



Planning and  
Environmental  
Consultants

## Planning Report

Proposed Seven Hills Wind  
Farm, Co. Roscommon





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## 1. INTRODUCTION

MKO have been instructed by our Client, Energia Renewables ROI Ltd (the Applicant) to prepare a Planning Report to accompany the planning application for a new renewable energy development at Cuilleenoolagh and other townlands, Co. Roscommon. The Proposed Development constitutes the provision of 20 no. wind turbines and all associated infrastructure as set out in Section 2 of this report.

The purpose of this report is to set out concisely the planning policy framework against which the Proposed Development will be considered, provide an overview of the main assessment criteria within which any decision on this application will be framed, and ultimately demonstrate that the Proposed Development complies with the relevant planning policy context, represents an appropriate form of development at this location while also adhering to the principles of proper planning and sustainable development.

The Environmental Impact Assessment Report (EIAR) that accompanies this application comprehensively sets out all potential environmental impacts that could arise and sets out in detail a full suite of mitigation measures which will minimise the significance of impacts. The Natura Impact Statement (NIS) considers the potential for impacts to arise on Natura 2000 sites and through a detailed assessment and clear statement of mitigatory measures concludes that impacts will not arise. Both the EIAR and NIS are comprehensive documents and have been prepared in accordance with all relevant guidelines to inform the consideration and decision of An Bord Pleanála. This Planning Report is not intended to repeat or reiterate the content of these specialist documents, but they are referred to where relevant to aid the reader in identifying where specific matters are dealt with and assessed.

This report should be read in conjunction with the suite of information lodged as part of the overall planning application, which includes a comprehensive Environmental Impact Assessment Report (EIAR), Natura Impact Statement (NIS) and all the relevant statutorily required planning application documentation including application form, public notices, and planning drawings.

In the context of the provisions of Article 22(g)(ii) of the Regulations in relation to that part of the Proposed Development located in, on, over or under a public road (electrical cabling works) please note that, in the event of favourable consideration, these works will be undertaken by a statutory undertaker having a right or interest to provide services in connection with the Proposed Development.

1.1

## Report Structure

This report is set out as follows:

- **Section 1** – an introductory section as to the purpose of the planning report including validation discussion
- **Section 2** – discussion of the development proposed and application site, together with a summary of planning history of the application site
- **Section 3** – summary detail of the relevant planning policy and guidance
- **Section 4** – planning assessment
- **Section 5** – conclusion

## 2. DEVELOPMENT PROPOSAL

### 2.1 Proposed Development - Summary

The Proposed Development will be located approximately 1.5 kilometres northeast and southeast of the village of Dysart, and approximately 11 kilometres northwest/west of the town of Athlone, Co. Roscommon.

The approximate location for the centre of the site is E587977, N745843. The Proposed Development covers an area of approximately 588 hectares, in total, and it is divided by the R363 into two wind turbine clusters. The site location is shown on Figure 2-1.

The land uses and types within the Proposed Development site are almost entirely agricultural grasslands used for grazing and pasture farming, with some small areas of scrub. The Proposed Development site includes areas of the public road corridor and existing built development also. Other land types within the surrounding area consist of small areas of non-commercial forestry, scrub, peat-cutting, quarrying and low-density residential areas in nearby villages. There are a number of small lakes, turloughs and seasonal lakes are located within proximity of the site, which drain into the River Suck, a tributary of the River Shannon, approximately 3km west of the Proposed Development site.

The operational Skrine Wind Farm is the closest existing wind farm development, located approximately 8.5km to the north of the proposed Seven Hills Wind farm (northern section) and comprising of only two turbines.

The nearest existing grid infrastructure is a 110 kV substation located in the townland of Monksland in Athlone, County Roscommon, approximately 11km to the east/southeast of the southern cluster. Other existing grid infrastructure in the area includes an existing 110kV overhead line, located approximately 6.5km north of the northern cluster, which runs from the substation at Monksland to the town of Roscommon to the north of the site.

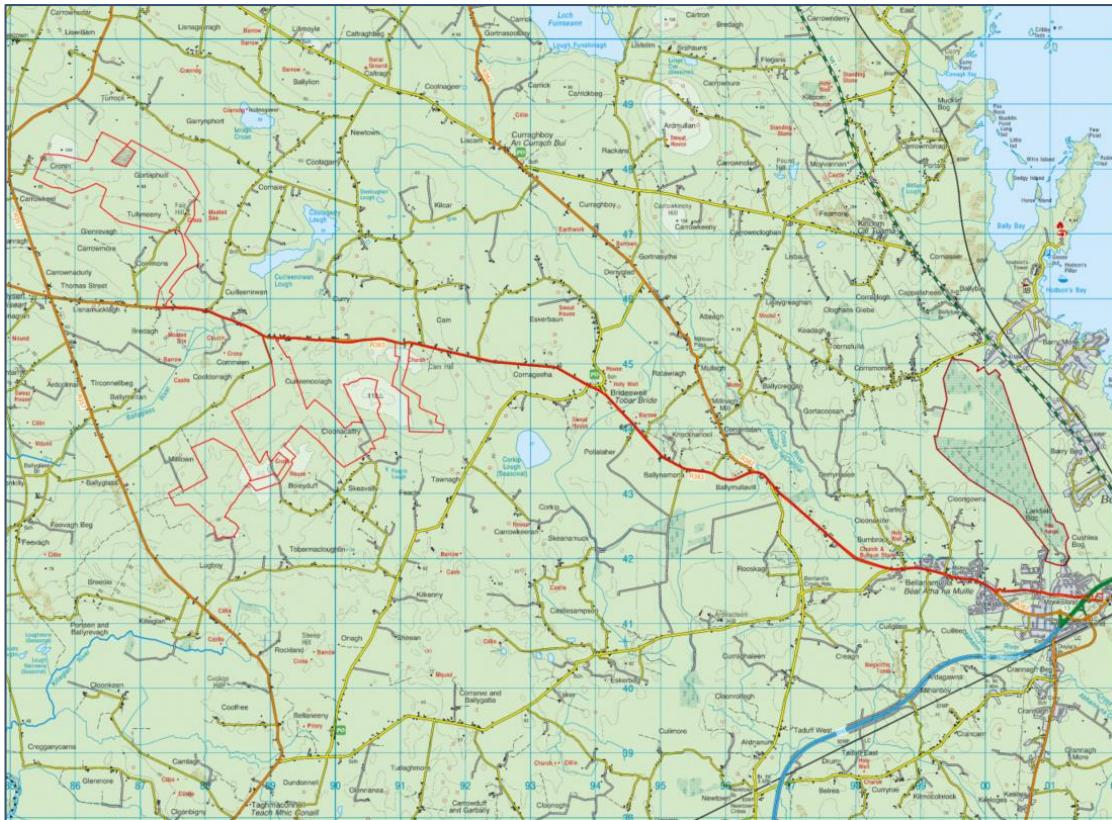


Figure 2-1: Location of the Proposed Development

The wind turbines of the Proposed Development are spread over two main land parcels, to the north and south of the R363.

It is proposed to connect both wind turbine land parcels via 33kV cabling in the public road (R363) to the new 110kV on-site substation located in the southern land parcel. From here, the 110kV cabling will travel east in the public road corridor (in the main) to the Athlone 110kV substation in the townland of Monksland. A new bay is proposed at the existing Athlone 110kV substation to facilitate the Proposed Development.

The land uses and types within the Proposed Development site where the turbines are located is almost entirely agricultural grasslands which are used for grazing and pasture farming in its current land use, with some small areas of scrub. Other land types within the surrounding area consist of small areas of non-commercial forestry, scrub, peat-cutting, quarrying and low-density residential areas in nearby villages. As the grid connection route along the R363 moves east towards the Athlone 110kV substation there is an increase in residential dwellings and more urban development.

The full development description of the Proposed Development is as follows:

- I. 20 no. wind turbines with an overall ground to blade tip height of 180 metres, a rotor diameter of 162m and a hub height of 99m, associated foundations, hard-standing areas
- II. 15 no. spoil storage areas at hardstands of turbines no. 1, 2, 3, 4, 5, 6 and 7 (in the townlands of Turock, Gortaphuill, Cronin, and Tullyneeny) and turbines no. 8, 10, 11, 13, 14, 17, 19 and 20 (in the townlands of Milltown, Cuilleenoolagh, Cloonacaltry, Feacle and Tawnagh)
- III. Provision of 1 no. permanent meteorological mast with a maximum height of 100 metres for a period of 30 years from the date of commissioning of the entire wind farm
- IV. Provision of 1 no. 110kV onsite substation in the townland of Cam, along with associated control buildings, MV switchgear building, associated electrical plant, associated security fencing, and equipment and wastewater holding tank
- V. All underground electrical and communication cabling connecting the proposed wind turbines to the proposed onsite substation and associated control buildings and plant

- VI. All works associated with the connection of the proposed wind farm to the national electricity grid via underground 110kV cabling from the site to the existing Athlone 110kV substation located in the townland of Monksland. Cabling will be placed within the public road corridor of the R362, R363 and L2047, or on private land
- VII. Upgrade works to the existing 110kV Athlone substation consisting of the construction of an additional dedicated bay to facilitate connection of the cable
- VIII. Provision of 2 no. new site accesses north and south from the R363 and upgrade of 1 no. junction south of the R363
- IX. Provision of new access tracks/roads and upgrade of existing access tracks/roads
- X. 7 no. overburden storage areas
- XI. 2 no. temporary construction compounds
- XII. Site drainage works
- XIII. Operational stage site signage
- XIV. All associated site development works, apparatus and signage

The application is seeking a ten-year planning permission and 30-year turbine operational period from the date of commissioning of the entire wind farm.

An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared in respect of the proposed development and accompanies this planning application.

The layout of the Proposed Development has been designed to minimise any potential environmental effects of the development, while at the same time maximising the energy yield from the site. National and international renewable energy and climate change targets must be achieved, and it is crucial that these are appropriately translated and implemented at regional and local levels. Wind farm development and design involves balancing the sometimes-conflicting interests of constraints (e.g. natural and built heritage, human beings, ecological, ground conditions, hydrological, etc.) with visual amenity and the technological/economic requirements/realities of the specific project and turbines.

A constraints study has been carried out to ensure that turbines and ancillary infrastructure are in the most appropriate areas of the site and therefore any sensitive locations have been avoided by design as appropriate. The Proposed Development layout makes maximum use of existing access tracks within the site and is informed by the iterative design process arising from the preparation of the various environmental assessments and specialist reports contained within the EIAR.

Detailed site layout drawings of the Proposed Development are included in Appendix 4-1 of the EIAR and presented within the planning application documentation.

## 2.1.1 Design

The Proposed Development has been subject to a layered project constraints exercise which has resulted in the most appropriate scale, design and layout of development for this site. The project design is adapted and continually reviewed in light of predicted environmental effects which transpire as the various assessments contained within the EIAR are undertaken. A description of the alternatives considered is set out at Chapter 3 of the EIAR. The wind farm is laid out over two land parcels, one north and one south of the R363. Internal cabling connecting the wind turbine infrastructure will run within the R363 connecting into the new on-site substation located in the southern land parcel. From here 110kV electrical cabling will run in both the public road corridor and on private lands to the existing 110kV Athlone substation where an additional electrical bay is planned to facilitate the Proposed Development.

The turbine placement has been informed by a range of factors including (but not limited to) available wind speed, ecological and environmental designations and constraints, landscape capacity, proximity to dwellings including noise and shadow flicker, control over required lands and feedback received at

the scoping stage, from example from telecommunication bodies. Site layout iterations are set out in more detail at Section 3.4.2.2 of Chapter 3 of the EIAR.

During finalisation of the layout, elements of the site design such as site roads, turbine hardstanding areas, drainage design, overburden storage areas, temporary construction compounds and internal cabling were all confirmed. The final proposed site layout is shown in drawing 190907-03 submitted with the application pack. The chosen turbine layout is considered optimal, making use of existing infrastructure and topography where possible, while also avoiding sensitive areas identified during constraints mapping and site visits. It has the least potential for environmental effects. Alternative layouts in relation to ancillary infrastructure such as roads, compounds and the electricity substation is set out at Section 3.4.2.3 of Chapter 3 of the EIAR. Proposed construction methodologies for the Proposed Development are set out within the Construction Environmental Management Plan (CEMP) included in the EIAR as lodged at Appendix 4-9.

## 2.2 Planning History

Section 2.4 of Chapter 2 of the EIAR contains a fully detailed planning history of the application site as well as the relevant applications within a 20km radius of the turbine development with regards other wind energy schemes.

Of particular note in relation to the Proposed Development is that this application is being lodged subsequent to a previous planning application for a broadly similar renewable energy development at this location (Pl.Ref. 10/541 and Pl.Ref: 11/273, ABP PL.20.244346 and PL.20.244347). The detail of this planning history is discussed further below.

