

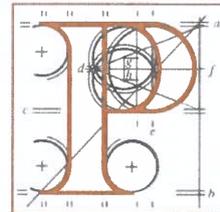
Appendix 5

ABP SID Determination Letter, Schedule of Prescribed Bodies and Copy of Letters sent

Our Case Number: ABP-317395-23

Your Reference: Statkraft Ireland

SCANNED



An
Bord
Pleanála

Malachy Walsh and Partners
Reen Point
Blennerville
Tralee
Co. Kerry

Malachy Walsh and Partners

Date: 21/12/2023

Action: CF

Project No. 23268

PO No.:

Date: 20 December 2023

Re: Proposed development of 110kV substation and 110kV underground electricity cable to facilitate the connection of the proposed Dernacart Windfarm to the national grid at the consented Bracklone 110kV substation located within a rural area in North County Laois c3km north west of Mountmellick town.

Dear Sir / Madam,

Please be advised that following consultations under section 182E of the Planning and Development Act 2000, as amended, the Board hereby serves notice that it is of the opinion that the proposed development falls within the scope of section 182A of the Planning and Development Act 2000, as amended. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 182A of the Planning and Development Act 2000, as amended. Any application for approval for the proposed development must therefore be made directly to An Bord Pleanála under section 182A(1) 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.

- Minister for Housing, Local Government and Heritage
- Minister for the Environment, Climate and Communications
- Offaly County Council • Laois County Council
- Transport Infrastructure Ireland
- An Taisce
- Fáilte Ireland
- Heritage Council
- An Chomhairle Ealaíon
- Irish Water
- Commission for Regulation of Utilities
- Inland Fisheries Ireland
- Health Service Executive
- Office of Public Works

Teil	Tel	(01) 858 8100
Glaos 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

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.

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.

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.

Teil	Tel	(01) 858 8100
Glaos Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
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64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

Yours faithfully,

AD EM

Ashling Doherty
Executive Officer
Direct Line: 01-8737160

VC11

Teil
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Facs
Láithreán Gréasáin
Ríomhphost

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64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Ref: CO/23268
10th October 2024

An Chomhairle Ealaion,
70 Merrion Square,
Dublin 2,
D02 NY52

Re: Planning Application for Strategic Infrastructure Development under Section 182A of the Planning and development Act (As Amended)

Dear Sir/Madam,

On behalf of our client Statkraft Ireland (applicant) please find enclosed a planning application for the construction of a 110kV Substation and Underground Grid Connection within the townlands of Barranaghs, Garryhinch, Annamore in County Offaly and Forest Lower, Coolnavarnoga, Coolaghy, Kilbride, Ballymorris, Cooltederry and Bracklone Co. Laois. The purpose of this application is to connect the consented Dernacart Wind Farm (LCC Ref 20/78 & ABP 310312-21) to the National Grid by connecting the proposed substation to the consented Bracklone 110kV substation (LCC Ref- 20638).

The project has been the subject of a Pre-application Stage consultation for Strategic Infrastructure with An Bord Pleanála (Ref: ABP-317395-23). An Bord Pleanála has determined that this proposed project falls within the Strategic Infrastructure Development consent process under Section 182A of the Planning and Development Act 2000, as amended. In confirming that this project is a Strategic Infrastructure Development project it has identified 14 prescribed bodies that have to be notified in relation to this planning application. Accordingly, we are notifying you that the application has been lodged with ABP.

The Applicant is therefore applying to the Board under Section 182A of the Planning and Development Act 2000 (as amended) for the following:

- One (1) 110kV substation with associated compound, including Two (2) single storey control and operational buildings, electrical plant, equipment, cabling, lighting, CCTV, lightning masts, diesel generator and diesel tank, security palisade fencing,
- 2.45km underground electric cabling systems between the wind farm site and the proposed 110kV substation overlain with 5.5m wide stone access track

- 10.85km of 110kV underground electrical cabling from the proposed 110kV substation to the consented Bracklone 110kV substation including enabling works, services diversions, joint bays, along the grid route
- New entrance and access road to substation site from the R423.
- New clear span and box culvert/piped water course crossings
- Peat/spoil deposition areas
- and all associated felling, drainage and ancillary works necessary to facilitate the development

The applicant is seeking a ten-year permission for the purposes of construction of the proposed development as outlined above.

An Environmental Impact Assessment Report and a Natura Impact Statement (NIS) have been prepared in relation to the project and accompanies the application.

You are advised that 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 decisions and grant permission in respect of the proposed development as so modified, or (iii) grant permission in respect of the proposed development (with or without specified modification of it of the foregoing kind), and any of the above decisions may be subject to or without conditions,

or

- (a) refuse to grant the permission

Submissions or observations may be made only to An Bord Pleanála, 64 Marlborough Street, Dublin 1 relating to:

- i. the implications of the proposed development for the proposer planning and sustainable development, and
- ii. the likely effects on the environment of the proposed development, and
- iii. the likely significant effects or adverse effect on any European site, if the development is carried out.

