Orsted Onshore Ireland Midco Limited

Response to Request for Further Information

Proposed Oatfield Wind Farm, Co. Clare

An Board Pleanála Case No. ABP-318782-24

MAY 2025

RSK

TABLES

APPENDICES

INTRODUCTION AND BACKGROUND

This report has been prepared to address the Request for Further Information (RFI) received from An Bord Pleanála in respect of the submitted Oatfield Wind Farm Planning Application (ABP-318782-24).

The planning application for the aforementioned Proposed Development was submitted to An Bord Pleanála on 22nd December 2023, following which, the Applicant (Orsted Ireland Midco Ltd.) submitted their response to submissions on 19th June 2024. The RFI from An Bord Pleanála was received by post on 20th January 2025.

This report has been compiled by RSK Ireland on behalf of Orsted Onshore Ireland Midco Limited (the Applicant), with specialist inputs from competent experts, where relevant. The details of the competent experts involved in the preparation of this report are presented in each section of this report, as relevant.

Report Structure

In responding to the RFI received from An Bord Pleanála, the Applicant has not proposed any changes to the proposed development as a result of the RFI. Each RFI item is addressed within the sections below and includes a reproduction of the request as received from An Bord Pleanála, for ease of reference. Where additional supporting documentation has been prepared, reference is made to same in the appendices section of this report.

1 RFI ITEM 1

1.1 Request

"Significant concerns in relation to aviation safety have arisen given the relationship of the proposed development to Instrument Flight Procedures (IFP), the Air Traffic Control Surveillance Minimum Altitude Coordinates (ATC SMAC) and the Woodcock Hill Radar as set out in the observations received by the Board from Irish Aviation Authority (IAA), Shannon Airport Authority DAC with additional information from AirNav Ireland. Notwithstanding the applicant's response to the observations received and the technical report provided, the applicant is requested to review these submissions further and demonstrate that sufficient consultation with Irish Aviation Authority (IAA), Shannon Airport Authority DAC and AirNav Ireland has been undertaken and all aviation concerns have been addressed to their satisfaction".

1.2 Statement of Authority

This response has been prepared by Kevin Hayes of Ai Bridges who is the Founding Director and Engineering Contracts Manager at Ai Bridges Ltd. Kevin has over 20 years' experience in telecommunications network design, aviation impact studies and project management. He has a B.Eng Hons in Electronic Engineering – Communications & Industrial Automation and M.Eng Hons in Electronic Engineering-Communications & Communications Engineering. He also managed and designed the software prediction model for the TVI & Broadband EMI Interference Studies for Wind Farms.

Supporting technical information was prepared by Cyrrus Limited, a leading international consultancy providing a range of specialist aviation support services to help airports and developers manage and overcome the varied and often complex technical requirements associated with the running of an airport or delivering development projects on or adjacent to airports.

1.3 Response

A detailed response to Item 1 of the RFI is provided in **Appendix 1 of this RFI Response**, along with related technical information from Cyrrus Limited and minutes of meetings from online consultations with representatives from IAA, Shannon Airport Authority and AirNav Ireland.

2 RFI ITEM 2

2.1 Request

"Several other planning applications have been received by the Board for separate wind farms that are in proximity to or adjoining Oatfield Wind Farm, in particular Knockshanvo Wind Farm (ABP-320705-24). The applicant is requested to submit revised/updated information, if any, addressing cumulative and in combination considerations in the Environmental Impact Assessment Report and Natura Impact".

2.1 Statement of Authority

The statement of authority for each discipline is presented in **Appendix 2 of this RFI Response**. See section 2.2 below for further information.

2.2 Response

To address Item 2 of the RFI, a Cumulative Impact Assessment (CIA) Report has been prepared and is presented as **Appendix 2 of this RFI Response**. The CIA Report identifies and assesses the potential cumulative effects of the Proposed Development, in combination with other projects.

It should be noted that at the time the original EIAR for the Proposed Development was submitted, each discipline included a cumulative impact assessment. At the request of An Bord Pleanála, the CIA Report provides updated assessments for each topic as relevant.

Additional photomontages have been prepared as part of the updated Landscape and Visual Assessment in the CIA Report mentioned above. Refer to **Appendix 3 to this RFI Response – Updated Photomontage Booklet**.

Lastly, in considering the conclusions made in the CIA Report mentioned above, the Natura Impact Statement (NIS) for the Proposed Development has been updated accordingly and is presented in **Appendix 4 to this RFI Response**. Please note that updates within the NIS document have been made, as relevant, in green text.