### 2.2.1 Previous Project

A project was previously proposed on the subject site over 10 years ago. Planning permission was originally granted to Galetech' Energy Developments Ltd. for both a 16-no. turbine development (Seven Hills Wind Farm Phase 1 in October 2011) and 19 no. turbines (Seven Hills Wind Farm Phase 2 in September 2013) at the site of the currently proposed Seven Hills Wind Farm. The locations of Phase 1 and Phase 2 correspond to the locations of the Northern Cluster and Southern Cluster respectively of the Proposed Development under consideration here.

#### 2.2.1.1 Initial Grants of Planning Permission

The Phase 1 planning application was granted planning permission by the Planning Authority on the 4<sup>th</sup> of October 2011 subject to 33 no. planning conditions. In reaching their positive determination on planning application ref: 10/541 the Planning Officer noted in their report that:

1. *"It is considered that the proposed development is in accordance with the local, regional, national EU and international renewable energy policies and objectives"*
2. *The site proposed does not materially contravene policies or objectives in relation to land use of the Roscommon County Development Plan 2008-2014*
3. *The site is in a location identified as 'Most Favoured (in terms of wind energy development)' in the Draft Roscommon Wind Energy Strategy. Due recognition has been given to the current status of the Draft WES however it is considered that it is still a material consideration. The hierarchy of the Draft WES in relation to National and Regional policies and indeed the current County Development Plan is duly noted. It is fully recognised that the Draft WES is not a statutory document"*

4. Undoubtedly the proposed development will have a significant visual impact and will in all likelihood become a dominant feature of the landscape in which it is set.
5. A comprehensive schedule of mitigation measures has been set out by the applicant to address the existing concerns expressed in relation to a range of issues including; ecology, habitats, ornithology, bats, hydrology, drainage etc
6. This permission does not constitute any form of consent or agreement of connection to the national grid or routes of connection. These issues shall be assessed separately.
7. Recommendations and guidelines set out in the Wind Energy Development Guidelines and Draft Roscommon WES refer to a 500m set back of turbines from dwellings. As outlined above this has not been fully adhered to by the applicant as two proposed turbines are within 500m of three dwellings. [sic]. These are as follows:
  - House 1 – turbine 7 – distance to this turbine is 480m (app. Site landowner)
  - House 15 – turbine 12 – distance to this turbine is 436m (app. Site landowner)
  - House 16 – turbine 12 – distance to this turbine is 398m (app. Site landowner)

*The fact that the properties are associated with the development and the current inhabitants do not object to the separation distance is not justification for disregarding these guidelines and recommendations. In the interests of proper planning and orderly development it is considered appropriate to omit these two turbines from the scheme.”*

The recommendation of the Planning Officer was:

*“Having regard to all of the issues set out above and key considerations including: national policies regarding the development of renewable energy, all consultee response and all third-party submissions, including those further submissions received on the further information submitted, it is my recommendation that planning permission be granted subject to the attached conditions.”*

The Phase 2 planning application (planning application Ref: 11/273) was also granted planning permission on the 17th August 2012, subject to 30 no. planning conditions. In reaching their positive determination the Planning Officer concluded:

1. *“It is considered that the proposed development is in accordance with the location, regional, national EU and international renewable energy policies and objectives”*
2. *“The site proposed does not materially contravene policies or objectives in relation to land use of the Roscommon County Development Plan 2008-2014”*
3. *“Undoubtedly the proposed development will have a significant visual impact and will in all likelihood become a dominant feature of the landscape in which it is set.”*
4. *“A comprehensive schedule of mitigation measures has been set out by the applicant to address the existing concerns expressed in relation to a range of issues including; ecology, habitats, ornithology, bats, hydrology, drainage etc”*
5. *“This permission does not constitute any form of consent or agreement of connection to the national grid or routes of connection. These issues shall be assessed separately.”*
6. *“Recommendations and guidelines set out in the Wind Energy Development Guidelines. This separation distance has been adhered to by the applicant.”*

The recommendation given by the Planning Officer in respect of the phase 2 application was:

*“Having regard to all of the issues set out above and key considerations including; national policies regarding the development of renewable energy, all consultee responses and all third party submissions, including those further submissions received on the further information submitted, it is my recommendation that planning permission be granted subject to the following conditions...”*

## 2.2.1.2 Planning Appeals

Both planning applications were then subject to Third Party Appeals to An Bord Pleanála (ABP ref: PL20.239759 and PL20.241069, respectively).

With regards the Phase 1 appeal, the Board granted planning permission on the 9<sup>th</sup> of September 2013 for 14 no. wind turbines (reduced from 16) and ancillary infrastructure subject to 29 no. conditions (ABP Ref: PL20.239759). The Board also granted planning permission for the Phase 2 appeal (Ref: PL20.241069) on the 13<sup>th</sup> September 2013 subject to 25 no. conditions.

Both decisions issued by An Bord Pleanála were subsequently judicially reviewed, and it was concluded by the courts that the Board had not lawfully conducted an Appropriate Assessment in accordance with Article 6(3) of the Habitats Directive for either Phase 1 or Phase 2 of the development, and accordingly did not have jurisdiction to grant planning permission for either development. As a result, both projects were remitted back to An Bord Pleanála for assessment. The subsequent re-assessments took place under ABP references PL20.244346 (Phase 1) and PL20.244347 (Phase 2).

An oral hearing was held on the 9<sup>th</sup>, 10<sup>th</sup> and 13<sup>th</sup> of June 2016.

## 2.2.1.3 Decisions

On the 28<sup>th</sup> of February 2017 the Board refused planning permission for both Phase 1 and 2 applications, stating that

*“...the board was not satisfied, having regard to the precautionary principle, that there was reasonable scientific certainty that the proposed development would not adversely affect the integrity of European site in the vicinity in light of the conservation objectives and qualifying interests for which these sites were designated*

*In particular, it is considered that the hydrogeological and geotechnical investigations carried out do not demonstrate to a reasonable level of scientific certainty that the excavations and construction works required to carry out the development would not adversely impact on the turloughs which are qualifying interests of the Ballynamona Bog and Corkip Lough Special Area of Conservation (site code 002339), the Castlesampson Esker Special Area of Conservation (site code 001625), and the Lough Funshinagh Special Area of Conservation (site code 000611). It has also not been demonstrated that development works would not impact on Feacle Turlough to an extent which could impact on the qualifying interest bird species of Special Protection Areas in the vicinity which frequent this turlough.*

*It is also considered that it has not been demonstrated beyond reasonable scientific doubt that the development would not contravene the conservation objectives for some of the qualifying interests of the nearby Special Protection Areas. In particular, it is considered that there is a risk of contravening the conservation objectives for Golden Plover and Lapwing at the River Suck Callows Special Protection Area (site code 004097) and other Special Protection Areas. It is considered that inadequate surveys and investigations have been carried out in relation to day and night movements, flight lines and foraging activities of Golden Plover and Lapwing. There is also a risk of contravening the conservation objectives for other birds, for example, Whooper Swan, Widgeon and Black Headed Gull, which use Feacle Turlough and which are qualifying interests for Special Protection Areas in the wider area.”*

The decisions issued related to the following:

### 1. Potential adverse impact on turloughs

An Bord Pleanála (the “Board”) considered that (i) the hydrogeological and (ii) geotechnical investigations carried out did not demonstrate, to a reasonable level of scientific certainty, that (iii) the excavations and (iv) construction works required to carry out the development would not adversely impact on the turloughs which are qualifying interests of:

Phase 1 (PL20.244346)

- the Lough Croan Turlough Special Area of Conservation (“SAC”) (site code 000610),
- the Four Roads Turlough SAC (site code 001637), and
- the Lisduff Turlough SAC (site code 000609).

Phase 2 (PL20.244347)

- the Ballynamona Bog and Corkip Lough SAC (site code 002339),
- the Castlesampson Esker SAC (site code 001625), and
- the Lough Funshinagh SAC (site code 000611).

## 2. Risk of contravening conservation objectives of certain qualifying interests

The Board was not satisfied beyond reasonable scientific doubt that the development would not contravene the conservation objectives for some of the qualifying interests of the nearby Special Protection Areas (“SPAs”). In particular, there was a risk of contravening the conservation objectives for:

Phase 1 (PL20.244346)

- Golden Plover at Lough Croan SPA and other SPAs
- Lapwing at the River Suck Callows SPA (site code 004097) and other SPAs, and
- Greenland White Fronted Goose at Lough Croan SPA (site code 004139) and other SPAs

Phase 2 (PL20.244347)

- Golder Plover at the River Suck Callows SPA (site code 004097) and other SPAs, and
- Lapwing at the River Suck Callows SPA (site code 004097) and other SPAs

The Proposed Development under consideration here does not constitute a revision to the projects previously adjudicated on by the Local Authority, An Bord Pleanála or the courts. The Proposed Development has been designed, considered and assessed in its own right. The Proposed Development constitutes the optimal design response for the subject lands from a commercial, technical and environmental standpoint. The EIAR and NIS which forms part of the planning application demonstrates a full and robust assessment of the proposals has been carried out. For the avoidance of doubt, the reasons for refusal in respect of the previous project are no longer relevant.

2.2.2

## EIAR

MKO was appointed as environmental consultant on the proposed project and commissioned to prepare this EIAR in accordance with the requirements of the EIA Directive as amended by Directive 2014/52/EU, and its transposing legislation.

The relevant classes/scales of development that require Environmental Impact Assessment (EIA) are set out in Schedule 5 of the Planning and Development Regulations 2001 to 2021(as amended). The relevant class of development in this case relates to “*installations for the harnessing of wind power for energy production (wind farms) with more than 5 turbines or having a total output greater than 5 megawatts*”, as per Item 3(i) of Part 2 the Schedule. The Proposed Development exceeds 5 turbines and 5 Megawatts in scale, and therefore is subject to EIA.

The EIAR provides information on the receiving environment and assesses the likely significant effects of the proposed project on it and proposes mitigation measures to avoid or reduce these effects. The

function of the EIAR is to provide information to allow the competent authority to conduct the Environmental Impact Assessment (EIA) of the Proposed Development.

All elements of the project, (including the wind turbines and associated infrastructure, substation, grid connection and turbine delivery route) have been assessed as part of this EIAR.

## 2.2.2.1 **Steps Taken to Rectify Previous Refusal Reasons**

Table 2-1 overleaf references the reasons for refusal of the previous applications considered on the Proposed Development site and detail where these refusal reasons have been rectified within the EIAR. The table includes:

- ABP's reasons for refusal of the 2015 Planning Appeals (Phase 1 and 2) (ABP PL20.244346 and PL20.244347);
- The Inspector's recommended reasons for refusal of 2015 Planning Appeals (Phase 1 and 2) (ABP PL20.244346 and PL20.244347); and
- The Inspector's historic (2011) recommended reasons for refusal (before ABP granted the permissions but the High Court quashed them on judicial review) (ABP PL20.241069 and PL20.239759).

*Table 2-1: Matters Addressed in EIAR*

	2015 Planning Appeals		Addressed in EIAR
	Application Pl.20.244346	Application Pl.20.244347	
A.	2017 Order <a href="#">244/D244346</a>	2017 Order <a href="#">244/D244347</a>	
A.1	<b>Potential adverse impact on turloughs</b>  An Bord Pleanála (the “Board”) considered that (i) the hydrogeological and (ii) geotechnical investigations carried out did not demonstrate, to a reasonable level of scientific certainty, that (iii) the excavations and (iv) construction works required to carry out the development would not adversely impact on the turloughs which are qualifying interests of:  the Lough Croan Turlough Special Area of Conservation (“SAC”) (site code 000610), the Four Roads Turlough SAC (site code 001637), and the Lisduff Turlough SAC (site code 000609).	<b>Addressed in Chapter 8 (Land, Soils and Geology) and 9 (Water)</b>  Hydro Environmental Sciences (HES) have undertaken a suite of surveys to inform the baseline assessment since 2019, to, as a means of providing scientific certainty on the potential impact of the Proposed Development on surrounding turloughs that form part of six Special Areas of Conservation (SACs).  The findings of both Chapter 8 and 9 are unambiguous and are underpinned by a significant geological and hydrogeological dataset that comprises best-in-class scientific information.	
A.2	<b>Risk of contravening conservation objectives of certain qualifying interests</b>  The Board was not satisfied beyond reasonable scientific doubt that the development would not contravene the conservation objectives for some of the qualifying interests of the nearby Special Protection Areas (“SPAs”). In particular, there was a risk of contravening the conservation objectives for:  Golden Plover at Lough Croan SPA and other SPAs, Lapwing at the River Suck Callows SPA (site code 004097) and other SPAs, and	<b>Addressed in Chapter 7 - Ornithology</b>  SLR Consulting have undertaken a suite of surveys to inform the baseline assessment since 2018, to, as a means of providing scientific certainty on the potential impact of the Proposed Development on nearby Special Protection Areas (“SPAs”).  The findings of Chapter 7 are underpinned by a significant survey dataset that comprises best-in-class scientific information. With the implementation of the good practice measures and project design as outlined in this chapter, no significant residual individual or cumulative	