Any submissions/observations must be received by the Board not later than the 29th November 2024. A hard copy of the application can be made available if required.

The full application is available for viewing and download on the dedicated SID project website at the following address: www.dernacartwindfarmsid.ie

Should you have any queries in relation to the enclosed please contact the undersigned.

Yours sincerely,



Caitríona Fox for and on behalf of
MWP

Our Ref: CO/23268
10th October 2024

The Manager,

Development Applications Unit,
Dept. of Housing, Local Government and Heritage,
Newtown Road,
Wexford,
Y35 AP90

Re: Planning Application for Strategic Infrastructure Development under Section 182A of the Planning and development Act (As Amended)

Dear Sir/Madam,

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- 110kV substation overlain with 5.5m wide stone access track
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An Environmental Impact Assessment Report and a Natura Impact Statement (NIS) have been prepared in relation to the project and accompanies the application.

You are advised that the Board may in respect of an application for permission decide to:

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or

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Should you have any queries in relation to the enclosed please contact the undersigned.

Yours sincerely,



Caitríona Fox for and on behalf of
MWP

Ref: CO/23268
10th October 2024

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

Re: Planning Application for Strategic Infrastructure Development under Section 182A of the Planning and development Act (As Amended)

Dear Sir/Madam,

On behalf of our client Statkraft Ireland (applicant) please find enclosed a planning application for the construction of a 110kV Substation and Underground Grid Connection within the townlands of Barranaghs, Garryinch, Annamore in County Offaly and Forest Lower, Coolnavarnoga, Coolaghy, Kilbride, Ballymorris, Cooltederry and Bracklone Co. Laois. The purpose of this application is to connect the consented Dernacart Wind Farm (LCC Ref 20/78 & ABP 310312-21) to the National Grid by connecting the proposed substation to the consented Bracklone 110kV substation (LCC Ref- 20638).

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Yours sincerely,



Caitriona Fox for and on behalf of
MWP

Our Ref: CO/23268
10th October 2024

Minister for the Environment, Climate and Communications

29-31 Adelaide Road
Dublin 2
D02 X285

Re: Planning Application for Strategic Infrastructure Development under Section 182A of the Planning and development Act (As Amended)

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Yours sincerely,



Caitriona Fox for and on behalf of
MWP

Our Ref: CO/23268
10th October 2024

The Heritage Council,
Church Lane,
Gardens,
Kilkenny,
R95 X264

Re: Planning Application for Strategic Infrastructure Development under Section 182A of the Planning and development Act (As Amended)

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Yours sincerely,



Caitríona Fox for and on behalf of
MWP

Our Ref: CO/23268
10th October 2024

Transport Infrastructure Ireland

Parkgate Business Centre,
Parkgate Street,
Dublin 8,
D08 DK10

Re: Planning Application for Strategic Infrastructure Development under Section 182A of the Planning and development Act (As Amended)

Dear Sir/Madam,

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Caitríona Fox for and on behalf of
MWP

Our Ref: CO/23268
10th October 2024

An Tasice,
5 Foster Place,
Dublin 2,
D02 VOP9

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An Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS) have been prepared in relation to the project and accompanies the application.

You are advised that 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 decisions and grant permission in respect of the proposed development as so modified, or (iii) grant permission in respect of the proposed development (with or without specified modification of it of the foregoing kind), and any of the above decisions may be subject to or without conditions,

or

- (a) refuse to grant the permission

Submissions or observations may be made only to An Bord Pleanála, 64 Marlborough Street, Dublin 1 relating to:

- i. the implications of the proposed development for the proposer planning and sustainable development, and
- ii. the likely effects on the environment of the proposed development, and
- iii. the likely significant effects or adverse effect on any European site, if the development is carried out.

Any submissions/observations must be received by the Board not later than the 29th November 2024. A hard copy of the application can be made available if required.

The full application is available for viewing and download on the dedicated SID project website at the following address: www.dernacartwindfarmsid.ie

Should you have any queries in relation to the enclosed please contact the undersigned.

Yours sincerely,



Caitriona Fox for and on behalf of
MWP

Our Ref: CO/23268
10th October 2024

The Commission for the Regulation of Utilities (CRU),
Planning Department,
The Grain House, The Exchange,
Belgard Square North,
Tallaght,
Dublin 24

Re: Planning Application for Strategic Infrastructure Development under Section 182A of the Planning and development Act (As Amended)

Dear Sir/Madam,

On behalf of our client Statkraft Ireland (applicant) please find enclosed a planning application for the construction of a 110kV Substation and Underground Grid Connection within the townlands of Barranaghs, Garryhinch, Annamore in County Offaly and Forest Lower, Coolnavarnoga, Coolaghy, Kilbride, Ballymorris, Cooltederry and Bracklone Co. Laois. The purpose of this application is to connect the consented Dernacart Wind Farm (LCC Ref 20/78 & ABP 310312-21) to the National Grid by connecting the proposed substation to the consented Bracklone 110kV substation (LCC Ref- 20638).

