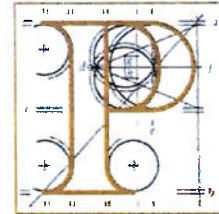


Our Case Number: ABP-320705-24



**An
Bord
Pleanála**

Transport Infrastructure Ireland
Michael McCormack
Parkgate Business Centre
Parkgate Street
Dublin 8
D08 DK10

Date: 18 October 2024

Re: Proposed development of 9 no. wind turbines, 110kV substation and ancillary development located in the townlands of Snatty, Hurdlestown, Oatfield, Drumsillagh, Sallybank, Gortacullin, Aharinaghbeg, Knockshanvo, Cloontra, Cloghoolia, Ballycullen and others, County Clare. And located in the townland of Court, County Limerick. (<https://knockshanvoplanning.ie/>)

Dear Sir / Madam,

An Bord Pleanála has received your submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter.

The Board will revert to you in due course in respect of this matter.

Please be advised that copies of all submissions / observations received in relation to the application will be made available for public inspection at the offices of the local authority and at the offices of An Bord Pleanála when they have been processed by the Board.

More detailed information in relation to strategic infrastructure development can be viewed on the Board's website: www.pleanala.ie.

If you have any queries in the meantime please contact the undersigned officer of the Board. Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

Lauren Murphy
Executive Officer
Direct Line: 01-8737275

PA09

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64 Sráid Maoilbhríde
Baile Átha Cliath 1
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64 Marlborough Street
Dublin 1
D01 V902

Lauren Murphy

From: Landuse Planning <LandUsePlanning@tii.ie>
Sent: Thursday 17 October 2024 11:00
To: SIDS
Subject: ABP Case ref. PA03.320705 (FuturEnergy Knockshanvo Designated Activity Company)
Attachments: ABP Case ref. PA03.320705.pdf
Categories: Lauren

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TII ref. TII24-128589

Dear Sir/Madam,

Please find attached a copy of TII's observations on the above Strategic Infrastructure Development application.

Yours sincerely,
Michael McCormack
Senior Land Use Planner

In accordance with TII's Right to Disconnect policy, if you are receiving this email outside of normal working hours, I do not expect a response or action outside of your own working hours unless it is clearly noted as requiring urgent attention.

De réir pholasáí BIÉ An Ceart gan a bheith Ceangailte, má tá an ríomhphost seo á fháil agat lasmuigh de na gnáthuaireanta oibre, nílim ag súil le freagra ná le gníomh uait lasmuigh de do ghnáthuaireanta oibre féin mura bhfuil sé ráite go soiléir go bhfuil gá gníomhú go práinneach.

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The Secretary
An Bord Pleanála
64 Marlborough St.
Dublin 1
D01 V902

by e.mail; sids@pleanala.ie

Dáta | Date
17 October, 2024

Ár dTag | Our Ref.
TII24-128589

Re. Strategic Infrastructure Development – Proposed development of 9 no. wind turbines, 110kV substation and ancillary development located in the townlands of Snatty, Hurdlestown, Oatfield, Drumsillagh, Sallybank, Gortacullin, Aharinaghbeg, Knockshanvo, Cloontra, Cloghoolia, Ballycullen and others, County Clare and located in the townland of Court, County Limerick

ABP Case ref. PA03.320705

Dear Secretary,

The Authority acknowledges receipt of referral of the above Strategic Infrastructure Development application on behalf of FuturEnergy Knockshanvo Designated Activity Company and provides the following observations for the Boards consideration;

It is proposed to address the proposed development in relation to the provisions of official policy and in relation to national road network maintenance and safety.

1. Official Policy

The Board will be aware that official policy concerning development management and access to national roads is outlined in the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012). Official policy addresses both future national road scheme planning and the existing national road network.

Section 2.5 of the DoECLG Guidelines sets out policy that seeks to avoid the creation of additional access points from new development or the generation of increased traffic from existing accesses (i.e. non-public road access) to national roads, to which speed limits greater than 50 kph apply.

Section 2.6 of the DoECLG Guidelines provides that notwithstanding the provisions of Section 2.5, above, that planning authorities may apply a less restrictive approach to the management of access to a national road in 'exceptional circumstances' but only as part of the process of reviewing or varying the relevant development plan.

In accordance with the National Planning Framework National Strategic Outcome no. 2 'Enhanced Regional Accessibility', there is a requirement to maintain the strategic capacity and safety of the national road network. This requirement is further reflected in the National Development Plan, the National Investment Framework for Transport in Ireland and also the existing Statutory Section 28 Spatial Planning and National Roads Guidelines for Planning Authorities.

Próiseáilann BIE sonraí pearsanta a sholáthraítear dó i gcomhréir lena Fhógra ar Chosaint Sonraí atá ar fáil ag www.tii.ie.
TII processes personal data in accordance with its Data Protection Notice available at www.tii.ie.

In addition, TII Publications (Standards) documentation defines the requirements to support policy, administrative and technical procedures to govern activities with respect to the National Road Network. All relevant TII Publications are available at www.tiipublications.ie.

There is a critical requirement to ensure the strategic capacity and safety of the national road network is maintained and significant Government investment already made in the national road network is safeguarded.

In relation to the subject application, the proposed development includes for construction of a remote compound with direct access to the N69, national road, at Court, Co. Limerick, at a location where a 100kph speed limit applies, to be utilised as a temporary transition compound facilitating turbine component delivery to site; Section 4.2.11.3 of the EIAR refers.

As outlined above, Section 2.6 of the DoECLG Spatial Planning and National Roads Guidelines provides that planning authorities may apply a less restrictive approach to the management of access to a national road in 'exceptional circumstances' but only as part of the process of reviewing or varying the relevant development plan. The current Limerick City and County Development Plan has not provided any agreed 'exceptional circumstances' cases for development accessing a national road such as that proposed in this Strategic Infrastructure Development application.

However, it is noted that Section 4.2.11.4 of the EIAR outlines that once the turbines have been delivered to the Wind Farm Site, the temporary transition compound will be decommissioned, and the site will be reinstated to its original form. In addition, Section 15.1.1.4 of the EIAR outlines that a Design Report has been prepared for this element of the proposed development and is included as Appendix 15-4 of the EIAR. The text indicates that the Design Report will be uploaded to the TII Departures Portal.

TII advises that this Design Report has not been submitted to TII in accordance with the requirements of TII Publications DN-GEO-03030 (Design Phase Procedure for Road Safety Improvement Schemes, Urban Renewal Schemes and Local Improvement Schemes). This is a concern due to the critical need to address road and public safety matters associated with the transportation of the turbines and the location of the temporary transition compound access to the site on the N69, national road.

The Board is also advised that TII review of the Design Report may potentially require material changes and alteration to the proposal. Therefore, in the interests of road user safety, this matter requires urgent resolution by the applicant prior to a decision on this strategic infrastructure development application.

2. National Road Network Maintenance and Safety

In addition to the above, there are a number of operational issues related to the subject windfarm development proposal, in the Authority's opinion, that are required to be resolved to address concerns relating to network maintenance and road safety prior to any decision on this planning application.

2.1 Proposed Turbine Haul Route

Haul Route proposals for wind turbine component delivery to site are outlined in Section 4.2.11 and Section 15.1.2.2 of the EIAR; originating from the port of entry at Foynes to site via the N69, national road. EIAR Section 15.1.8 addresses the route assessment for Abnormal Loads and Table 15-31, Table 15-32 and Table 15-33 of the EIAR outline the extent of minor works required to facilitate turbine component delivery to site. It is noted that measures are proposed which impact the N69, national road.

The applicant/developer should consult with all road authorities over which the haul route traverses to ascertain any operational requirements such as delivery timetabling, etc. and to ensure that the strategic function of the national road network is safeguarded.

In the interests of clarification, any proposed works to the national road network to facilitate turbine component delivery to site shall comply with TII Publications and shall be subject to Road Safety Audit as appropriate. Works should ensure the ongoing safety for all road users and prior to any development necessary licenses, approvals or agreements with the local road authorities shall be in place.

TII requests referral of all proposals agreed between the road authorities and the applicant impacting on national roads. Mitigation measures identified by the applicant should be included as conditions in any decision to grant permission. Any damage caused to the pavement of the existing national road due to the turning movement of abnormal 'length' loads (eg. tearing of the surface course) shall be rectified in accordance with TII Pavement Standards and details in this regard shall be agreed with the Road Authorities prior to the commencement of any development on site.

2.2 Structures

As noted above, Haul Route proposals for wind turbine component delivery to site are outlined in Section 4.2.11 and Section 15.1.2.2 of the EIAR. Section 15.1.1.1 notes that abnormal weight loads are not a feature of the turbine delivery vehicles. Notwithstanding, it is unclear if other features of the development proposal might include for the potential of any abnormal 'weight' load; for example, substation components.

In the interests of clarity, any operator who wants to transport a vehicle or load whose weight falls outside the limits allowed by the Road Traffic (Construction Equipment & Use of Vehicles) Regulations 2003, SI 5 of 2003, must obtain a permit for its movement from each Local Authority through whose jurisdiction the vehicle shall travel.

With specific reference to national road structures on the proposed haul route, all structures should be checked by the applicant/developer to confirm that all the structures can accommodate the proposed loading associated with the delivery of turbine and/or substation components where the weight of the delivery vehicle and load exceeds that permissible under the Road Traffic Regulations.

The Authority considers that it is critical a full assessment by the applicant/developer of all structures on the national road network along the haul route should be undertaken, where relevant, and all road authorities along the haul routes should confirm their acceptance of proposals by the applicant. Specific requirements for any 'Exceptional Abnormal Loads' should also be considered and addressed where required in accordance with TII Publications.

The Authority requests referral of all proposals agreed between the road authorities and the applicant impacting on national roads.

2.3 Cabling/Trenching

TII notes associated grid connection development application under case ref. VA03.320727 which has no interactions with the strategic national road network in the area. TII has no record of consultation on case ref. VA03.320727.

2.4 Greenways

In relation to any Greenway proposals in the vicinity of the proposed works, consultation with Clare County Councils and Limerick City and County Councils own internal project and/or design staff is recommended.

Conclusion

TII advises that if the Board is mindful to grant planning permission prior to the resolution of issues raised in this correspondence, in particular, the submission of the Appendix 15-4 Design Report in accordance with the requirements of TII Publications DN-GEO-03030 (Design Phase Procedure for Road Safety Improvement Schemes, Urban Renewal Schemes and Local Improvement Schemes), the following requirements are outlined for the temporary transition compound access to the N69, national road, to ensure the safety of the public and road users especially during construction and operation.

1. Site Specific National Road Issues

- No development shall commence onsite until the Design Report, included as Appendix 15-4 of the EIAR meets the requirements of TII Publications DN-GEO-03030 (Design Phase Procedure for Road Safety Improvement Schemes, Urban Renewal Schemes and Local Improvement Schemes). Details of TII approval shall be submitted to the planning authority prior to the commencement of development.

- The proposed access for the temporary transition compound shall be permitted for a temporary period to facilitate turbine component delivery only. The temporary transition compound and access to the N69, national road, shall be closed and lands and roadside boundaries reinstated on completion of the construction phase of development.
- An appropriate safety barrier to the transition compound access to the N69, national road, shall be installed and shall be closed when the transition compound is not in use for turbine component delivery.
- Any damage caused to the pavement on the existing national road at the temporary transition compound access from the N69, national road, due to the turning movement of abnormal loads (eg. tearing of the surface course) shall be rectified in accordance with TII Pavement Standards and details in this regard shall be agreed with the Road Authority prior to the commencement of any development on site.
- In the interests of road user safety, all works to the national road shall comply with TII Publications technical design standards for national roads (formerly NRA DMRB).

2. Wider National Road Network

- Any proposed works to facilitate turbine component delivery to site shall comply with TII Publications and shall be subject to Road Safety Audit as appropriate. Works should ensure the ongoing safety for all road users and prior to any development necessary licenses, approvals or agreements with the local road authorities shall be in place.
- Road network mitigation measures identified by the applicant should be included as conditions in any decision to grant permission.
- Prior to commencement of development a full assessment by the applicant/developer of all structures on the national road network along the haul route shall be undertaken and submitted to the planning authorities and TII. As part of this assessment, the applicant shall include evidence that the relevant road authorities along the haul routes have confirmed their acceptance of proposals.
- Specific requirements for any 'Exceptional Abnormal Loads' shall be addressed where required in accordance with TII Publications.
- Any damage caused to the pavement of the existing national road due to the turning movement of abnormal 'length' loads (eg. tearing of the surface course) shall be rectified in accordance with TII Pavement Standards and details in this regard shall be agreed with the Road Authorities prior to the commencement of any development on site.
- Road user safety on the national road shall be safeguarded and recommendations of the Road Safety Audit shall be incorporated into final designs for construction and the requirements to implement the recommendations of the Road Safety Audit included as a condition on any permission granted.
- In the interests of road user safety, all works to the national road shall comply with TII Publications technical design standards for national roads (formerly NRA DMRB).

Reason: in the interests of road safety and adherence to the provisions of official policy.

It is requested that the above matters are taken into consideration prior to any decision on the subject application.

Yours sincerely,



Michael McCormack
Senior Land Use Planner