	2015 Planning Appeals	Addressed in EIAR
	<p>Greenland White Fronted Goose at Lough Croan SPA (site code 004139) and other SPAs.</p>	<p>Lapwing at the River Suck Callows SPA (site code 004097) and other SPAs. N/A</p> <p>effects are likely for Valued Ornithological Receptors from any phase of the Proposed Development.</p> <p>As detailed in the Natura Impact Statement, it can be objectively concluded, following an examination, analysis and evaluation of the relevant information, including in particular the nature of predicted impacts from the Proposed Development, and with the implementation of mitigation measures proposed, that the Proposed Development, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site and there is no reasonable scientific doubt in relation to this conclusion</p>
	<p>There was also uncertainty in relation to the impact on the conservation objectives for:</p> <p>Whooper Swans at the River Suck Callows SPA (site code 004097), and Black Headed Gulls at the Middle Shannon Callows SPA (site code 004096).</p>	<p>It was not demonstrated that development works would not impact on Feacle Turlough.</p> <p>There was a risk that qualifying interest bird species of SPAs in the vicinity, which frequent the turlough, could be impacted. For example, there was a risk of contravening the conservation objectives for:</p> <p>Whooper Swan, Black Headed Gull, and Wigeon</p> <p>which use Feacle Turlough and which are qualifying interests for SPAs in the wider area.</p> <p><b>Addressed in Chapter 7 - Ornithology and Natura Impact Statement</b> SLR Consulting have undertaken a suite of surveys to inform the baseline assessment since 2018, to, as a means of providing scientific certainty on the potential impact of the Proposed Development on nearby Special Protection Areas ("SPAs").</p> <p>The findings of Chapter 7 are underpinned by a significant survey dataset that comprises best-in-class scientific information. With the implementation of the good practice measures and project design as outlined in this chapter, no significant residual individual or cumulative effects are likely for Valued Ornithological Receptors from any phase of the Proposed Development.</p> <p>As detailed in the Natura Impact Statement, it can be objectively concluded, following an examination, analysis and evaluation of the relevant information, including in particular the nature of predicted impacts from the Proposed Development, and with the implementation</p>

	2015 Planning Appeals		Addressed in EIAR
			of mitigation measures proposed, that the Proposed Development, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site and there is no reasonable scientific doubt in relation to this conclusion.
A.3	<b>Inadequate surveys and investigations</b> The Board considered that inadequate surveys and investigations had been carried out in relation to <ul style="list-style-type: none"> <li>(i) day and night movements,</li> <li>(ii) flight lines and</li> <li>(iii) foraging activities</li> </ul> of Golden Plover <u>and</u> Lapwing.		<b>Addressed in Chapter 7 - Ornithology</b> SLR Consulting have undertaken a suite of surveys to inform the baseline assessment since 2018. Surveys have been completed in line with SNH/NatureScot guidance 2017
B.	2016 Inspector's Report <a href="#">PL20.244346</a>	2016 Inspector's Report <a href="#">PL20.244347</a>	
B.1	<b>Visual prominence of sites<sup>1</sup></b> The Inspector considered that, having regard to: The nature of the landscape in the area, the visual relationship of the two developments, the visual prominence of the sites from public roads and from existing settlements, and the large area in which the two wind farms would be very dominant visual features, the		<b>Addressed in Chapter 12 – Landscape and Visual Assessment</b> Section 12.1.4 of this chapter details the iterative design process and location of the Proposed Development in the context of visual receptors. <ul style="list-style-type: none"> <li>➤ The majority of the Proposed Development is sited in a 'Most Favoured' area for wind energy potential in County</li> </ul>

<sup>1</sup> Note that this section 'B1' only reflects other additional recommended reasons for refusal of the Board Inspector that were not included in the 2017 Orders of the Board which refused permission. These should also be dealt with in the EIAR, to the extent possible, given that 180m turbines are being proposed but there are fewer turbine numbers for that reason.

	<b>2015 Planning Appeals</b>	<b>Addressed in EIAR</b>
	<p>cumulative effect of the two wind farms would result in the area being visually dominated by wind turbines. Such development would be out of character in the landscape and would seriously detract from the visual amenities of the area. The development would, accordingly, be contrary to the proper planning and sustainable development of the area.</p>	<p>Roscommon, as stated in the current Roscommon County Development Plan 2022-2028.</p> <ul style="list-style-type: none"> <li>➢ The proposed turbines development is sited in a Landscape Character Area (LCA) designated as 'Moderate' Value which is the lowest LCA value rating of LCAs in County Roscommon, as stated in the current Roscommon County Development Plan 2022-2028.</li> <li>➢ The siting and design of the Proposed Development adheres to the guidance for the siting of wind farms in Hilly and Flat Farmland Landscape Types in terms of location, spatial extent, spacing and layout, as set out in The Wind Energy Development Guidelines for Planning Authorities (DoEHLG, 2006), &amp; (DoHPLG, 2019).</li> <li>➢ Siting of proposed turbines adheres to the minimum 500 metre set back distance in the current Wind Energy Development Guidelines (2006, DoEHLG) and also the 4 times tip height set-back distance explicitly set out for residential visual amenity prescribed by the Draft Revised Wind Energy Development Guidelines (2019, DoHPLG).</li> <li>➢ Strategic spatial configuration of turbines to ensure a visually coherent array of turbines within the landscape, aiming to avoid visual confusion and clutter from prominent visual receptors.</li> <li>➢ Siting of the proposed turbines where there is limited visibility (or large setback distances &gt;15km) from large population centres and designated landscape and visual receptors of high sensitivity.</li> </ul> <p><b>Cumulative Effect of clusters – Section 12.7.3.3.2</b></p>

	<b>2015 Planning Appeals</b>	<b>Addressed in EIAR</b>
		<p>A comprehensive assessment was conducted to determine the extent of cumulative visual effects arising from receptors located between the two turbine clusters.</p> <p>As seen throughout the photomontage booklet, in most instances where there is a high potential for significant visual effects (e.g. sensitive receptors in close proximity to the Proposed Development), only one turbine cluster is visible, particularly from receptors to the south of the Northern Cluster. Sequential cumulative effects will occur along the Regional Roads (R357 and R363) in close proximity to the site, however, these are not routes of high sensitivity and cumulative effects are not deemed to be significant.</p>

Table 2-2 Table of reasons for the refusal of planning applications PL20.239759<sup>2</sup> and PL20.241069<sup>3</sup>

2011 Planning Appeals <sup>4</sup>			Addressed in EIAR
	Application PL20.239759	Application PL20.241069	
C.	2012 Inspector's Report	2012 Inspector's Report	
C.1	<b>Lack of an appropriate or adequate assessment of the effects of the development</b>  The Inspectors were not satisfied that an appropriate or adequate assessment of the effects of the developments on the environment had been carried out in accordance with Article 6(3) of the EU Habitats Directive.	<b>Addressed in Chapter 6 – Biodiversity, Chapter 7 – Ornithology and Chapter 9 – Hydrology and Hydrogeology</b>  Detailed ecological, hydrological, and ornithological assessments have been completed for the Proposed Development site. All assessments have detailed that there will no significant effects on designated and undesignated receptors, specifically relating to turloughs and Valued Ornithological Receptors.	
C.2	<b>Risk of adverse effects on the integrity of SACs and SPAs</b>  The Inspectors were not satisfied that the integrity of SACs and SPAs would not be adversely affected by the proposed developments, in particular by virtue of:  (i) the hydrological impacts of the construction of the proposed development on karst limestone and underlying groundwater system in an area of known flooding, and (iii) the hydrological / hydrogeological impacts of the construction of the proposed development on the Natura 2000 wetland systems in the vicinity of the site, notably turloughs, and	<b>Addressed in Ch.6 - Biodiversity, Ch. 7 – Ornithology, Ch.9 - Water and Natura Impact Statement</b>  Detailed ecological, hydrological, and ornithological assessments have been completed for the Proposed Development site. All assessments have detailed that there will no significant effects on designated and undesignated receptors, specifically relating to turloughs and Valued Ornithological Receptors.  A Natura Impact Statement has also been completed for the Proposed Development. As detailed in the Natura Impact Statement, it can be	

<sup>2</sup> Application relating to 16 wind turbines at Cronin, Gortaphuill, Mullaghardagh, Dysart, Co. Roscommon (10/541) lodged on 28 December 2011 and granted on 28 September 2013 (decision later quashed).

<sup>3</sup> Application relating to 19 wind turbines at Milltown, Skeavally, Tawnagh, Tobernacloughlin, Co. Roscommon. (11/273) lodged on 13 September 2012 and granted on 13 September 2013 (decision later quashed).

<sup>4</sup> The Board ultimately granted permission in respect of both applications (which the High Court subsequently quashed on judicial review) and in doing so disagreed with its Inspector who recommended that permission be refused. These historic reasons for refusal should also be looked at and addressed, for completeness. The reasons largely mirror the most recent reasons for refusal outlined in the Boards Orders, but are much more general in nature. That said, however, all experts should satisfy themselves that all angles are covered in respect of these historic reasons for refusal. For example, the Shoveler is expressly called out in the historic reasons for refusal, but not in the more recent reasons for refusal.

	2011 Planning Appeals <sup>4</sup>		Addressed in EIAR
	Application PL20.239759	Application PL20.241069	
C.	2012 Inspector's Report	2012 Inspector's Report	
	(ii) the large cluster of wetland sites of nature conservation importance (both designated and undesignated) in close proximity to the site and in the wider area coupled with the number of mainly migratory water bird species that use the area as part of their wintering range.	(iv) the disturbance, barrier effects to movement and collision risk arising from the construction and operation of the wind farm on birds of Special Conservation Interest occurring on the site and in the network of SPAs in the vicinity of the site, notably Whooper Swan, Golden Plover and Shoveler.	objectively concluded, following an examination, analysis and evaluation of the relevant information, including in particular the nature of predicted impacts from the Proposed Development, and with the implementation of mitigation measures proposed, that the Proposed Development, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site and there is no reasonable scientific doubt in relation to this conclusion.
C.3	Visual prominence of sites		<p><b>Addressed in Chapter 12 – Landscape and Visual Assessment</b></p> <p>Section 12.1.4 of this chapter details the design process and location of the Proposed Development in the context of visual receptors.</p> <ul style="list-style-type: none"> <li>➤ Siting of proposed turbines adheres to the minimum 500 metre set back distance in the current Wind Energy Development Guidelines (2006, DoEHLG) and also the 4 times tip height set-back distance explicitly set out for residential visual amenity prescribed by the Draft Revised Wind Energy Development Guidelines (2019, DoHPLG).</li> </ul>

The Proposed Development here under consideration is a new application and not related to the previous applications refused for the development site. Matters arising in the previous applications have been considered as part of the design development of this site, indulging environmental consideration for completeness, please note this application is not an amendment to the previous project as noted overleaf which was refused planning permission. It is a new project at the same location, which involves:

- An assessment of environmental constraints to inform the location of the development components
- A resulting new design for the project to that previously refused
- Lesser number of turbines (20 in total)
- 4 years of bird survey work
- Hydrological monitoring
- Detailed and specific development turbine construction methodology

2.3

## Proposed Development Detail

The Proposed Development comprises the construction of 20 No. wind turbines and all associated works. The proposed turbines will have a blade tip height of 180 metres. The applicant is seeking a ten-year planning permission. The full description of the Proposed Development, as per the public planning notices, is as follows:

Energia Renewables ROI Ltd are applying for planning permission to erect a wind energy development and associated infrastructure at lands to the northeast and southeast of the village of Dysart, on agricultural lands to the north and south of the R363 Regional Road. The application is a joint venture proposal between Energia Renewables ROI Ltd. and Galetech Energy Developments Ltd. Energia Renewables ROI Ltd. is a subsidiary of Energia Group. The application site is approximately 11 kilometres northwest/west of the town of Athlone at its closest point.

Planning permission is sought for development comprising:

- I. 20 no. wind turbines with an overall ground to blade tip height of 180 metres, a rotor diameter of 162m and a hub height of 99m, associated foundations, hard-standing areas
- II. 15 no. spoil storage areas at hardstands of turbines no. 1, 2, 3, 4, 5, 6 and 7 (in the townlands of Turrock, Gortaphuill, Cronin, and Tullyneeny) and turbines no. 8, 10, 11, 13, 14, 17, 19 and 20 (in the townlands of Milltown, Cuilleenoolagh, Cloonacaltry, Feacle and Tawnagh)
- III. Provision of 1 no. permanent meteorological mast with a maximum height of 100 metres for a period of 30 years from the date of commissioning of the entire wind farm
- IV. Provision of 1 no. 110kV onsite substation in the townland of Cam, along with associated 2 no. control buildings, associated electrical plant, associated security fencing, and equipment and wastewater holding tank
- V. All underground electrical and communication cabling connecting the proposed wind turbines to the proposed onsite substation and associated control buildings and plant
- VI. All works associated with the connection of the proposed wind farm to the national electricity grid via underground 110kV cabling from the site to the existing Athlone 110kV substation located in the townland of Monksland. Cabling will be placed within the public road corridor of the R362, R363 and L2047, or on private land
- VII. Upgrade works to the existing 110kV Athlone substation consisting of the construction of an additional dedicated bay to facilitate connection of the cable
- VIII. Provision of 2 no. new site accesses north and south from the R363 and upgrade of 1 no. junction south of the R363

- IX. Provision of new access tracks/roads and upgrade of existing access tracks/roads
- X. 7 no. overburden storage areas
- XI. 2 no. temporary construction compounds
- XII. Site drainage works
- XIII. Operational stage site signage
- XIV. All associated site development works, apparatus and signage

This application is seeking a ten-year planning permission and 30-year operational life from the date of commissioning of the entire wind farm. The application is accompanied by an Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) for the Proposed Development.