3 RFI ITEM 3

3.1 Details of Request

"The Department of Housing, Local Government and Heritage (DHLGH) has concerns regarding nature conservation. Notwithstanding the applicant's response to the observations received and the technical reports provided, the applicant is requested to review this submission further and demonstrate that all issues raised by the DHLGH have been addressed sufficiently and directly. Specifically, it is requested to address the absence of a winter survey for bats and an assessment of potential impacts to stated attributes and targets of the conservation objectives for the Danes Hole, Poulnalecka Special Area of Conservation".

3.2 Statement of Authority

Mr Conor Daly MSc BSc ACIEEM is the EIAR Team Lead and Ecologist with Inis Environmental Consultants Ltd. who reviewed and edited this response. Conor was awarded a MSc in Biodiversity and Conservation and an Honours BSc (Hons) in Zoology. Conor has conducted bird, mammal, habitat and entomological surveys for renewable energy projects, conservation monitoring projects and private developments. Over his three years as an ecologist, Conor has written Preliminary Environmental Assessments (PEA), Appropriate Assessment (AA) Screening, NIS and EIA reports. During his employment with Inis, Conor has been involved in conducting a range of reports, including Appropriate Assessment (AA) Screenings, Natura Impact Statements (NIS), and Environmental Impact Assessment (EIA) Screenings and reports.

Mr Calum McSorley BSC MSC drafted this report and undertook the field survey visit. He is Lead Bat Ecologist at Inis Environmental Consultants and has a BSc in Environmental Science from National University of Ireland Galway and an MSc in Ecological Management and Conservation Biology from Queen's University Belfast. Calum has extensive bat surveying experience including roost assessments, emergence/re-entry surveys, static detector deployments and various exclusion practices. He also has experience in a range of other ecological surveys including habitat classification, mammal surveys, amphibian surveys and reptile surveys.

Mr Andrew Whitfield MA BA CEnv CEcol (Associate Consultant to INIS Environmental Consultants Ltd.) reviewed and edited this report. He has over thirty years of undertaking and co-ordinating ecological and environmental impact assessments across a wide variety of infrastructure projects, varying in scale from new nuclear power generation facilities, major road and rail construction schemes to housing developments. Andrew has undertaken Habitat Regulations Assessments of a number of Plans and Projects including transport improvement options for the Scottish Government, water supply options for Greater London and for the Heads of the Valleys road improvements in South Wales where marsh fritillary and lesser horseshoe bats were potentially affected by the developments. Andrew has extensive experience of undertaking Phase 1 Habitat Surveys, Breeding and Wintering Bird Surveys, Otter, and Badger Surveys, Red Squirrel Surveys, Amphibian Surveys and Butterfly and dragonfly Surveys. He has also undertaken research on the threatened pear-bordered and high brown fritillary butterflies in the UK and has extensive knowledge of butterfly and other invertebrate ecology. He has also given evidence at approximately 20 Planning Inquiries/Hearings in the UK and Ireland.

3.3 Response

In the details of Item 3 of the RFI, the following is noted: *"Specifically, it is requested to address the absence of a winter survey for bats and an assessment of potential impacts to stated attributes and targets of the conservation objectives for the Danes Hole, Poulnalecka Special Area of Conservation*."

A response was previously submitted to An Bord Pleanála in June 2024 by the Applicant to cover submissions received during the observation period following submission of the planning application. Within this response, issues raised by the Department of Housing, Local Government and Heritage (DHLGH) (ABP Reference ABP-318782-24) were addressed. Specifically, the June 2024 response to the DHLGH observation was presented in three documents, namely:

- **Memorandum response to submissions related to Ornithology**,
- **Memorandum response to submissions related to Biodiversity**, and
- A Bat Survey Report dated May 2024 (**Appendix 2 to the Memorandum response to submissions related to Biodiversity**).

Further responses and clarifications are provided in the sections below, where required, with the objective to '*further and demonstrate that all issues raised by DHLGH have been addressed sufficiently and directly'.* In doing so, reference is made to the aforementioned June 2024 response documents, where relevant.

3.3.1 Requirements for Bat Surveys and Assessments along Turbine Delivery Routes

This was addressed in Section 2.2.1 of the *June 2024 Memorandum response to submissions* related to *Biodiversity* and *Appendix 2 Bat Survey Report* of the same memorandum.

3.3.2 Requirements for additional Lesser Horseshoe Bat surveys due to proximity of Danes Hole, Poulnalecka SAC

This was addressed in Section 2.2.1 of the June 2024 *Memorandum response to submissions* related to *Biodiversity* and *Appendix 2 Bat Survey Report* of the same memorandum. In the interest of further clarification, the sections below further respond to DHLGH's recommendation for a winter survey for bats.

