S. 37

File With _____

SECTION 131 FORM

Appeal NO:_PL 310789 **Defer Re O/H** ☐

TO:SEO

Having considered the contents of the submission dated/ received 31-01-23

from

PA I recommend that section 131 of the Planning and Development Act, 2000

be/not be invoked at this stage for the following reason(s):. Not circulated d Pending Review by Board / Inspector

E.O.: Rita Quinn **Date:** 8/2/23

To EO:_____

Section 131 not to be invoked at this stage. ☐

Section 131 to be invoked – allow 2/4 weeks for reply. ☐

S.E.O.:_____ **Date:**_____

S.A.O:_____ **Date:**_____

M _____

Please prepare BP _____ **- Section 131 notice enclosing a copy of the attached submission**

to: _____

Allow 2/3/4weeks – BP_____

EO: _____ **Date:** _____

AA: _____ **Date:** _____

S. 37

File With _____

CORRESPONDENCE FORM

Appeal No: PL 310789

M Carleton

Please treat correspondence received on 31-01-23 by e-mail **as follows:**

1. Update database with new agent for Applicant/Appellant _____	
2. Acknowledge with BP 20	**1. RETURN TO SENDER with BP** _____
3. Keep copy of Board's Letter ☐	2. Keep Envelope: ☐
	3. Keep Copy of Board's letter ☐

Amendments/Comments
PA's response to S.131 response.

4. Attach to file	**RETURN TO EO** ☑
(a) R/S ☐ (d) Screening ☐	
(b) GIS Processing ☐ (e) Inspectorate ☐	
(c) Processing ☐	Lita / Lisa.

	Plans Date Stamped ☐ Date Stamped Filled in ☐
EO: Lita Clarke	**AA:** Cathy Carleton
Date: 01-02-23	**Date:** 03/02/23

Lisa Lita

Aisling Reilly

From: Appeals2
Sent: Tuesday 31 January 2023 16:50
To: Lisa Quinn; Lita Clarke
Subject: FW: Planning File Reference P20-120 (Croagh Wind Farm) and ABP Ref ABP-310789-21 Correspondence received from ABP on 4th January, 2023 - Submissions observations of the Planning Aurhority to Further Information Request Response submitted to ABP by M
Attachments: Submissions observations of the Planning Authority to FI Request Response submitted to ABP by MKO on behalf of applicants Coillte - Planning File ref P20-120 refers.pdf

From: Bord <bord@pleanala.ie>
Sent: Tuesday, January 31, 2023 3:59 PM
To: Appeals2 <appeals@pleanala.ie>
Subject: FW: Planning File Reference P20-120 (Croagh Wind Farm) and ABP Ref ABP-310789-21 Correspondence received from ABP on 4th January, 2023 - Submissions observations of the Planning Aurhority to Further Information Request Response submitted to ABP by M

From: Eileen Keenehan <ekeenehan@leitrimcoco.ie>
Sent: Tuesday, January 31, 2023 3:48 PM
To: Bord <bord@pleanala.ie>
Subject: Planning File Reference P20-120 (Croagh Wind Farm) and ABP Ref ABP-310789-21 Correspondence received from ABP on 4th January, 2023 - Submissions observations of the Planning Aurhority to Further Information Request Response submitted to ABP by MKO

Hi,

Please find attached letter dated 31st January, 2023 with the submissions, observations of the Planning Authority to the Further Information Request Response submitted to An Bord Pleanala by MKO on behalf of the applicants Coillte in the above regard.

Please note this letter has also issued by Registered Post today.

Kind Regards

Eileen Keenehan
Planning Department
Leitrim County Council
(071) 96 20005

Comhairle Contae Liatroma
Leitrim County Council

Áras an Chontae
Cora Droma Rúisc
Contae Liatroma
N41 PF67

Áras an Chontae
Carrick on Shannon
Co. Leitrim
N41 PF67

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www.leitrimcoco.ie
customerservices@leitrimcoco.ie
Follow us on

This matter is being dealt with by: Vivienne Egan 071 9620005 Ext. 510

31st January, 2023 **P.20/120** **ABP-310789-21**

REGISTERED POST

An Bord Pleanála,
64 Marlborough Street,
Dublin 1,
D01 V902.

Appeal Re: **Coillte CGA - Planning Application for PERMISSION for development located in the townlands of Bargowla, Boleymaguire, Braudphark, Derreens, Derrybofin, Derrycullinan, Derrycullinan Beg, Drummanacappul, Garvagh, Garvagh Glebe, Glassalt, Lisfuiltaghan, Seltan, Sheena and Tinnybeg, County Leitrim consisting of : (a) Construction of 8 No. Wind turbines with a maximum overall blade tip height of up to 170 metres, and associated hard-stand areas; (b) 1no. 38kV permanent electrical substation including a control building with welfare facilities, all associated electrical plant and equipment, security fencing, all associated underground cabling, waste water holding tank and all ancillary works; (c) all associated underground electrical and communications cabling connecting the turbines to the proposed wind farm substation; (d) all works associated with the connection of the proposed wind farm to the national electricity grid, via underground cabling to the existing Garvagh substation; (e) upgrade of existing tracks and roads, provision of new site access roads and hard-stand areas; (f) the partial demolition and alteration of two agricultural buildings in the townlands of Sheena and associated junction access and road works to the existing yard, agricultural buildings and agricultural lands in the townlands of Sheena and Derrybofin to provide link road primarily for construction traffic off the R280. this link road will be for the delivery of abnormal roads to the site during the construction period and may be used during the operational period if necessary or to facilitate the decommissioning of the wind farm. Following construction, access to the link road will be closed off and the yard / agricultural building will revert to its use for agricultural purposes except if and when required for delivery of abnormal loads during the operation period of the wind farm or to facilitate the decommissioning of the wind farm (g)1 no. borrow pit; (h) 2 no. peat and spoil repository areas; (i)2 no. temporary construction compounds; (j) recreation and amenity works including marked trails, boardwalk and viewing area, provision of a permanent amenity car park, and associated recreation and amenity signage; (k) site drainage; (l) permanent signage, (m) ancillary forestry felling to facilitate construction and operation of the proposed development and (n) all associated site development works. An Environment Impact Assessment Report (EIAR) and a Natura Impact Statement have been prepared in respect of the proposed development at Townlands as above.**