## 2.3.1 Strategic Infrastructure Development Determination

In March 2020, in line with the provisions of Section 37B of the Planning and Development Act 2000, as amended, the applicant sought a determination from the An Bord Pleanála in relation to the Strategic Infrastructure Development (SID) status or otherwise, of a Proposed Development in Cuilleenoolagh and adjacent townlands in Co. Roscommon (ref: Pl.05E.305388).

The applicant opened consultations with the Board with a development of 21 no. wind turbines. More detail of the pre-application discussions undertaken with the Board are set out in this report at Section 2.4 below.

A first SID meeting was held with the Board on the 11<sup>th</sup> of June 2020 to introduce the Board to the development proposals. A copy of the Boards minutes of the first pre-application meeting as issued are included here at [Appendix 1](#).

A second pre-application consultation meeting was held with the Board on the 16th November 2020. It was noted to the Boards representatives that through the design refinement process the number of turbines had now reduced to 20 no. turbines (7 no. turbines in the north and 13 in the south). A copy of the Boards minutes of the second pre-application meeting as issued are included here at [Appendix 2](#).

On the 18<sup>th</sup> of June 2021 MKO, on behalf of the prospective applicant sought to close the SID consultation process with An Bord Pleanála. On the 1<sup>st</sup> of July 2021 An Bord Pleanála issued their opinion (refer to [Appendix 3](#)) stating that the Proposed Development fell within the scope of Strategic Infrastructure Development under Section 37A of the Planning and Development Act 2000 (as amended) and as such any resulting planning application should be made directly to the Board.

## 2.4 Pre-Application Consultation

### 2.4.1 An Bord Pleanála

The Applicant engaged with An Bord Pleanála on the 27<sup>th</sup> of March 2020 with regards the Proposed Development constituting Strategic Infrastructure Development (SID) whereby any forthcoming planning application would be required to be made directly to the Board.

#### SID Meetings

The applicant opened consultations with the Board with a development of 21 no. wind turbines. A first SID meeting was held with the Board on the 11<sup>th</sup> of June 2020 to introduce the Board to the development proposals. Those in attendance were:

- Ciara Kellett, Assistant Director of Planning (Chair)

- Patricia Calleary, Senior Planning Inspector
- Rob Mac Giollarnáth, Executive Officer
- Rob Scott and Grace Curran, Energia Renewables ROI Ltd
- Steven Drury, Galetech Energy Services
- Orla Murphy and Meabhann Crowe, MKO

A brief presentation was given to the Board which covered matters of:

- Site location
- Panning policy
- Site selection
- Proposed wind farm development (21 no. wind turbines) and grid connection
- Project design/constraints
- Scoping and pre-application to date including public consultation
- Environmental Impact Assessment Report outline

A period of discussion followed between the Board and the prospective applicant's team. A copy of the Boards minutes of the first pre-application meeting as issued are included here at **Appendix 1**.

A second pre-application consultation meeting was held with the Board on the 16th November 2020. It was noted to the Boards representatives that through the design refinement process the number of turbines had reduced to 20 no. turbines (7 no. turbines in the north and 13 in the south).

Those in attendance were:

- Ciara Kellett, Assistant Director of Planning (Chair)
- Patricia Calleary, Senior Planning Inspector
- Rob Mac Giollarnáth, Executive Officer
- Rob Scott and Grace Curran, Energia Renewables ROI Ltd
- Orla Murphy and Meabhann Crowe, MKO

A brief presentation was given to the Board which covered matters of:

Site location and site selection

- Panning policy
- Proposed wind farm development (20 no. wind turbines) and grid connection
- Turbine delivery route
- Scoping and pre-application update including public consultation
- Environmental Impact Assessment Report update

A period of discussion followed between the Board and the prospective applicant's team. A copy of the Boards minutes of the second pre-application meeting as issued are included here at **Appendix 2**.

On the 18<sup>th</sup> of June 2021 MKO on behalf of the prospective applicant sought to close the SID consultation process with An Bord Pleanála. On the 1<sup>st</sup> of July 2021 An Bord Pleanála issued their opinion (refer to **Appendix 3**) stating that the Proposed Development fell within the scope of Strategic Infrastructure Development under Section 37A of the Planning and Development Act 2000 (as amended) and as such any resulting planning application should be made directly to the Board.

#### 2.4.2

## Roscommon County Council

The Applicant engaged with Roscommon County Council in relation to the Proposed Development, whereby a request to enter into pre-application discussions was issued by the applicant on the 25<sup>th</sup> of May 2020.

## Meeting No.1

The first meeting took place on the 21<sup>st</sup> July 2020 via MS Teams and included representatives from the Council's Planning, Roads, Environment, Municipal District (Athlone) and Heritage sections. Those in attendance were:

- Mary Grier, RCC -Senior Planner
- Paul Browne, RCC Environment
- Rob Scott, Energia – Applicant
- Grace Curran, Energia – Applicant
- Simon Carleton, Galetech – Applicant
- Orla Murphy – MKO Environmental
- David Naughton – MKO Environmental
- Meabhann Crowe – MKO Planning

The team gave a PowerPoint presentation as an introduction to the site and development proposals, including a summary of the Strategic Infrastructure Development (SID) thresholds and criteria noting the application would be made to An Bord Pleanála as SID.

Matters discussed included:

- Planning history of the site, past reasons for refusal
- Supporting policy being located in a ‘favoured area’ under the extant Development Plan
- Grid connection
- Roads vis a vis cable laying, haulage and drainage
- Drainage including karst features
- Noise
- Ecology
- Heritage
- Consultation

The prospective applicant thanked the Council and noted that second pre-application meeting would be scheduled in due course.

## Meeting No.2

A second pre-application meeting was held on the 20<sup>th</sup> November 2020 with the County Council, again via MS Teams. Representatives from the Council's Planning, Roads and Environment were in attendance:

- Mary Grier, RCC, Senior Planner
- Paula Connaughton, RCC, Area Planner
- Annemarie Johnston, RCC, Act. Senior Exec Engineer
- Gerard Hannon, RCC, Senior Technician
- Ivor Kilcline, RCC, Senior Executive Engineer
- Paul Brown, RCC Act. Senior Executive Engineer (Athlone Municipal District Area)
- Rob Scott, Energia – Applicant
- Grace Curran, Energia – Applicant
- Orla Murphy – MKO Environmental
- Meabhann Crowe – MKO Planning

Matters discussed included:

Design refinement including the omission of 1no. wind turbine from the southern cluster of the development; location of substation and location of turbine access and layout of internal roads.

Environmental assessments and survey work

Grid connection

Roads vis-a-vis cable laying and reinstatement

Planning policy framework and that emerging in new Development Plan

The Planning Authority assigned reference PP21-118a for the pre-application discussion.

### Roads Meeting

A dedicated meeting with the Roads section of Roscommon County Council also took place on the 8<sup>th</sup> of January 2021. Those in attendance were:

- Mary Grier, RCC, Senior Planner
- Martin Lydon, RCC, Director of Services (Housing)
- Shane Tiernan, RCC, Director of Services (Roads)
- John Mockler, RCC Acting Senior Engineer
- Rob Scott, Energia – Applicant
- Grace Curran, Energia – Applicant
- Darren Doyle, Energia – Applicant
- Steven Drury, Galetech – Applicant
- Orla Murphy – MKO Environmental
- Meabhann Crowe – MKO Planning

The meeting focused on matters pertaining to:

- The turbine delivery route
- Grid connection process and anticipated connection point
- Substation location within the site

### Grid Route Information

On the 19<sup>th</sup> of November 2021 Roscommon County Council were issued with a suite of information regarding the proposed grid route and specifically, capacity of the local road network to accommodate the proposed underground cable. The information pack included:

Final grid drawings, including plans and sections along the route

Internal radial connection, including plans and sections along the route, between the north and south sections of the wind farm, which will run in the public road (R363).

Slit trench reports for urban areas, identifying and illustrating the existing services within the public road, which confirms that there is space for our proposed grid connection

Unfortunately at the time of submission the applicant has not been able to secure a meeting with Roscommon County Council on this specific matter.

### 2.4.3 Public Consultation

The applicant has undertaken significant community consultation and stakeholder engagement, as evidenced by the enclosed Community Consultation and Stakeholder Engagement Report (Appendix 2-2 of the EIAR lodged).

Prior to commencing community consultation the applicant undertook a series of internal community consultation workshops to develop a Community Liaison Strategy, involving the project manager, community liaison officers (CLOs) and members of the assigned community engagement team.

The objectives of the community consultation were to:

- Describe the approach to community engagement and stakeholder management for the project;
- Identify how community engagement and stakeholder management issues pertaining to the proposed development have been managed to date;
- Identify the main stakeholders, their issues and concerns, influence, and participation levels; and
- Identify key messages used in communicating with stakeholders and the project phases where they are likely to be impacted or interested.

The community consultation process itself included:

- Dedicated project Community Liaison Officer – one-to-one meetings;
- Consultation with local elected representatives;
- Door-to-door visits to local residences and provision of freepost feedback/contact cards;
- Conversations with the local groups, community hall committees and local representatives, where appropriate;
- Project website: [www.sevenhillswindfarm.ie](http://www.sevenhillswindfarm.ie) and virtual exhibition room;
- Public consultation clinics; and
- Freephone call-back service, e-mail and letter, and brochure;
- Print and radio adverts in local media.

Full detail on each of the above is included in the Consultation Report at Section 2.

In relation to consultation with the local community specifically, Section 2.2. of the report details how the website [www.sevenhillswindfarm.ie](http://www.sevenhillswindfarm.ie) went live before any consultation letters were issued or clinics were held. It was therefore the first point of contact for the wider process. The website is updated on a regular basis and the intention is to keep it updated throughout the planning application process.

With regards the impacts of Covid-19 restrictions on the consultation process, it is highlighted to the Board that door-to-door visits initially commenced in February 2020 however these were halted in mid-March 2020 as a result of the restrictions. 300 no. houses were visited during this stage, a leaflet left and contact details for the community engagement team provided. In mid-September 2020 door-to-door visits recommenced. Covid-19 restrictions were subsequently reintroduced which resulted in this being halted again. In October 2020 all residents received a letter updating them on the project and acknowledged that some household visits remained outstanding at that time.

In January 2021 an updated timeline of consultation events was uploaded to the project website. Monthly advertisements were placed in local newspapers also. A virtual exhibition was prepared and ran from June 2021-November 2021. During this period there were 493 visitors to the exhibition.

It is concluded in the Report that the objectives outlined have been achieved and every effort made to identify and engage with key stakeholders in a flexible and facilitative manner. Community engagement will be maintained throughout the project stages, including while the planning application is under consideration and, should the planning permission be granted, the construction, operational and decommissioning phase.

## 3. PLANNING POLICY CONTEXT

This section of this Planning Report sets out the relevant planning policy context at national, regional and local level, including Section 28 Ministerial Guidelines, deemed relevant to the Proposed Development.

### 3.1 National Planning Policy

National policy has developed in line with European and International policies, targets and commitments, in that the importance and urgency of decarbonising the energy generation sector, the economy in general and reducing greenhouse gas emissions has become increasingly more apparent. The Proposed Development complies with the nationally stated need to provide a greater amount of renewable energy onto the national grid and will further reduce the national reliance on fossil fuels for electricity generation.

Chapter 2 of the EIAR (Background) provides a comprehensive review of the relevant national publications, policies and targets which are of relevance to the Proposed Development, it is not intended to review the national policy context and supports for increased renewable energy development in this section. It must be noted, however, that climate change is now a clearly acknowledged emergency in Ireland with the most recent publication of the National Energy Security Framework, published April 2022. The Framework highlights how the recent outbreak of war in Ukraine has brought security of supply and long-term resilience into focus. Three main themes exist within the Framework; in relation to theme 3 the Framework highlights that replacing fossil fuels with renewables, including wind energy, will be a focus area of work.