As recognised in the DHLGH submission, the bat survey effort for the Proposed Development is consistent with statutory survey requirements. The potential requirement for winter surveys was not scoped in due to the Proposed Development site lying outside of the core wintering foraging habitat for Lesser Horseshoe Bats, which is within 1.2km for hibernation roosts[1] (See Figure 1 in **Appendix 5 of this RFI Response**). The nearest point of the Red Line Boundary of the Proposed Development site lies exactly 2km from the SAC (Figure 1 and Figure 2 in **Appendix 5 of this RFI Response**).

To provide further information, a desk top review and field assessment were undertaken and submitted as part of the *June 2024 Memorandum response to submissions related to Biodiversity.* This included evaluating potential wintering and other roosting structures relating to Lesser

[1] Lesser Horseshoe Bat species information guide, https://cdn.bats.org.uk/uploads/pdf/Species-info-sheet-for-lesser-horseshoe-bat-FINAL.pdf?v=1642079702

Horseshoe Bats in the wider area, co-ordinating connectivity activity surveys and static detector deployments between the known roost locations and the Proposed Development along linear features and suitable foraging spaces.

The Lesser Horseshoe Bat activity surveys (co-ordinated connectivity activity surveys and static detector deployments) were conducted in April 2024 following guidance from NatureScot (2021) which overlaps with the Lesser Horseshoe Bat hibernation season (BCT 2010[2]). These surveys were considered suitable to assess the use of the area by Lesser Horseshoe Bats during the hibernation period. The results of these surveys are presented in *Appendix 2 (Bat Report)* of the *June 2024 Memorandum response to submissions related to Biodiversity*. The results of these surveys illustrate that Lesser Horseshoe Bat does occur within the Eastern Development Area, but in negligible numbers.

The habitat within the proposed site boundary that overlaps with the 2.5km foraging buffer area is primarily dense conifer forestry. There is more suitable commuting and foraging habitat further North and West of the Proposed Development. The Red Line Boundary of the Proposed Development is not an area in regular use by Lesser Horseshoe Bat. As such, the change to the baseline habitats is not likely to result in significant effects on foraging or commuting habitat for this receptor species as a result of the Proposed Developments construction or operational phase.

Based on the low numbers of individuals recorded during the April 2024 surveys, the negligible extent of suitable habitat lost (see **Table 1** below and **Figure 3 in Appendix 5 of this RFI Response**) as a result of the project and the distance between the nearest roost and the project Red Line Boundary, the wintering Lesser Horseshoe Bat baseline activity within the Proposed Development is negligible. This determination mirrors the assessment provided in the submitted EIAR **Chapter 7 Biodiversity** and **Natura Impact Statement (NIS)** for the Proposed Development regarding Lesser Horseshoe Bat.

Mitigation has been provided for Lesser Horseshoe Bat in EIAR **Chapter 7 Biodiversity** and in **the NIS** to reduce the potential for significant effects on this species within 2.5km of the SAC site to neutral. This remains unchanged for hibernating individuals and roost sites identified during the April 2024 surveys discussed above.

In conclusion, wintering Lesser Horseshoe Bat surveys were not conducted in the original submission documents as no roost within 1.2km of the Proposed Development was assessed to be of high likelihood as a wintering/hibernation roost. The additional survey conducted in April 2024 at the end of the hibernation season for Lesser Horseshoe Bat has demonstrated the negligible activity levels within the receiving environment as neither roosts' winter foraging range (1.2km) overlap with the Proposed Development.

3.3.3 Assessment of potential impacts to stated attributes and targets of the conservation objectives for Danes Hole, Poulnalecka Special Area of Conservation (SAC)

In their observation, DHLGH recommended that the Conservation Objectives for Danes Hole, Poulnalecka SAC be consulted, and potential effects be evaluated in relation to the stated attributes and targets of this SAC. The sections below provide a response on same.

[2] BCT (2010) Lesser horseshoe bat, Bat Conservation Trust https://cdn.bats.org.uk/uploads/pdf/About%20Bats/lesserhorseshoe_11.02.13.pdf?v=1541085180

3.3.3.1 Conservation Objectives of Danes Hole, Poulnalecka SAC[3]

> *"To maintain the favourable conservation condition of Old sessile oak woods with Ilex and Blechnum in the British Isles in Danes Hole, Poulnalecka SAC"*

This Conservation Objective will not be negatively affected by the Proposed Development as the area of oak woodland is outside of the project boundary and no habitat loss will result there as part of the Proposed Development. Consequently, there will be no impact on the favourable conservation condition of Lesser Horseshoe Bat in Danes Hole, Poulnalecka SAC.