A Chairde,

I wish to acknowledge receipt of your correspondence dated 4th January, 2023 in regard to the above Appeal.

Submission/Observation of Planning Authority to Further Information Request Response submitted to An Bord Pleanala by MKO on behalf of the applicants Coillte. This submission is being made under under Section 131 of the Planning and Development Act, 2000, (as amended).

The Planning Authority have reviewed and considered the response to the Request for Further information which was issued to the Board and wish to comment, as follows.

It is noted that the further Information Request from An Bord Pleanala stated that further to the information included on peat stability, the Board could not be satisfied that the proposed repositories would be effective in providing for the permanent retention of peat and other materials and that the mitigation measures, inclusive for the proposed drainage system, would be adequate to ensure that there would be no significant risk of adverse environmental impacts or serious injury to properties in the vicinity of the proposed development. The Board therefore requested from the applicant information which demonstrates that they have a clear understanding of the existing land and ground conditions associated with the development of the proposed peat repositories, including matters relating to the final construction of the primary repository, the drainage of the peat repositories, measures required for the control of groundwater, the type and condition of rock at the repository locations, and the hillside siting of the northernmost repository and the associated clear felling of forestry.

In response to this the applicants have employed Fehily Timoney, who have prepared a comprehensive Geotechnical and Peat Stability Assessment Response, providing further clarity in relation to the Location of the Proposed Borrow Pit and Repositories including the existing land use and ground conditions as well as the type and condition of the rock, the construction of the Borrow Pit and Peat Repositories, the Stability of Borrow Pit and Repositories and Contingency Measures Specifically for Peat Repository Locations. Hydro environmental Services have also been employed and have set out the requested information relating to Water Quality and Drainage Control relating to the Borrow Pit and Peat & Spoil Repositories. This particular report states that Updated Drainage Plans submitted with the Further Information submission to the planning authorities in April 2021, are backed up with supporting calculations. With regards to Clear Felling of Forestry within the Borrow Pit and Peat & Spoil Repository Areas, a detailed methodology for the felling works associated with the Croagh Wind Farm development was provided in the planning application and the applicants now wish to clarify that while the trees within the peat and spoil repository areas will be felled, the remaining tree stumps will be left in situ so as to reduce ground disturbance, in so far as possible. Tree stumps will only be removed from areas where excavation of peat and spoil is to take place. Computer-generated representations of the borrow Pit and the Peat and Spoil repositories have been prepared by TANTEK 4D to provide further clarity.

The Planning Authority have reviewed the response and the appendices and wish to reiterate the requirements set out in the conditions attached to our grant of planning permission. It is noted that the locations for the peat repositories were chosen following a review of data from ground investigations and contour survey data and the list of criteria have been noted. It is noted that the criteria for the borrow pit to be constructed are set out. In addition, the stability

of the borrow pit berm is emphasised and this is welcomed. The updating of the Stability of Borrow Pit and Peat Repositories is welcomed and the analyses which have been updated so that the model shows the base of the perimeter berms for the repositories on a flat bench is welcomed. It is noted that the stability assessment has recorded FOS results at each location of in excess of 1.3 (or 1.0 to EC7), which is considered acceptable. Outputs of the results are provided in Appendix B. This indicates that there is a low risk of peat failure associated with the construction of the Peat Repositories.

Furthermore, the Board noted that the proposed development is located in a low noise environment and that there are substantial separation distances between proposed turbines and existing dwellings in the area. However, the Board noted that the applicant has acknowledged that there is residual potential for adverse effects arising from low frequency noise and amplitude. AWN were employed to prepare a response to the matters concerning environmental noise, including details in respect of low frequency noise and amplitude modulation, which concludes that at no point is it stated that there is a residual potential for adverse effects arising from either low-frequency noise nor amplitude modulation. It is noted that the assessment demonstrates that the proposed development can operate within the noise criteria derived from the relevant guidance.

Yours faithfully,

Administrative Officer
Planning Department
MS/EK

Comhairle Contae Liatroma
Leitrim County Council

Áras an Chontae
Cora Droma Rúisc
Contae Liatroma
N41 PF67

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This matter is being dealt with by: Vivienne Egan 071 9620005 Ext. 510

31st January, 2023 **P.20/120** **ABP-310789-21**

AN BORD PLEANÁLA
LDG-
ABP-
01 FEB
Fee: € Type:
Time: By: Reg Post

REGISTERED POST

An Bord Pleanála,
64 Marlborough Street,
Dublin 1,
D01 V902.

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Yours faithfully,

Administrative Officer
Planning Department
MS/EK