The Climate Action and Low Carbon Development (Amendment) Bill 2021 published in March 2021, aims to achieve a climate neutral economy by no later than 2050. The establishment of low carbon economies through increased renewable energy generation has therefore become a time-critical consideration underpinning the current development of the country. As the country begins to realign its focus to the 2030 Climate and Energy Framework and associated climate and renewable energy targets under EU Directive 2009/28/EC, it is considered pertinent to consider the Ireland's Climate Action Plan 2021 (CAP). The CAP sets out the detail for taking action to achieve a 51% reduction in overall greenhouse gas emissions by 2030, and to reach net-zero emissions by no later than 2050. The 2021 Plan builds on the measures and technologies set out in the 2019 Climate Action Plan to deliver greater ambition. With regards electricity, the Plan aims to increase the proportion of renewable electricity up to 80% by 2030. The Plan highlights that "*sustained efforts across sectors will be required to meet targets*" and for electricity "*The proposed pathway includes a more rapid build-out of renewable generation capacity (wind and solar power generation technologies), increased storage, and the deployment of zero-emissions gas. The decarbonisation pathway for the electricity sector is challenging given the rapid growth in demand for power, as well as the need to ensure security of supply through the decarbonisation journey.*" To achieve the 80% renewable electricity envisioned, the indicative onshore wind capacity is set in the Plan at up to ~8GW.

Of particular note is the National Planning Framework (NPF) which establishes the policy context for the Regional Spatial and Economic Strategies (RSES) and local level Development Plans. Relevant to the subject development, **National Strategic Outcome 8** (Transition to Sustainable Energy ) of the NPF notes that in creating Ireland's future energy landscape, new energy systems and transmission grids will be necessary to enable a more distributed energy generation which connects established and emerging energy sources, i.e., renewables, to major sources of demand. Ireland's national energy policy, addressed under **Objective 55**, aims to "*promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050.*"

In relation to energy production, the NPF emphasises that rural areas, such as the study area, have an important role to play in securing a sustainable renewable energy supply for the country, acknowledging that “*rural areas have significantly contributed to the energy needs of the country and continue to do so*”. In this regard, the NPF states:

*“In meeting the challenge of transitioning to a low carbon economy, the location of future national renewable energy generation will, for the most part, need to be accommodated on large tracts of land that are located in a rural setting, while also continuing to protect the integrity of the environment.”*

The National Development Plan 2021-2030 states that the Irish Government is fully committed to ‘playing its part’ to ensure that the worst climate change damage can be avoided stating the next ten years are ‘critical’ if the climate change crisis is to be addressed. One of the NDP’s strategic climate priorities in the need for low-carbon, resilient electricity systems; specifically, the plan commits to increasing the share of renewable electricity up to 80% by 2030.

## 3.2 Regional Planning Policy

The strategic objectives of the NPF are implemented at a regional level by the Northern and Western Regional Assembly’s Regional Spatial and Economic Strategy (RSES) 2020-2032. The RSES provides a 12-year strategy to “*deliver the transformational change that is necessary to achieve the objectives and vision of the Assembly.*”

The RSES sets out ten **Strategic Outcomes**, number 8 of which is particularly pertinent, stating:

*“Transition to low carbon and climate resilient society - The National Climate Policy Position establishes the national objective of achieving a transition to a competitive, low carbon, climate-resilient and environmentally sustainable economy by 2050. This objective will shape investment choices over the coming decades. New energy systems and transmission grids will be necessary for a more distributed, renewables focused energy generation system, harnessing both the considerable on-shore and off-shore potential from energy sources such as wind, wave and solar and connecting the richest sources of that energy to the major sources of demand.”*

**Growth ambition 1** of the RSES relates to the economy and employment, noting that “*energy is needed for economic growth...decarbonisation can and needs to happen and it is an objective of the NPF that Ireland becomes a Low Carbon Economy by 2050. This reflects the Government’s 2014 National Policy Position on Climate Action and Low Carbon Development and is also a binding EU requirement.*”

It is further noted that “*It is important that our region sets out its ambitions concerning renewable energy in this context and shows its ability to help contribute to achieving national targets.*”

The RSES recognises that the region has “*huge potential for growth in renewables, with its diverse and growing environmental goods and services sector, and not least because of the proactivity and drive with which it embraces this agenda.*” With that in mind three specific Regional Policy Objectives (RPOs) are considered particularly relevant to the proposed development:

### Regional Policy Objective RPO 4.17

*“To position the region to avail of the emerging global market in renewable energy by:*

- *Stimulating the development and deployment of the most advantageous renewable energy systems*
- *Supporting research and innovation*
- *Encouraging skills development and transferability*
- *Raising awareness and public understanding of renewable energy and encourage market opportunities for the renewable energy industry to promote the development and growth*

*of renewable energy businesses g Encourage the development of the transmission and distribution grids to facilitate the development of renewable energy projects and the effective utilisation of the energy generated from renewable sources having regard to the future potential of the region over the lifetime of the Strategy and beyond.”*

#### **Regional Policy Objective RPO 4.18**

*“Support the development of secure, reliable and safe supplies of renewable energy, to maximise their value, maintain the inward investment, support indigenous industry and create jobs.”*

#### **Regional Policy Objective RPO 5.2**

- “(a) Protect manage and conserve the quality, character and distinctiveness of our Landscapes and seascapes.
- (b) The Assembly supports co-operation and co-ordination between Local Authorities in determining landscape character along their borders. A targeted review should be undertaken to ensure consistency in classification and policy in adjoining areas of similar character. The NWRA will assist in collaboration and coordination.
- (c) Following the completion of the National Landscape Character Assessment, and any associated statutory Guidelines, the Regional Assembly shall prepare a Regional Landscape Character Assessment to promote improved landscape management and designation”

The North Western Regional Assembly strongly support renewable energy and include it as such in its growth ambitions:

*“It has been identified that more strategic actions are required to prepare the region for what is to come and highlights the need to create a combined long term vision for the future of both energy supply and our ability to use renewable energy.”*

3.3

## **Local Planning Policy**

The Roscommon County Development Plan 2022-2028 was adopted on the 8<sup>th</sup> of March 2022. The Proposed Development site is partially zoned for wind energy development, with the majority of the site in an area deemed ‘Most Favoured’ for wind energy under the terms of the adopted Development Plan. A small portion of the site is not however zoned for wind energy development. It is noted that the design of the Proposed Development was being refined when the new Plan was adopted, with all major elements of the project infrastructure already agreed. It is also important to note, that the decision taken by the Council to de-zone an area of land from the ‘Most Favoured’ designation to that of ‘Not Favoured’ was not supported by any technical, scientific or indeed tabled evidence.

Section 5.7 of Chapter 5: Rural Development and Natural Resources of the Plan is relevant to the Proposed Development. It acknowledges that *“rural areas have the potential to be harnessed for renewable energy projects, including wind, hydro and solar energy.”* In that vein Policy CAEE 8.5 is particularly relevant:

*“Facilitate wind energy developments primarily in areas designated in the Renewable Energy Strategy as “Most Favoured” and secondarily in areas designated as ‘Less Favoured’ in the Renewable Energy Strategy, subject to normal planning criteria and having regard to the Wind Energy Guidelines (DECLG, 2006) and any update to the Guidelines that may issue during the lifetime of this Plan. This will include consideration of carbon benefit analysis, as appropriate.”*

The main body of the Development Plan is divided into two volumes, volume 1 being the written statement and volume 2 being the plans and maps. There are a range of associated documents also forming part of the Plan, including a dedicated Renewable Energy Strategy (RES). Overall, the Plan

notes an awareness of the climate change crises and states in Chapter 1 that “*the Plan has been prepared against the critical need to address climate change and while Chapter 8 focuses on this in depth, it forms a critical consideration across all aspects of the Plan, with a range of actions and policy positions expressed across all aspects of the Plan in order to give expression at local level to climate action. Other cross cutting themes emanating from climate action considerations and evident throughout the Plan include placemaking, regeneration, the creation of sustainable communities, and green infrastructure provision.*” [emphasis added] This is further grounded in Strategic Aim No.1 of the Plan which advocates a “*transition to a competitive, greener, low carbon, climate resilient and environmentally sustainable county, facilitated through reducing the need to travel, by integrating land use and sustainable modes of transport, by reducing the use of non-renewable resources and by promoting and facilitating renewal energy initiatives on a domestic and commercial scale.*” Various planning policies exist within the Plan which state support is given to European and national objectives for climate action (CAEE 8.1, CAEE 8.2) while support for generating energy from renewable resources is also set out (CAEE 8.3, CAEE 8.4).

The Plan also ensures that proposals for renewable energy developments are carefully scrutinised and properly assessed, as demonstrated in the wording of Policy CAEE 8.7 and CAEE 8.8 below:

*“Ensure that proposals for renewable energy developments are considered in the context of relevant EU and national legislation, including in respect of environmental protection. No renewable energy developments will be considered in designated Natura 2000 sites or their surrounding buffer areas.”*

*“Ensure that renewable energy developments do not undermine the preservation and conservation of the natural and built environment and that an appropriate balance is achieved between renewable energy development and preservation of the natural environment.”*

## Renewable Energy Strategy

As noted, the Renewable Energy Strategy (RES) forms an individual section of the adopted Development Plan. The stated primary aim of the Strategy is “*to ensure that the county continues to address climate change through facilitating appropriately located renewable energy developments and through supporting energy efficiency in all sectors of the economy.*”

The RES “*sets out the framework for the delivery of sustainable and renewable energies throughout the county.*” Through the RES the Council has set out its commitment to “*implementing the strategic aims set out in the RES, to ensure that Roscommon delivers upon its commitment to tackle climate change, through facilitating appropriate renewable energy development proposals in the county.*”

The RES sets out a range of relevant strategic aims, incorporated where appropriate as Policy Objectives in Chapter 8 of the Development Plan:

- RES AIM 1 - “*Provide a framework for renewable energy development within the county through the adoption and implementation of this Strategy.*”
- RES AIM 2 - “*Assist in achieving the national targets for energy from renewable energy, from renewable resources and reducing greenhouse gas emissions associated with energy production.*”
- RES AIM 3 - “*Encourage and facilitate the various forms of renewable energy development explored in this Strategy, provided they are in accordance with the principles of proper planning and sustainable development. Wind energy developments will be permitted in areas designated as “Most Favoured” primarily, subject to normal planning practices.*”
- RES AIM 4 “*Encourage energy efficient designs and integration of renewable energy components into new and existing developments.*”
- RES AIM 5 “*Ensure that renewable energy developments do not undermine the preservation and conservation of the natural and built environment and that an*

- appropriate balance is achieved between development and preservation of the natural environment.”*
- RES AIM 6 “*Comply with relevant EU and National legislation regarding renewable energy development and environmental protection. No renewable energy developments will be considered on Natura 2000 sites or their surrounding buffer areas.*”
  - RES AIM 7 “*Encourage and facilitate the provision of strategic infrastructure in appropriate areas of the county, in order to facilitate the provision and potential exportation of renewable energy.*”

Section 3 of the RES discusses the renewable energy resources and potential in the county, noting that “*at present there is 112 MW of renewable energy being generated in County Roscommon, with the potential for 262MW to be produced.*”. If the Proposed Development were to receive a grant of permission, the development would double the current capacity and contribute to County Roscommon’s renewable energy targets.

Potential locations for new renewable energy developments have been informed by an updated Landscape Character Assessment for the county (discussed further below). As set out in Section 6 of the RES, renewable energy developments were considered from a planning perspective involving the assessment of:

- Ecological and Natural Heritage;
- Biodiversity;
- Peatlands;
- Water Resources;
- Archaeology and Built Heritage;
- Landscape Value;
- Infrastructure Constraints.

Following this analysis and consideration, areas within the county have been designated as being “Most Favoured”, “Less Favoured” and “Not Favoured” for wind energy development potential, the definitions as included in the RES are set out in Table 2-1 below for ease.

*Table 3-1 – Wind Energy Zone Descriptions*

Designation	Description
<b>Most Favoured</b>	Wind farm development will be considered favourably, subject to compliance with all necessary siting and design standards.
<b>Less Favoured</b>	Wind farm development will be considered, but the sensitivities revealed in these areas would render exploitation more problematic and therefore these areas are less favoured for wind energy development.
<b>Not Favoured</b>	Wind farm development will not be considered favourably in these areas.

In arriving at these designations “*constraints and resources were identified, and areas suitable for wind energy development were identified based on the presence or absence of these. This approach enables a structured and consistent identification of viable wind energy resources and ensures the protection of the environmental and landscape assets of the county from inappropriate development. The sieve analysis process has been aided by the SEAI LARES web tool.*”

These considerations have been comprehensively assessed as part of the siting, internal configuration of the turbines for and development of the design of the Proposed Development, as is illustrated in the EIAR.

The conclusions reached in relation to each of the key issues for consideration above, is that it would be in accordance with the proper planning and sustainable development of the area for the Proposed Development to be granted planning permission.

Figure 2-4 below illustrates the ‘Areas Suitable for Wind Development’ within the RES, with the Proposed Development’s wind turbines overlain. The majority of the wind turbines and associated works are located in an area deemed ‘Most Favoured’ with 4 no. wind turbines located in ‘Not Favoured’ area.