The project has been the subject of a Pre-application Stage consultation for Strategic Infrastructure with An Bord Pleanála (Ref: ABP-317395-23). An Bord Pleanála has determined that this proposed project falls within the Strategic Infrastructure Development consent process under Section 182A of the Planning and Development Act 2000, as amended. In confirming that this project is a Strategic Infrastructure Development project it has identified 14 prescribed bodies that have to be notified in relation to this planning application. Accordingly, we are notifying you that the application has been lodged with ABP.

The Applicant is therefore applying to the Board under Section 182A of the Planning and Development Act 2000 (as amended) for the following:

- One (1) 110kV substation with associated compound, including Two (2) single storey control and operational buildings, electrical plant, equipment, cabling, lighting, CCTV, lightning masts, diesel generator and diesel tank, security palisade fencing,

- 2.45km underground electric cabling systems between the wind farm site and the proposed 110kV substation overlain with 5.5m wide stone access track
- 10.85km of 110kV underground electrical cabling from the proposed 110kV substation to the consented Bracklone 110kV substation including enabling works, services diversions, joint bays, along the grid route
- New entrance and access road to substation site from the R423.
- New clear span and box culvert/piped water course crossings
- Peat/spoil deposition areas
- and all associated felling, drainage and ancillary works necessary to facilitate the development

The applicant is seeking a ten-year permission for the purposes of construction of the proposed development as outlined above.

An Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS) have been prepared in relation to the project and accompanies the application.

You are advised that 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 decisions and grant permission in respect of the proposed development as so modified, or (iii) grant permission in respect of the proposed development (with or without specified modification of it of the foregoing kind), and any of the above decisions may be subject to or without conditions,

or

- (a) refuse to grant the permission

Submissions or observations may be made only to An Bord Pleanála, 64 Marlborough Street, Dublin 1 relating to:

- i. the implications of the proposed development for the proposer planning and sustainable development, and
- ii. the likely effects on the environment of the proposed development, and
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Yours sincerely,



Caitríona Fox for and on behalf of
MWP

Our Ref: CO/23268
10th October 2024

National Environmental Health Service,

Health Service Executive,
Laois Local Health Office,
Dublin Road,
Portlaoise,
Co. Laois

Re: Planning Application for Strategic Infrastructure Development under Section 182A of the Planning and development Act (As Amended)

Dear Sir/Madam,

On behalf of our client Statkraft Ireland (applicant) please find enclosed a planning application for the construction of a 110kV Substation and Underground Grid Connection within the townlands of Barranaghs, Garryinch, Annamore in County Offaly and Forest Lower, Coolnavarnoga, Coolaghy, Kilbride, Ballymorris, Cooltederry and Bracklone Co. Laois. The purpose of this application is to connect the consented Dernacart Wind Farm (LCC Ref 20/78 & ABP 310312-21) to the National Grid by connecting the proposed substation to the consented Bracklone 110kV substation (LCC Ref- 20638).

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- 110kV substation overlain with 5.5m wide stone access track
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- and all associated felling, drainage and ancillary works necessary to facilitate the development

The applicant is seeking a ten-year permission for the purposes of construction of the proposed development as outlined above.

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or

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Yours sincerely,



Caitríona Fox for and on behalf of
MWP

Our Ref: CO/23268
10th October 2024

Inland Fisheries Ireland

3044 Lake Drive,
Citywest Business Campus,
Dublin 24,
D24 CK66

Re: Planning Application for Strategic Infrastructure Development under Section 182A of the Planning and development Act (As Amended)

Dear Sir/Madam,

On behalf of our client Statkraft Ireland (applicant) please find enclosed a planning application for the construction of a 110kV Substation and Underground Grid Connection within the townlands of Barranaghs, Garryinch, Annamore in County Offaly and Forest Lower, Coolnavarnoga, Coolaghy, Kilbride, Ballymorris, Cooltederry and Bracklone Co. Laois. The purpose of this application is to connect the consented Dernacart Wind Farm (LCC Ref 20/78 & ABP 310312-21) to the National Grid by connecting the proposed substation to the consented Bracklone 110kV substation (LCC Ref- 20638).

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Yours sincerely,



Caitríona Fox for and on behalf of
MWP

Our Ref: CO/23268
10th October 2024

Office of Public Works

Jonathan Swift Street,
Trim,
Meath,
C15 NX36

Re: Planning Application for Strategic Infrastructure Development under Section 182A of the Planning and development Act (As Amended)

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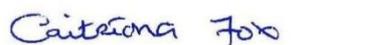
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Caitríona Fox for and on behalf of
MWP

Our Ref: CO/23268
10th October 2024

Uisce Eireann,
Colvill House 24-26,
Talbot Street,
Dublin 1,
D01 NP86

Re: Planning Application for Strategic Infrastructure Development under Section 182A of the Planning and development Act (As Amended)

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