works.

The Board decided, in accordance with section 37B(4)(b) of the Planning and Development Act, 2000, as amended, that the proposed GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended. Attached is a copy of the Board Direction.

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

Yours faithfully,

Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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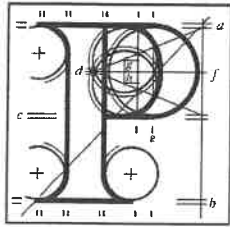
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An
Bord
Pleanála

Board Direction
BD-016249-24
ABP-319073-24

The submissions on file and the inspector's report were considered at a Board Meeting held on 08/05/2024.

The Board decided that the proposed development consisting of a Reserve Gas Fired Generator and its associated works as set out and delineated in the revised plans and particulars received by An Bord Pleanála in correspondence received 6th April 2024, falls within the scope of Section 37A of the Planning and Development Act 2000, as amended, and that a planning application should be therefore be made in the first instance to An Bord Pleanála. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a) and 37A(2)(b) of the Planning and Development Act 2000, as amended. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under Section 37E of the Act.

The Board recommended the application documents should be forwarded the list of Prescribed Bodies below for their consultation and consideration for the purposes of Section 37E (3) (c) of the Act:

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann
- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,

- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

Board Member



Date: 08/05/2024

Peter Mullan

Note:

For clarity I recommend that the applicant be informed that the GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended.