

Offaly County Council

Áras an Chontae, Charleville Road,
Tullamore, Co. Offaly, R35 F893.

Comhairle Chontae Uíbh Fhailí

Áras an Chontae, Bóthar Charleville,
An Tulach Mhór, Contae Uíbh Fhailí, R35 F893.



T: 057 9346800 F: 057 9346868 / www.offaly.ie / customerservices@offalycoco.ie

REGISTERED POST

An Bord Pleanála
64 Marlborough Street
Dublin 1

AN BORD PLEANÁLA	
LDG- <u>038581-21</u>	
ABP- _____	
13 APR 2021	
Fee: € <u>110</u>	Type: <u>Pmo</u>
Time: _____	By: <u>reg post</u>

12/4/2021

Our Ref: DEC21/6

Re: **Section 5 Declaration – Concant Renewable Energy Ltd.**
Whether the increase in megawatt (MW) output form 49.5MW to 59.4MW at a permitted wind farm development, using a new (6.6MS) machine at Ballykilleen, Shean, Kilcumber, Cloncant and Cushaling, Edenderry, Co. Offaly is or is not development and is or is not exempted development.

Dear Sir,

I refer to the above reference and to a request under Section 5 made to Offaly County Council.

In accordance with section 5(4) of the planning and development act 2000 (as amended), Offaly County Council is seeking a determination from An Bord Planala as to whether the increase in megawatt (MW) output form 49.5MW to 59.4MW at a permitted wind farm development, using a new (6.6MS) machine at Ballykilleen, Shean, Kilcumber, Cloncant and Cushaling, Edenderry, Co. Offaly is or is not development and is or is not exempted development.


Is or is not development or is or is not exempted development.

A copy of the Section 5 application received on 19th March 2021 is attached

I enclose fee of € 110 -00 in relation to this referral.

If you have any further queries in relation to this Section 5(4) referral, please contact the undersigned.

Yours faithfully,


Administrative Officer
Planning Department

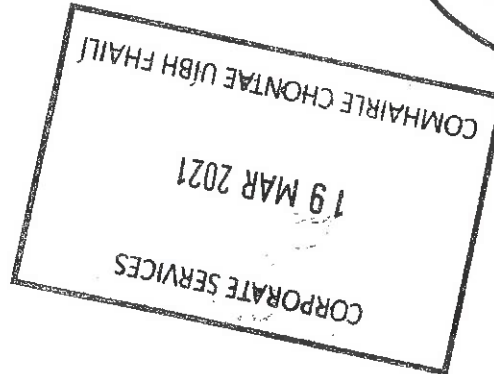
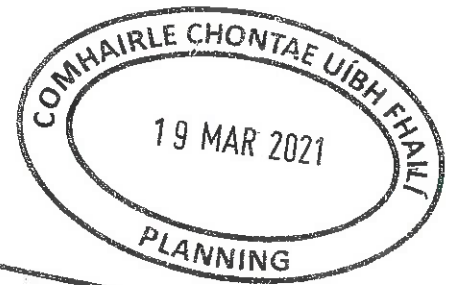


Malachy Walsh and Partners
Engineering and Environmental Consultants

CELEBRATING 50 years 1967-2017

CORK TRALEE LIMERICK LONDON

Reen Point, Blennerville, Tralee, Co. Kerry, Ireland
Tel: +353 (0)66 7123404 • Email: tralee@mwp.ie • www.mwp.ie



Ref: 21992 HBR

March 18th, 2021

Offaly County Council
Planning Department
Áras an Chontae
Charleville Road
Tullamore
Co. Offaly
R35 F893

RE: Declaration on development and exempted development regarding an increase in output from a permitted wind farm.

PLANNING REFERENCE: Offaly County Council 19/606. An Bord Pleanála ABP-306924-20

Dear Sir/Madam,

Malachy Walsh and Partners have been engaged by Cloncant Renewable Energy Limited, to make a submission to Offaly County Council under Section 5 of the Planning and Development Act, 2000 (as amended) to determine if an increase in Megawatt (MW) output at a permitted wind farm development is or is not development; and, if development, would it be considered exempted development.

This Section 5 Declaration application relates to the permitted Cushaling Wind Farm in counties Offaly and Kildare. The permitted development is a wind farm of up to nine (9) wind turbines and all associated infrastructure, including an underground cable connection, an off-site substation, a battery energy storage facility and an amenity trail. Eight (8) of the turbines are in Co. Offaly, with a further one (1) turbine in Co. Kildare. The consented turbines have a tip height of up to 187m.

As is often the case with wind energy development, there are technological advances during the planning time frame. Turbines of increased efficiency emerge to the market, sometimes of a larger dimension and sometimes within the same dimension envelope, as is now the case with the permitted Cushaling turbines. While there is no change required to the dimensions of the permitted turbines, or to the associated hardstands or infrastructure, there are now 6.6 MW turbines available (complying with the permitted dimensions and tip height of up to 187m). The Cushaling wind farm can therefore be developed with an output of 59.4 MW and can be constructed and operated as described in the Environmental Impact Assessment Report (EIAR) and the Planning Drawings, and in compliance with the Conditions of the Grant of planning issued by An Bord Pleanála (ABP-306748-20).

At the time of the application for planning, a turbine candidate of up to 5.5 MW was available and with 9 turbines, the expected yield was 49.5 MW. There are now machines available up to 6.6 MW which would increase the output of the wind farm to 59.4 MW. In this instance, while an increased capacity is positive in terms of energy output, it does not require an increase in the size or scale of the development and the permitted wind farm can be developed in accordance with the plans and particulars originally submitted and meet the Conditions of the Grant of planning.

The environmental impact assessment considered the worst-case scenario of the proposed development. The turbine dimensions and all the requirements in terms of the layout, and the dimensions of the hardstand areas and roads, all represented a worst-case dimension which can now accommodate a 6.6MW machine of the same scale as previously assessed. The turbine dimensions will remain the same as permitted, while one of the interior components, the generator, will be changing in size. We do not consider this change of machinery as development as the environmental assessment considered a worst-case scenario, and the Conditions of the Grant of Planning will be met.

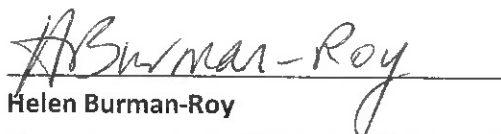
We are therefore applying to Offaly County Council to determine if the increase in the output at the permitted wind farm would be considered development?

We enclose the application form for Declaration of Exempt Development and the location and layout drawings. The application fee will be paid by telephone at 066 7123404. We will also try to call your office regarding same.

Note a similar application has been submitted to Kildare County Council regarding the one turbine of the Cushaling Wind Farm located therein.

Please do not hesitate to contact me should you require any additional information.

Yours sincerely,

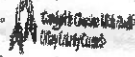


Helen Burman-Roy

For and on behalf of Malachy Walsh and Partners.



Planning



OFFALY COUNTY COUNCIL
ARAS AN CHONTAE
CHARLEVILLE ROAD
TULLAMORE
CO OFFALY
PHONE 05793 46800
25/03/2021 12:01:04

Receipt No: MTBKDESK/0/160098
*****REPRINT*****

MALACHY WALSH & PARTNERS
REENPOINT
BLENNERVILLE
TRALEE
CO KERRY
RE CUSHALING
STAT KARAFT

DECLARATION UNDER SECTION 5	80.0
GOODS	80.00
VAT Exempt/Non-vatable	

Total : 80.00 EUR

Tendered :
CREDIT CARD 80.00
Visa
7814
1122

Change : 0.00

Issued By : SINEAD RYAN
From : MOTOR TAX BACK OFFICE CASH DE
Vat reg No.0401100N



OFFALY COUNTY COUNCIL

Áras an Chontae, Charleville Road, Tullamore, Co. Offaly.
Tel: (057) 9346800 Fax: (057) 9346868
Website: www.offaly.ie Email: planning@offalycoco.ie

FEE: €80.00

DECLARATION ON DEVELOPMENT & EXEMPTED DEVELOPMENT

SECTION 5 APPLICATION FORM

- Name and Address of the applicant and of the person, if any, acting on behalf of the applicant.

Cloncant Renewable Energy Ltd.
Building 4200, Cork Business Park
Co. Cork T12 D23C

Helen Burman-Roy
Malachy Walsh and Partners,
Reen Point, Blennerville,
Tralee, Co. Kerry
- Address to which any correspondence relating to the application should be sent.

Malachy Walsh and Partners,
Reen Point, Blennerville,
Tralee, Co. Kerry
Attention: Helen Burman-Roy
- Location, townland or postal address of the land or structure concerned as may be appropriate.

Ballykilleen, Shean, Kilcumber, Cloncant and
Cushaling, Edenderry, Co. Offaly.
- Legal interest in the land or structure held by the applicant. If applicant is not owner of site, please provide name & address of owner:

Private agreements in place with all landowners.
See attached Schedule of landowners for names and
addresses
- Please provide details of works (where applicable) or proposed development. (Note: only works listed and described under this section will be assessed under this section 5 application. Use additional sheets if required.)

