

Form No. 21

Article 15J

THIS IS AN IMPORTANT DOCUMENT

KEEP THIS DOCUMENT SAFELY. YOU WILL BE REQUIRED TO SUBMIT THIS OPINION TO THE PLANNING AUTHORITY OR AN BORD PLEANÁLA IF YOU WISH TO MAKE AN APPLICATION ON THE BASIS OF OPTIONS, PARAMETERS OR BOTH.

Form No. 21



Opinion on Unconfirmed Details

1) Planning Authority Name:	Louth County Council
2) Request for meeting	
Request under section 32H, 37CC, 182F or 287A of the Act:	Request under Section 32H
Request reference Number:	S32DF001-24
Name of the requestor/ prospective applicant:	EDF Renewables Ireland Limited
Location, townland or postal address of the land or structure to which the application relates (as may be appropriate):	Townlands of Kellystown, Kearneystown, Gallstown, Stonehouse, Drumshallon, Piperstown, Swinestown, Co. Louth
Nature and extent of the proposed development:	5 no. wind turbines and associated hardstands, an onsite 38kV substation and Battery Energy Storage System facility, internal access roads, a 38kV underground grid connection cable and other ancillary infrastructure
Date of receipt of the request:	22 nd April 2024

Opinion Reference Number:	S32DF001-24
Date of Meeting for purposes of Section 32I	17 th May 2024
Date of Opinion:	5 th June 2024

3) Was the following Information included where relevant with the Flexibility Meeting Request under section 32H, 37CC, 182F or 287A of the Planning and Development Act 2000, as amended and the Planning and Development Regulations 2001, as amended.

Information	Enclosed with Request		
(a) A site location map sufficient to identify the land on which the proposed development would be situated.	Yes:[x]	No:[]	
(b) A brief description of the nature and purpose of the proposed development and of its possible effects on the environment.	Yes:[x]	No:[]	
(c) A draft layout plan of the proposed development.	Yes:[x]	No:[]	
(d) A description of the details, or groups of details, of the proposed development that, owing to the circumstances set out in paragraph (e) below, are unlikely to be confirmed at the time of the proposed application.	Yes:[x]	No:[]	
(e) A description of the circumstances relating to the proposed development that indicate that it is appropriate that the proposed application be made and decided, before the prospective applicant has confirmed the details referred to in paragraph (d) above.	Yes:[x]	No:[]	
(f) An undertaking to provide with the proposed application, either – i. two or more options, in respect of each detail or group of details referred to in paragraph (d) above, containing information on the basis of which the proposed application may be made and decided, ii. parameters within which each detail referred to in paragraph (d) above will fall and on the basis of which the proposed application may be made and decided, or iii. a combination of (i) and (ii).	Yes:[x]	No:[]	

(g) Such other information, drawings or representations as the prospective applicant may wish to provide or make available.	Yes:[x]	No:[]	
(h) The appropriate fee.	Yes:[x]	No:[]	

4) Opinion of the Planning Authority or An Bord Pleanála under section 32I, 37CD, 182G or 287B of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended.

Information	Details/ Circumstances
a) The details, or groups of details, of the proposed development that may be confirmed after the proposed application has been made and decided.	<p>The Design Flexibility Request Letter submitted along with Form No. 20 on 22nd April 2024 states that the details that may be confirmed after the application has been made and decided are as follows;</p> <ul style="list-style-type: none"> • Turbine total tip height • Turbine rotor diameter • Turbine hub height <p>The parameters within which the turbine specifications will fall are as follows:</p> <ul style="list-style-type: none"> • Total tip height range of 179.5m – 180m • Rotor diameter range of 149m – 163m • Hub height range of 98m to 105m
b) The circumstances relating to the proposed development that indicate that it is appropriate that the proposed application be made and decided before the prospective applicant has confirmed the details referred to in paragraph (a) above.	<p>The applicants set out that the design flexibility requirements arise due to the prolonged timescales associated with developing a wind farm project where a period of years can elapse between a planning application being made and the commencement of construction due to a wide variety of reasons, such as planning decision timescales, timing of support scheme auctions and grid availability.</p> <p>During that time, wind turbine technology is constantly evolving, so there can be some uncertainty as to which make/ model of wind turbine is most suitable and appropriate at the actual time of construction, which makes it very</p>

difficult to establish exact turbine dimensions at pre-planning stage.

Wind turbine type will be decided at the pre-construction stage and the dimensions of the chosen turbine will fall within the range specified above. It is intended that the final wind turbine dimensions be confirmed with the Planning Authority at least 2 weeks prior to the erection of the turbines.

In order to consider all potential situations, particularly for shadow flicker, noise, visual assessment, the EIAR to be submitted will generally assess three different scenarios at the site as follows:

- Scenario 1 – Maximum
- Scenario 2 – Minimum
- Scenario 3 – Medium

The consultants set out that they are committed to “no shadow flicker” from the proposed development.

In the case of bat mitigation, Scenario 1 (maximum) will be assessed as it gives rise to the largest felling radius.

In relation to birds, Scenario 1 (maximum) and 2 (minimum) will be assessed, as these account for the largest and smallest turbine blade swept path in the Collision Risk Model.

Scenario 1 (Maximum) will be assessed in relation to aquatic ecology, biodiversity, soils and geology, hydrology, air and climate material assets.

In relation to cultural heritage, Scenario 3 (Medium) will be used in the EIAR.

The traffic assessment will use Scenario 1 (maximum) as this includes for the longest blade length, which obviously has the greatest potential

	<p>for significant impacts along the proposed haul routes.</p> <p>The parameters within which the turbine specifications will fall are as follows:</p> <ul style="list-style-type: none"> • Total tip height range of 179.5m – 180m • Rotor diameter range of 149m – 163m • Hub height range of 98m to 105m <p>The applicant is advised to provide with the application the most robust information in respect of turbine total tip height, turbine rotor diameter and turbine hub height within the EIAR which assesses the effects associated with the design flexibility parameters sought.</p>
<p>Opinion of the Planning Authority</p>	<p>Having considered the Design Flexibility details, specifications and information submitted, including the meeting request form (No. 20), cover letter, maps and drawings, the Planning Authority as per Section 32I(2) of the Planning and Development Act, 2000 as amended, is satisfied that it is appropriate that the proposed application be made and decided before the prospective applicant has confirmed certain details of the application.</p>

For each detail or group of details, referred to in paragraph 4(a) above, the proposed application shall, in addition to any other requirement imposed by or under the Planning and Development Act 2000, as amended, be accompanied by the information referred to in the undertaking submitted with the flexibility meeting request under section 32H(2)(f), 37CC(2)(f), 182F(2)(f) or 287A(2)(f) of the Planning and Development Act 2000, as amended.

<p>Planning Authority: Louth County Council</p>	
<p>Authorising Signature: <i>J. Keel</i></p>	
<p>Date: 5th June 2024</p>	
<p>Planning Authority Stamp:</p>	<div style="border: 2px solid black; padding: 5px; text-align: center;"> <p>COMHAIRLE CONTAE LÚ LOUTH COUNTY COUNCIL</p> <p>5 JUN 2024</p> </div>

RECEIVED: 04/12/2024

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