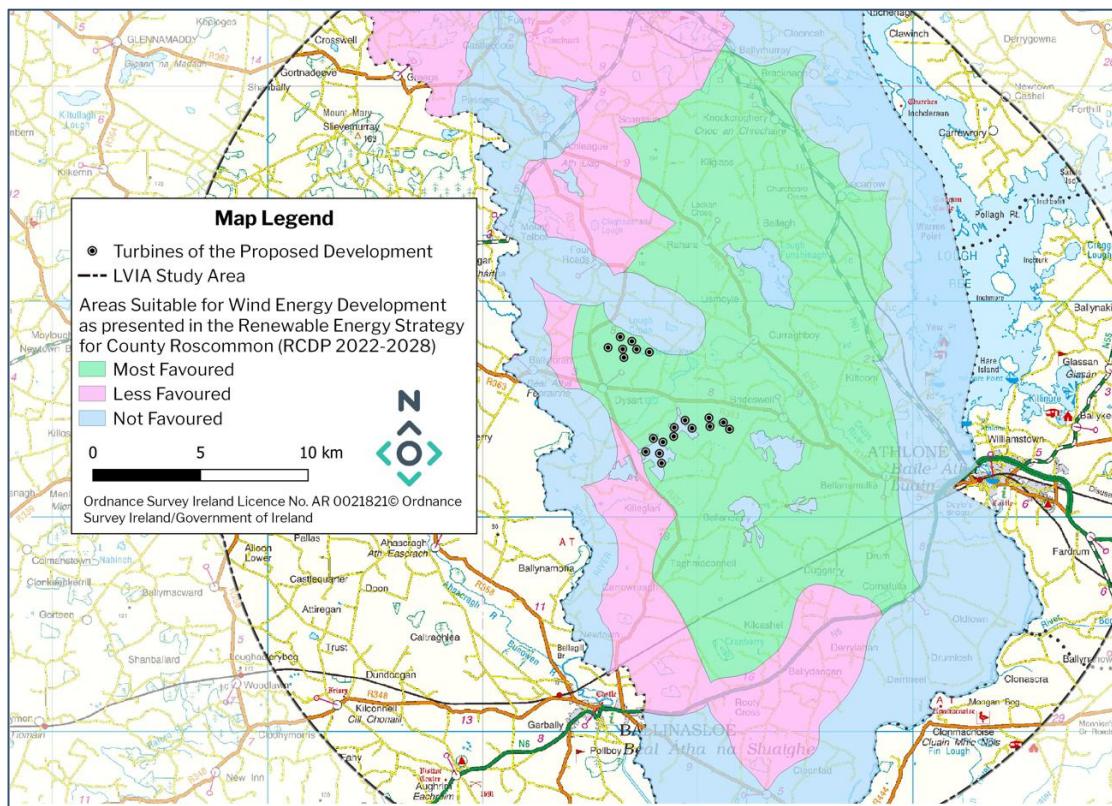


Figure 3-1: Wind Energy Areas – Roscommon County Development Plan 2022-2028

Thus, the Council have already concluded that, through an informed assessment process, the area where the majority of the Proposed Development is located is an area which it has identified as the “**Most Favoured**” for wind energy development. The 4 no. wind turbines located in a ‘Not Favoured’ area were previously in an area deemed ‘**Most Favoured**’ in the previous Roscommon County Development Plan 2014-2020. The change in this area came about during the preparation of the new Plan. During consideration of the proposed Material Alterations to the Draft Plan, the Proposed Amendment MA177 on Map 7 (MA176 of the text of the Proposed Material Alterations) identified the area as the Killeglan Karst Landscape, however no reasoning or scientific evidence was provided for this alteration when debated at the Special Council Meeting prior to the Plan’s adoption, or on final adoption of the Plan. The matter is discussed further here at Section 4 overleaf, and specifically at EIAR Chapter 13, Landscape and Visual Assessment and Chapter 9, Water and Hydrology. It is added that the applicant has made a submission to Roscommon County Council (May 2022) seeking a variation to the Plan is made in respect of the RES zoning, to correct the Plan to adequately reflect matters agreed at the Special Meeting which took place prior to the Plan’s formal adoption.

## 4. PLANNING ASSESSMENT

This section of the Planning Report considers the merits of the Proposed Development against relevant planning policy.

### 4.1 Principle of Development

#### 4.1.1 Zoning

The design process which has been ongoing for a period of over two years has been plan-led. Within the previous Roscommon Development Plan 2014-2020 the entire north and south wind turbine cluster areas were lands zoned 'Most Favoured' for wind energy development. The survey work and assessments, including landscape and visual impact assessment, carried out over the design period concurred with this Plan zoning. This remained the case as the Council moved to review this Development Plan, with the publication of the Draft Roscommon County Development Plan 2021-2027. Within the Draft Plan the zoning remained 'Most Favoured' for the lands. Up until the publication of the Proposed Material Amendments to the Draft Roscommon Development Plan 2022-2028 then, the entire wind farm site was located in an area which was considered optimal for wind energy development.

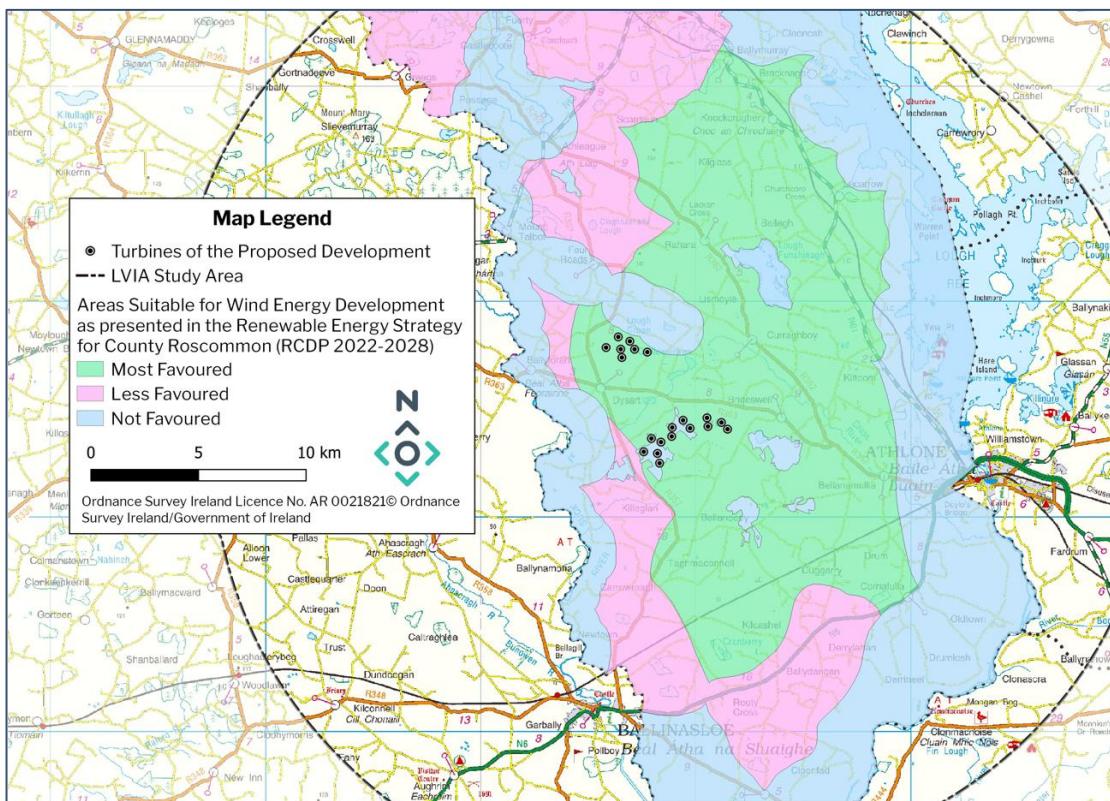


Figure 4-1: Wind Energy Zoning - Adopted Development Plan

The change, which has resulted in 4 no. proposed turbines no longer being located in an area deemed 'Most Favoured' but now in an area deemed 'Not Favoured', transpired on publication of the

Proposed Material Alterations to the new Development Plan in Q1 2022. In order to fully consider this and its implications for the Proposed Development it is necessary to understand how and why this change came about, and what evidence there is to support it.

### Draft Development Plan 2021-2027 and Proposed Material Amendments to the Draft Development Plan 2022-2028

The Draft Roscommon County Development Plan 2021-2027 Renewable Energy Strategy included Map 7-Areas of Wind Energy, as shown below.

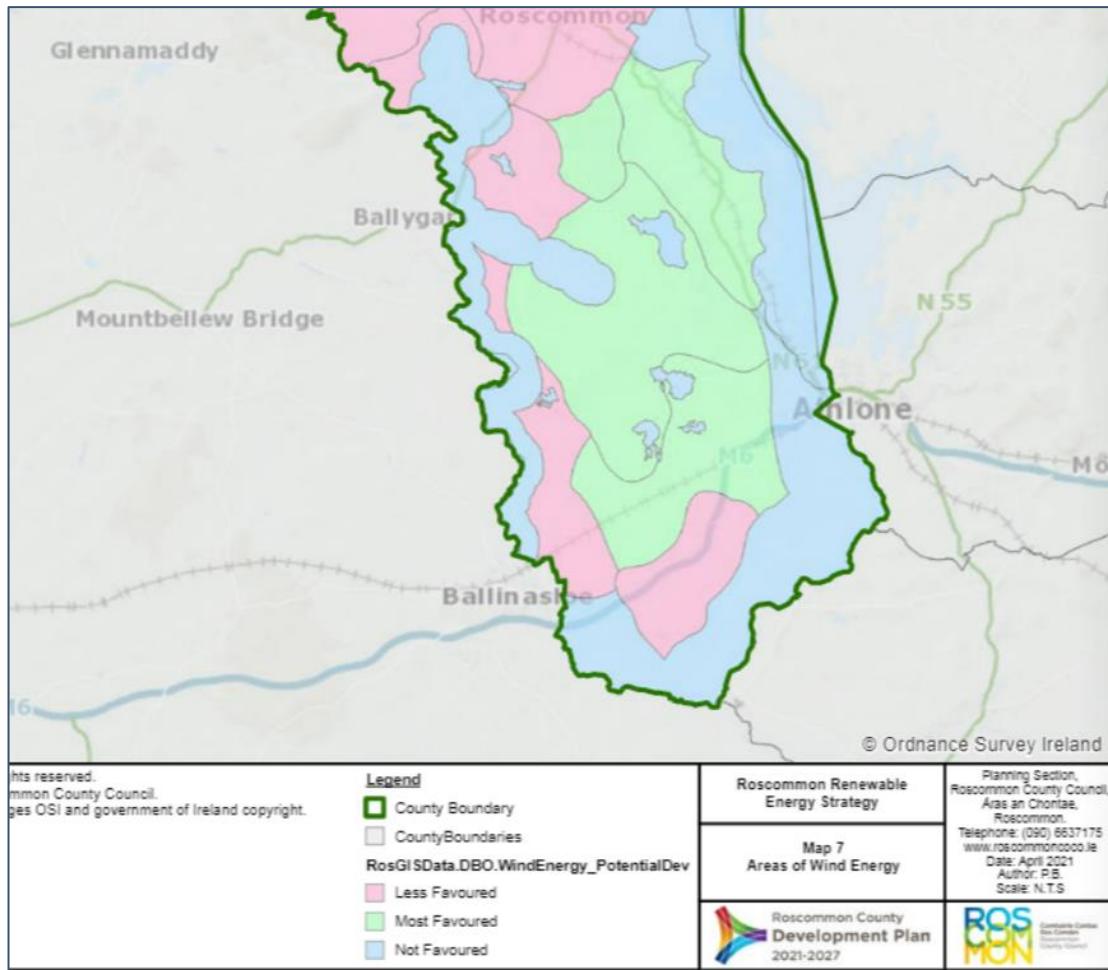


Figure 4-2: Draft Development Plan – Map 7 Areas of Wind Energy

This zoning mirrored that of the then in-place Development Plan 2014-2020. Under the Draft Plan, the lands where the proposed wind turbines are located was deemed to be an area wholly suitable for wind energy generation. At Draft Plan stage the RES was informed by “*an intensive sieve analysis process and consideration of the landscape of County Roscommon...*” (RES, section 6.5)

During the public consultation phase of the Draft Plan, a range of submissions were lodged with the Council which focussed on the area since removed from the ‘Most Favoured’ zoning. It is therefore necessary to consider those pertinent to the zoning change.

Submission no. S2.73 raised several matters including that “*Finally, it is concluded that areas of South Roscommon, in particular the Killeglan Karst Landscape (between the settlements of Dysart, Brideswell*

and Taughmacconnell), should not be designated as “Most Favoured” in the Renewable Energy Strategy. The submission outlines the importance of the Killeglan landscape.<sup>5</sup>

In response, the Chief Executive commented:

“Map 7 of the Renewable Energy Strategy has been prepared using **an intensive sieve analysis process and consideration of the landscape of County Roscommon**. In this approach **constraints and resources were identified, and areas suitable for wind energy development were identified based on the presence or absence of these**. This approach enables a structured and consistent identification of viable wind energy resources and ensures the protection of the environmental and landscape assets of the county from inappropriate development.