There are no additional or alternative works proposed. It is proposed to increase the Megawatt (MW) output at a permitted wind farm development, using a new (6.6MW) machine, without increasing the size and scale of any of the works, layout or plans. In this instance, while an increased capacity is positive in terms of energy output, it does not require an increase in the size or scale of the development and the permitted wind farm can be developed in accordance with the plans and particulars originally submitted and meet the Conditions of the Grant of planning. (See attached cover letter for additional explanation)



6. List of plans, drawings etc. submitted with this application

Site Location

Permitted Site Boundary

Permitted Site Layout

Permitted Turbine Details

7. Are you aware of any enforcement proceedings connected to this site?
If so please supply details:

N/A

8. Where there previous planning application/s on this site?
If so please supply details:

Cushaling Wind Farm (to which this query relates)
Offaly County Council 19/606.
(An Bord Pleanála ABP-306924-20)

FEE: €80.00

Signature: _____

[Handwritten Signature]

Date: _____

18-3-2021

NOTES

Application shall be accompanied by 2 copies of site location map with site clearly outlined in red and a fee of €80.00. Please submit 2 copies of any additional plans/reports etc. you may wish to include as part of the application.

Application shall be forwarded to: Offaly County Council, Áras an Chontae, Charleville Road, Tullamore, Co. Offaly.



Landowner Consents

ref	Landowner Name	Agreement Type	Land Owner Address	Folios	Townland, set line parcel subject to planning.	COUNTY
1	Padraig Dolan	Windfarm Lease	Derrybeg, Killeigh, Tullamore, Co. Offaly	OY6795, OY6901F	Cushaling	Offaly
2	Michael Behan	Windfarm Lease	Coolelan, Rathangan, Co Kildare	OY4154, OY4155, OY6614F, OY11579F	Cushaling	Offaly
3	Brian Farrell	Windfarm Lease	Drumcooley, Edenderry, Co. Offaly	Unregistered	Cushaling	Offaly
4	Eileen Leonard	Windfarm Lease	10 Sr. Senan court, Edenderry, Co. Offaly	OY4156	Cushaling	Offaly
5	Ellen Leonard	Windfarm Lease	10 Sr. Senan court, Edenderry, Co. Offaly	KES7167	Ticknevin	Kildare
6	Declan Behan	Windfarm Lease	Coolelan, Rathangan, Co Kildare	OY4157	Cushaling	Offaly
7	Anne Schnitzger	Windfarm Lease	Drumcooley, Edenderry, Co. Offaly	Unregistered, OY15327, OY15337	Cloncant	Offaly
8	Anne Schnitzger	At entrance	Drumcooley, Edenderry, Co. Offaly	OY15270F & OY14697	Drumcooley, Edenderry	Offaly
9	Anne Schnitzger	Amenity Loop walk	Drumcooley, Edenderry, County Offaly	OY15337	Drumcooley, Edenderry	Offaly
10	John Wyre Executor With sister Mary Farrell Co-owner	Amenity Loop walk	Shean, Edenderry, County Offaly	OY4314	Shean, Edenderry	Offaly
11	Irene Farrell	Amenity Loop walk	Ballycovan, Broadford, County Kildare	OY5005	Cloncant, Coolestown,	Offaly
12	Frank James McGuinness (Junior)	At entrance	Shean, Edenderry, County Offaly	OY26668F, OY27472F	Shean, Edenderry	Offaly
13	Frank Eugene McGuinness (Senior)	At entrance	Shean, Edenderry, County Offaly	OY4633F	Shean, Edenderry	Offaly
14	Thomas Grady	At entrance	Clonbulloge, Tullamore in the County of Offaly	OY15999	Clonbulloge, Tullamore	Offaly
15	John Bosco Guinan	R420 to R402 Junction	Ballina, Geashill, Co. Offaly R35RF10	OY8123	Ballina, Geashill	Offaly
16	Sean Evans	R402 to R401 junction	Ballinrath, Edenderry	OY9454F	Ballinrath, Edenderry	Offaly
17	James O'Brien	Offsite Substation Land Purchase	Kilcumber, Clonbullogue, Tullamore, County Offaly	OY5000	Kilcumber, Clonbullogue, Tullamore	Offaly
18	Offaly CC	R402, L50062, R401 & L1001			Ballina, Rathmore, Drumcooly, Shean, Kilcumber, Cloncant, Cushaling, Ballykileen	Offaly