> *"To restore the favourable conservation condition of Lesser Horseshoe Bat in Danes Hole, Poulnalecka SAC"*

There will be no loss of old sessile oak woods within the SAC or other areas of this habitat outside of the SAC as a result of the Proposed Development.

As noted above, the Proposed Development will not result in habitat loss within the 1.2km winter foraging range of Lesser Horseshoe bat (Lesser Horseshoe Bat species information guide[1]). There will be extremely limited habitat loss within the 2.5km summer foraging area around Danes Hole SAC. The project boundary is 2km from the SAC and 1.7km from the ex-situ roost, located south-west of the SAC (see **Figure 1 in Appendix 5 of this RFI**).

Table 1 below summarises the habitat loss from within a 2.5km buffer of the SAC, the 2.5km from the other ex-situ roost and a combined habitat loss calculation. See **Figure 3 in Appendix 5 of this RFI** which illustrates the area of habitat loss.

Table 1: Habitat Loss within 2.5km of Lesser Horseshoe Bat Roosts

Fossitt Code	Habitat	SAC	Other Roost	Combined
		Area (ha)		
BL3	Buildings etc	0.190	0.174	0.190
ED2	Spoil and Bare Ground	0.087	0.087	0.087
GS3/GS4	Dry Humid Acid Grassland/Wet Grassland	0.029	0.029	
GS3/WS1	Dry Humid Acid Grassland/Scrub	0.009	0.009	0.009
GS4	Wet Grassland	0.052	0.004	0.052
GS4/PB2	Wet Grassland/Upland Blanket Bog	0.012	0.012	
HH3	Wet Heath	0.825	0.865	0.867
WD4	Conifer Plantation	7.578	6.628	9.216
WS1/WD2	Scrub/Mixed Broadleaved/ Conifer Woodland	0.003	0.003	
WS1/WS2	Scrub/Immature Woodland	0.002	0.002	0.002
WS5	Recently Felled Woodland	0.028		0.028
		Linear Length (m)		
FW4	Drainage Ditches		13	13
WL1	Hedgerow	170	170	170

[3] NPWS (2018) *Conservation Objectives: Danes Hole, Poulnalecka SAC 000030.* Version 1. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.

According to the Lesser Horseshoe Bat Species Action Plan 2022-2026 (NPWS & VWT 2022[4]), the optimal foraging habitats for Lesser Horseshoe Bats are deciduous woodlands, riparian vegetation and mature hedgerows within a few kilometres of a roost. In the absence of woodland, areas of scrub close to roosts are important and should be retained. Conifer plantations are used for commuting and some foraging, where there are deciduous trees associated with the plantation, but are less suitable than mixed and deciduous stands. Dietary studies have highlighted the importance of grazed pastures, particularly in winter.

Most habitat loss within the 2.5km buffer zone will be conifer plantation (cumulative loss of 9.2ha) which, as indicated above, is of limited use for commuting and some foraging. Losses of other areas of habitat of more value for Lesser Horseshoe Bats are extremely limited (0.003ha of Scrub/Mixed Broadleaved/Conifer Woodland, 0.002ha of Scrub/Immature Woodland and 0.028ha Recently Felled Woodland). There will be a total linear habitat loss of 170m of WL1 hedgerow (see **Figure 4 and Figure 5 in Appendix 5 of this RFI**) within the 2.5km SAC buffer, which has potential to be used for commuting by Lesser Horseshoe Bats between foraging areas. During three of the bat walkover surveys carried out in April 2024, surveying was conducted proximal to this hedgerow and there were no records of Lesser Horseshoe foraging or commuting in this area. There are extensive alternative linear features that are suitable for Lesser Horseshoe Bats in the wider receiving environment, which remain unaffected by the Proposed Development.

As already stated above and reported in *Appendix 2 of the June 2024 Memorandum response to submissions related to Biodiversity (Bat Survey Report),* bat activity surveys were conducted in April 2024 with Static detectors deployed along commuting corridors that connect the Danes Hole SAC and the Proposed Development area. They recorded low numbers of Lesser Horseshoe bat using these areas.

The results of the summer activity surveys indicated that levels of Lesser Horseshoe Bat activity within the Proposed Development site is Negligible to Low (see Table 7.19 in EIAR **Chapter 7 Biodiversity**).

The low quality of the habitat losses, the limited area of the habitat lost, the low levels of recorded Lesser Horseshoe Bat activity, and the location of the Proposed Development at the edge of the 2.5km buffer from the SAC indicate that there will be no potential for impact on the favourable conservation condition of Lesser Horseshoe Bat in Danes Hole, Poulnalecka SAC as a result of the construction, operation and decommissioning of the Proposed Development.