*It is important to note that wind speeds are **only one of the many considerations** used in developing this map. Other considerations such as landscape sensitivity and environmental designations e.g. proximity to Natura 2000 sites were also taken into account.*

*It is also important to note that this map is a strategic map and **does not mean that permission will be automatically granted in these areas**. All planning applications, including those for wind turbine developments, **will have to be fully assessed on a site specific basis** through the Development Management process.*

*In the context of supporting climate action, energy and the environment, the Renewable Energy Strategy (RES) sets out the framework for the delivery of sustainable and renewable energies throughout the county. **The Council is committed to implementing the strategic aims set out in the RES, to ensure that Roscommon delivers upon its commitment to tackle climate change, through facilitating appropriate renewable energy development proposals in the county.***

*Karst landscape in the Taughmaconnell/Dysart is included as one of the County’s Geological Sites in Section 10.6 of the Draft Plan. Policy Objective NH 10.8 seeks to preserve and protect these sites from inappropriate development.*

#### *Chief Executive’s Recommendation*

- *No changes recommended” [Emphasis added]*

Submission no. S2.95 raised several matters, including “*The Landscape Character Assessment outlines the significant impact that wind energy developments have on the landscape. It is the opinion of the Kilcash and Farbreagues community’s that a wind farm in the location of a protected view will be unduly intrusive. LCA33 should be removed from any further wind farm development and be given a nature designation.*<sup>6</sup>

In response, the Chief Executive commented:

“Map 7 of the Renewable Energy Strategy has been prepared using **an intensive sieve analysis process and consideration of the landscape of County Roscommon**. In this approach **constraints and resources were identified, and areas suitable for wind energy development were identified based on the presence or absence of these**. This approach enables a structured and consistent identification of viable wind energy resources and ensures the protection of the environmental and landscape assets of the county from inappropriate development.

*It is important to note that **this map is a strategic map and does not mean that permission will be automatically granted in these areas**. All planning applications, including those for wind*

<sup>5</sup> Summary taken from the Chief Executives Report on Submissions received, September 2021

<sup>6</sup> Summary taken from the Chief Executives Report on Submissions received, September 2021

turbine developments, will have to be **fully assessed on a site-specific basis** through the Development Management process.

In the context of supporting climate action, energy and the environment, the Renewable Energy Strategy (RES) sets out the framework for the delivery of sustainable and renewable energies throughout the county. **The Council is committed to implementing the strategic aims set out in the RES, to ensure that Roscommon delivers upon its commitment to tackle climate change, through facilitating appropriate renewable energy development proposals in the county.**

The Landscape Character Assessment included as part of the Draft Plan included all scenic views in the county. Policy Objective NH 10.21 of the Draft Plan seeks to protect important views in both urban and rural areas. These scenic views are of an amenity and tourism value and any development proposed within the view is required to be designed and located so as not to obstruct the view or be unduly intrusive in the landscape as seen from these vantage points. It is considered that there is robust policy support in the Draft Plan to protect scenic views from inappropriate development.

With regard to the inclusion of the policy from the Draft Westmeath County Development Plan, it should be noted that this policy was subject to a Ministerial Direction which required its removal as it was not in accordance with national policy and guidelines. Therefore it is not recommended in this instance.

#### *Chief Executive's Recommendation*

*No changes recommended.” [Emphasis added]*

Submission no. S2.113 raised several matters including “Wind turbines should only be permitted at a distance of 10 times the height of the turbine from residences, schools etc. When considering the suitability of wind energy, the LA needs to consider more than wind speeds, it must also look at the landscape character, topography, geology of the location and proximity to SACs, SPAs, NHAs and possible impact on ground water sources, Turloughs, potential further flooding etc. The current Wind energy maps should be updated to reflect these points.”<sup>7</sup>

In response the Chief Executive commented:

*“The Core Strategy has been discussed in detail in the response to the recommendations and observations from the Office of the Planning Regulator in Section 3 of this Report and also in response to the submission from the Northern and Western Regional Assembly in Section 4 of the Report.*

.....

*While the Climate Action and Low Carbon Development (Amendment) Bill 2021 is not specifically mentioned in the Draft, there is strong policy support throughout the Draft for climate action.*

.....

*The Draft Plan strongly supports the transition to a low carbon society. In transitioning to a low carbon economy, future diversification and adaptation to new energy technologies is vital. Renewable energy such as biomass will assist in managing the transition of the local economies of such areas in gaining the economic benefits of greener energy. The Council will support*

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<sup>7</sup> Summary taken from the Chief Executives Report on Submissions received, September 2021

*renewable energy projects, subject to ensuring the protection of landscape sensitivities, residential amenity, views or prospects, public rights of way, wildlife, habitats, special areas of conservation, protected structures, bird migration paths etc.*

*Map 7 of the Renewable Energy Strategy has been prepared using an intensive sieve analysis process and consideration of the landscape of County Roscommon. In this approach constraints and resources were identified, and areas suitable for wind energy development were identified based on the presence or absence of these. This approach enables a structured and consistent identification of viable wind energy resources and ensures the protection of the environmental and landscape assets of the county from inappropriate development.*

*It is important to note that this map is a strategic map and does not mean that permission will be automatically granted in these areas. All planning applications, including those for wind turbine developments, will have to be fully assessed on a site-specific basis through the Development Management process.*

..... "[Emphasis added]

The Chief Executives Recommendation in relation to Submission no. S2.113 related to agriculture activity and diversification and did not relate to matters pertaining to wind energy or the wind energy map of the Draft Plan.

What is clear from the above-noted submissions to the Draft Plan and responses given by the Chief Executive is that the position of the Council remained throughout the consultation on the new Plan to this point that the Plan was devised using a detailed sieve analysis, and sufficient policy protection exists within the Plan to control development as required. The turbines as proposed here remained zoned in an area deemed 'Most Favoured' at this juncture.

Members proceeded to consider the recommendations contained in the Chief Executives report which were debated at the Council Meeting of the 16<sup>th</sup> November 2021. At that meeting Cllr. Kelly sought clarification in relation to the Killeglan karst landscape included on Map 7 of the 'Blue Book' (the Renewable Energy Strategy volume of the Plan) as an area designated favourable for wind energy, "bearing in mind that Killeglan springs is the source of the South Roscommon Water Supply." Members considered that a contradiction existed in respect of Killeglan as a natural heritage area to be protected and its inclusion in an area deemed suitable for wind energy development. Ultimately the debate resulted in a proposal from Cllr. Kelly, seconded and agreed, to remove the Killeglan Geological area of Dysart/Taughmaconnell from an area deemed 'Most Favoured' for wind energy development "based on its unique karst landscape and importance in relation to water supply for south Roscommon." No scientific or environmental evidence was given for this proposed change.

The Proposed Material Alterations, which included the change to Map 7 noted above as sought by Councillors, then duly followed.

### Publication of the Proposed Material Alterations

The Proposed Material Alterations to the Draft Roscommon County Plan 2022-2028 duly followed and a period of public submissions ended on the 14<sup>th</sup> of January 2022. Proposed Material Alteration MA177 which altered Map 7- Areas for Wind Energy within the Renewable Energy Strategy volume of the Plan was included. For ease, the Draft and Material Alteration versions of the map re shown below in Figure 4-3.

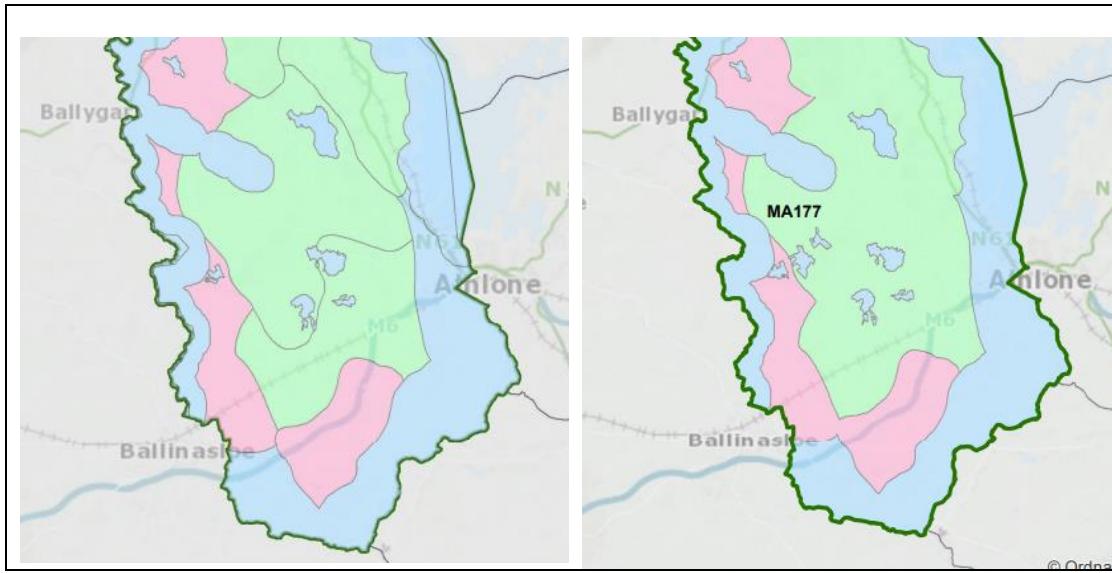


Figure 4-3: Draft Plan; Proposed Material Alteration MA177

Energia Renewables sought to have the proposed change to Map 7 reversed, given the lack of evidence to support the Proposed Material Alteration. In response, the Chief Executive responded that:

*"In respect of proposed Material Alteration 176, the alterations to the map occurred as a result of a motion by Members at the meeting of 16th November 2021, requiring that the Killeglan Geological area of Dysart/Taughmaconnell be changed from "most favourable for wind energy to not favourable based on its unique karst landscape and importance in relation to water supply for South Roscommon."*

*As previously stated in the Chief Executive's Report on submissions received on this at the Draft Plan stage, Map 7 of the Renewable Energy Strategy was prepared using an intensive sieve analysis process and consideration of the landscape of County Roscommon. In this approach constraints and resources were identified, and areas suitable for wind energy development were identified based on the presence or absence of these. This approach enables a structured and consistent identification of viable wind energy resources and ensures the protection of the environmental and landscape assets of the county from inappropriate development.*

*It is important to note that wind speeds are only one of the many considerations used in developing this map. Other considerations such as landscape sensitivity and environmental designations e.g. proximity to Natura 2000 sites were also taken into account.*

*It is also important to note that this map is a strategic map and does not mean that permission will be automatically granted in these areas. All planning applications, including those for wind turbine developments, will have to be fully assessed on a site specific basis through the Development Management process.*

*In the context of supporting climate action, energy and the environment, the Renewable Energy Strategy (RES) sets out the framework for the delivery of sustainable and renewable energies throughout the county. The Council is committed to implementing the strategic aims set out in the RES, to ensure that Roscommon delivers upon its commitment to tackle climate change, through facilitating appropriate renewable energy development proposals in the county.*

*Karst landscape in the Taughmaconnell/Dysart is included as one of the County's Geological Sites in Section 10.6 of the Draft Plan. Policy Objective NH 10.8 seeks to preserve and protect these sites from inappropriate development. This is considered to afford sufficient protection*

***and would form part of any consideration of a planning applications arising in such areas. It is not considered necessary or appropriate to further reflect this specific consideration in mapped format in relation to wind energy.” [Emphasis added]***

The Chief Executive ultimately recommended (Recommendation no. 15) that:

***“That the Plan be made without Material Amendment MA176 and that Map 7 entitled ‘Areas of Wind Energy’ be included as originally detailed in the Renewable Energy Strategy which formed part of the Draft Plan. (Refer to Appendix 2 of this Report for the recommended revised Map 7).”***

During the Special Meeting of Roscommon County Council on the 8<sup>th</sup> March 2022<sup>8</sup> it was discussed that the mapping in relation to areas most favourable to wind be ‘as per the Draft Plan’. The recommendation concludes to revert the mapping as presented within the Draft Plan. The Council’s published minutes of that meeting do not set out this discussion accurately in respect of recommendation 15, with no reference to the points discussed and agreed by Members.

The Plan was ultimately adopted with the proposed amendment to Map 7-Areas of Wind Energy in place, incorrectly retaining the area of the Killeglan Karst Landscape as ‘Not Favoured’ for wind energy. It is clear then that:

- The factual sieve analysis which took place to inform the shaping of the new Plan was wholly set aside and undermined in the proposal of this Material Alteration
- No evidence was provided to support the Proposed Material Alteration
- Policy protection exists to ensure any planning application coming forward is scrutinised and each application should be based on its own merits

There was no rationale or scientific evidence given to support the removal of the lands. The Board are encouraged to consider the objectives of the Development Plan as laid out and the complete lack of clarity or supporting justification for the rezoning of these lands where 4 no. turbines of the Proposed Development are located. The basis of the rezoning was ‘*the Killeglan springs are the source of the South Roscommon Water Supply*’. The applicant has raised the matter of this error with Roscommon County Council (May 2022) and is seeking an amendment to the Plan to accurately reflect the matters brought, proposed and agreed by Members in relation to this area.