3.3.4 Presence of Wet Heath within the Proposed Development Area

This was addressed in Section 2.2.3 of the June 2024 **Memorandum response to submissions related to Biodiversity**.

3.3.5 Pre-construction Surveys

This was addressed in Section 2.2.4 of the June 2024 **Memorandum response to submissions related to Biodiversity**.

[4] NPWS & VWT (2022*) Lesser Horseshoe Bat Species Action Plan 2022- 2026*. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage, Ireland.

3.3.6 Japanese Knotweed

In regards to Japanese Knotweed which has been recorded within the Proposed Development, between T1 and T3, it is noted that DHLGH *"recommends that this be treated and removed prior to any commencement of works to prevent potential spread.***"**

An Invasive Species Management Plan was submitted as **Appendix 7.8 to EIAR Chapter 7 Biodiversity.** In addition, in line with DHLGH's recommendation, Japanese Knotweed at the identified locations will be treated and removed prior to the commencement of any works to prevent the potential spread thereof.

3.3.7 Screening for Appropriate Assessment of Species and Habitat Management Plan

This was addressed in Section 2.2.1 of the June 2024 **Memorandum response to submissions related to Ornithology**.

3.3.8 Efficacy of SHMP

This was addressed in Section 2.2.2 of the June 2024 **Memorandum response to submissions related to Ornithology**.

3.3.9 Consideration of disturbance distance on Hen Harrier

This was addressed in Section 2.2.3 of the June 2024 **Memorandum response to submissions related to Ornithology**.

4 RFI ITEM 4

4.1 Details of Request

"The applicant is relying on managed areas included in the Species and Habitats Management Plan (SHMP) as a mitigation measure to avoid significant adverse effects on species and habitats. The applicant, as stated in the SHMP, anticipates that the implementation of this mitigation measure will be secured by means of a condition of the planning permission. Notwithstanding the letters of consent submitted, it is unclear to the Board whether the applicant has established a beneficial interest in all the lands based on the site plan drawings submitted in the planning particulars, as these areas are excluded as land to which the application relates. The applicant is requested to address this matter and update documentation and drawings, as relevant, clearly identifying the land to which the application relates and the boundaries thereof and any other land which adjoins, abuts or is adjacent to the land to be developed and which is under the control of the applicant or the person who owns the land which is the subject of the application".

4.2 Response

In response to RFI Number 4, the Applicant wishes to clarify that they have a beneficial interest in all the lands presented as part of the site plan drawings submitted in the Planning Application for the Proposed Development. **Appendix 6 of this RFI Response** provides a letter from the Applicant confirming their legal interest in the aforementioned lands.

For purposes of clarity, we attach relevant updated planning drawings (see **Appendix 7 Drawing Pack attached to this RFI Response**), clearly illustrating the Proposed Development's Red Line Boundary, Proposed Species and Habitat (SHMP) Managed Lands, and an updated Blue Line Boundary encompassing all the SHMP land folios. The Blue Line Boundary denotes all the lands in which the Applicant submitted landowner consent letters for as part of the Planning Application. The consent letters are associated with the following Folio numbers:

- CE811F
- CE24243F
- CE10182
- CE59762F
- CE10171
- CE7075F
- CE 3688
- CE58490F
- CE62690F
- CE3690F
- CE3691

The above Folio numbers are clearly shown on the drawings in the **Drawing Pack attached to this RFI Response.** The drawing numbers and titles submitted as part of this RFI are listed below:

- 20959-NOD-XX-XX-DR-C-08000
- 20959-NOD-XX-XX-DR-C-08001
- 20959-NOD-XX-XX-DR-C-08004
- 20959-NOD-XX-XX-DR-C-08005
- 20959-NOD-XX-XX-DR-C-08006
- 20959-NOD-XX-XX-DR-C-08008
- 20959-NOD-XX-XX-DR-C-08023
- 20959-NOD-XX-XX-DR-C-08039
- 20959-NOD-XX-XX-DR-C-08200
- 20959-NOD-XX-XX-DR-C-08202
- 20959-NOD-XX-XX-DR-C-08203
- 20959-NOD-XX-XX-DR-C-08223
- 20959-NOD-XX-XX-DR-C-08248
- 20959-NOD-XX-XX-DR-C-08307
- 20959-NOD-XX-XX-DR-Z-08000
- 20959-NOD-XX-XXDR-C-08309

Finally, it should be noted that all the lands included in this updated Blue Line Boundary were assessed and considered as part of the submitted Planning Application in December 2023 and there is no change in any assessment associated with the SHMP lands.