### Killeglan Karst Landscape and Killeglan Springs

The policy proposals are discussion based only and there is no evidence, planning justification or policy-based rationale whatsoever to underpin or justify any change in position from the Draft Plan as proposed. The SEA and NIS prepared in relation to the Draft Plan conducted a sieve analysis process which resulted in no such exclusion being applied to these lands. The alteration came about only as a result of debate within the Chamber on discussion of the Proposed Material Alterations to the Draft Plan. As noted above, no basis was found to exist for the change.

The Killeglan Karst Landscape is designated as a geological heritage site. The Southern Cluster of turbines proposed here overlaps with this geological heritage site. A total of 4 no turbines (T9, T10, T12 and T16) are mapped within this geological heritage site. The Killeglan Karst Landscape is described within the County Geological Heritage Site Report as “*an extensive area of bouldery terrain in southern Roscommon, the area comprises a number of low, quasi-linear and hummocky ridges which is unique in Ireland.*” It is worth noting that despite being mapped within the extent of the Killeglan Karst Landscape, it was noted during site investigation works that T12 is located in reclaimed farmland and no longer contains the boulder terrain for which the Killeglan Karst Landscape has been designated.

<sup>8</sup> <https://meetings.roscommoncoco.ie/jListDocuments.aspx?CId=147&MId=2881>

The perception of this area of Roscommon is that it is significantly karstified and limestone boulders observed in fields are representative of bedrock and extreme groundwater vulnerability. This is proven not to be the case through work carried out in the design of the Proposed Development (refer to Chapter 9 of the EIAR).

The Killeglan springs were identified as one of the public water sources for South Roscommon under the previous County Development Plan 2014-2020 and the new County Development Plan 2022-2028. In that vein, it is necessary to consider the Killeglan Springs in more detail.

In hydrological terms, Chapter 9 of the EIAR contains full and detailed information as to what impacts, if any, the Proposed Development would have on the Killeglan Karst Landscape, including potential for impact on groundwater resources.

There are no karst springs or swallow holes mapped near the northern cluster of the Wind Farm Site. The locations of the mapped karst features are included as Figure 9.9 of Chapter 9. The locations of the mapped karst features align broadly with the change in topography, with the karst depressions and turloughs mapped within the low-lying ground. Section 9.4.2.11 of Chapter 9 considers the potential effects of the Proposed Development on public water supplies (PWS). The Killeglan PWS is located 1.9km south of the southern cluster of wind turbines. The quality and quantity of water being abstracted from the Killeglan PWS and Mount Talbot PWS is critically important to these schemes. As such, the Zone of Contribution (ZoC) to the Killeglan Spring PWS is noted to include a small area of the Proposed Development site (i.e., 1.53 hectares), near the southern edge of Cam Hill, where the proposed turbines T17 and T18 are situated (mapped by the Geological Survey Ireland (GSI)).

T18 is located close to the extent of the ZoC, but is located on the northern side of the topographic high of Cam Hill and as such is hydraulically separated from the groundwater catchment to the south. All other areas of the Proposed Development site are excluded from the ZoC to the Killeglan Spring ZoC. The Zone of Contributions (ZoC) to both of these nearby sources have been mapped and shows that it excludes any area of the Proposed Development from the catchment to the Mount Talbot PWS. The area of Proposed Development site which is located within the mapped Zone of Contribution is negligible (1.53 Ha) within the scale of the overall catchment (4218.5 Ha) to the Spring. (0.36 %).

Furthermore, the mitigation measures (including drainage design measures) outlined in Sections 9.4.2.1 - 9.4.2.7 of Chapter 9 of the EIAR, which will protect groundwater water quality and quantities, will mean that there will be no net effect on any groundwater from the T17 area and other areas identified which may flow towards the Killeglan PWS. No part of the proposed Grid Connection is proposed within the ZoC to either of the PWSs (Killeglan PWS and Mount Talbot PWS), and therefore there can be no impact on water quality or water quality at either of the PWSs arising from the construction of the proposed Grid Connection.

Drainage measures, pollution control and other preventative measures have been incorporated into the project design (both the wind farm site and grid connection works) to minimise significant adverse impacts on groundwater quality and downstream designated sites. Preventative measures during construction also include controls for fuel and concrete management and a waste management plan which will be incorporated into the Construction and Environmental Management Plan (Refer to Appendix 4-9 of the EIAR).

Overall, the assessment finds that the Proposed Development presents no significant impacts to surface water and groundwater quality provided the proposed mitigation measures are implemented. No significant cumulative impacts on any of the regional surface water catchment or groundwater bodies are anticipated from the proposed wind farm site and the associated grid connection route. Consequently, it is held that the Proposed Development at set out which includes 4 no. wind turbines in an area deemed ‘Not Favoured’ for wind energy development poses no risk to the Killeglan Karst Landscape and/or Killeglan Springs.

Consequently it is held that the Development Plan as currently adopted is significantly flawed. The decision to remove this area of land from being within the ‘Most Favoured’ area for wind energy arose without evidence or justification despite the Council’s thorough analysis in arriving at it being suitable for wind energy. The assessments carried out in the EIAR which forms part of this planning application demonstrates the proposed turbines in this location pose no risk to the Killeghan Springs Water Supply.

## 4.2 Landscape and Visual Assessment

Chapter 12 of the EIAR addresses the potential significant direct and indirect landscape and visual effects of the Proposed Development.

It is important to highlight that the siting of the Proposed Development was plan-led, as noted previously, in line with the provisions of the previous Roscommon County Development Plan 2014-2020, in force during the circa two year rigorous iterative design process. The aim had always been to site all of the proposed infrastructure within lands deemed ‘Most Favoured’ for wind energy development – this had been the case up until very recently. It is a Strategic Aim of the Plan (no. 11) to “*protect and enhance the natural assets of County Roscommon, including clean water, biodiversity, landscape, green infrastructure, heritage and agricultural land.*” Strategic Aim n. 15 is also relevant “*To protect, conserve and enhance the built and natural heritage and the landscape of County Roscommon for future generations; and reinforce the distinctive character of the county through ensuring that recognised sites and species of environmental importance are conserved and managed appropriately.*” Each of these Aims have been met in the Proposed Development currently set out.

The Proposed Development site is part of a rural working landscape where agriculture is the primary land use. The fields within the site are primarily used as grazing pasture for sheep and cattle although arable farming does occur. Wilder areas of the site comprising dense bush (e.g. calcareous grassland habitats) are not used for any agricultural or recreational purposes. The wider landscape surrounding the site is also a working agricultural landscape. Although there are several other land uses in proximity to the southern turbine cluster. There are no scenic designations identified within 5km of the Proposed Development site. The LVIA has considered Ordnance Survey of Ireland viewing areas, settlements, recreation and tourist destinations, recreational routes and transport routes. In terms of visual amenity from residential receptors, the assessment includes a range of viewpoints where the greatest potential for significant landscape and visual effects are likely to occur.

Should planning permission be granted for the development, the assessment finds that the site of the Proposed Development will undergo a change in character from its current condition by the introduction of vertical man-made structures into the landscape. In a local context, the Proposed Development site is located in a landscape of medium value however, it is not a landscape of any regional or national value or importance. On balance and in consideration of the fact that the majority of the Proposed Development is located in an area deemed ‘Most Favoured’ for wind energy development the landscape sensitivity is considered Low. The result is long-term landscape effects of Moderate significance upon the physical fabric of the landscape. Mitigation by design has been integral to the iterative design process. A range of measures have been included in the project design in order to avoid or reduce direct effects on landscape receptors of the development site, including but not limited to:

- The spatial configuration of the proposed infrastructure footprint has been carefully designed to avoid (in most instances) and minimise the loss of valuable landscape receptors on the site, such as: Dry calcareous and neutral grassland (GS1) (Annex 1 habitat) and other karst features.
- The internal site road layout makes use of the existing informal agricultural tracks wherever possible, to minimise the requirement for new tracks within the site and where possible retain the integrity of existent field boundary walls, hedgerows and hawthorn trees.

- In order to minimise cut and fill activities required to construct the Proposed Development, the proposed access roads and other infrastructure such as hard stands have been designed to avoid steep gradients and hilly terrain within the hummocky landscape of the site.
- The proposed substation is sited in a location enclosed by localised topography, reducing visibility from receptors in the surrounding landscape, therefore reducing perceptual impacts on the landscape aesthetic.

The landscape of the development site is a modified agricultural landscape. The application site is within Landscape Character Area (LCA) 34 - Lough Funshinagh, Stone Wall Grasslands and Esker Ridges, designated as being of 'Moderate Value', which is the lowest value rating in County Roscommon. Notwithstanding, care has been taken in the iterative design process to site turbines and infrastructure in a sensitive manner so as not to be the specific object or focus of any designated scenic route or view.

The majority of the Proposed Development is sited in an area designated as 'Most Favoured' for wind energy potential and LCA 34 is a landscape designated as one of the lowest value in the Landscape Character Assessment of County Roscommon. In light of these designations, sensitivity of this landscape to this form of development was deemed to be Low. The effects on the character of this LCA are deemed to be of 'Slight' significance. Siting of the proposed turbines in this landscape therefore aligns in the main with the Development Plan.

The landscape value and sensitivity of the Proposed Developments is also addressed in the Chapter. Determination of landscape value considers scenic amenity designations, sensitivity and value designations found in local landscape policy, as well as other indications of landscape value attached to undesignated landscapes. In considering a range of indicators (e.g landscape designations, wildness etc) the landscape value of the Proposed Development site is deemed within Chapter 12 to be medium value in a local context. In light of the site being predominantly located in an area deemed 'Most Favoured' for wind energy and an LCA of the lowest landscape value in the County, the susceptibility of the landscape of the site to the proposed change is considered low and the overall sensitivity considered, on balance, to be Low.

The newly added 'Not Favoured' wind energy zoning within the Proposed Development site is attributed to the 'Killeghan Karst Landscape', a 'Geological Heritage Site (GHS) designated by the Geological Survey of Ireland. The boundary lines defining the Killeghan Karst Landscape Geological Heritage Site (GHS) are directly mapped around surface karst features such as limestone boulders. There will be a loss of karst surface features in a very small area of the GHS where the footprint of the Proposed Development overlaps the existing ground cover of the GHS, and this comprises a very small percentage of the overall development footprint. The iterative design process included extensive geological and hydrological surveys (Chapters 8 and 9) to minimise the extent of the Proposed Development footprint sited within sensitive habitats or ontop of unsuitable karst geology. Where possible, the micrositing of all infrastructure utilises agricultural land or existing agricultural tracks within the site and the GHS. Therefore, highly localised direct landscape effects will occur, but overall, loss of very small areas of land cover will be Slight in the context of the wider landscape setting and its overall character. A comprehensive technical appraisal of the likely effects of the Proposed Development on the karst geology of the site in general and this specific area are included in Chapter 8 of this EIAR – Lands Soil and Geology. Policy NH 10.11 which seeks to "*preserve and protect sites of county geological importance from inappropriate development where they comprise designated sites or national heritage areas*" has therefore been met.

The LVIA concludes that development will not be the specific object or focus of any designated scenic routes or scenic views in Co. Roscommon. In terms of location, spatial extent, spacing and layout, the siting and design of the Proposed Development adheres to the guidance for the siting of wind farms in Hilly and Flat Farmland Landscape Types, as set out in The Wind Energy Development Guidelines for Planning Authorities (DoEHLG, 2006), & (DoPHLG, 2019)

ZTV mapping included in Chapter 12 of the EIAR indicates high visual exposure of the wind farm throughout the LVIA Study Area, excepting large areas to the north-east where the Proposed Development will be screened from view by elevated landform around the Skrine uplands. Visibility appraisals conducted during many field surveys in 2020 and 2021 determined that actual visibility in the LVIA Study Area is likely to be far less than is indicated by the ZTV mapping. On-site surveys found that visibility of the Proposed Development is predominantly concentrated to areas immediately surrounding the site to a distance of approximately 5 km. Beyond 5 km from the Proposed Development, visibility of the proposed turbines is likely to be very limited where disproportionate screening effect occurs within the flat vegetated landscapes surrounding the Suck and Shannon Valleys to the east, south and west of the Proposed Development. Beyond 5km, visibility of the Proposed Development will occur from elevated vantage points where there are open views across the landscape. visibility of the Proposed Development is most likely to occur within the rolling agricultural grasslands immediately surrounding both the northern and southern turbine cluster.

No designated scenic amenity is located within this area of high visibility surrounding the site, however, it is a settled landscape and there are residential receptors and local population centres which will have open views of the Proposed Development.

The landscape of the development site is a modified agricultural landscape. The rolling green fields and dry-stone walls give the site and wider landscape setting a distinct visual aesthetic, which is of local importance and heritage value. The karst geology and calcareous grassland habitats are also valuable receptors existent on site. Considering the landscape designations in the Roscommon County Development Plan, the susceptibility of the landscape to wind farm development is low. On balance the Proposed Development site is a landscape deemed to be of medium sensitivity. The introduction of vertical man-made structures and ancillary infrastructure will substantially alter 29.3 hectares of the landscape comprising the proposed infrastructure footprint. The direct effects upon the landscape will be highly localised. The Proposed Development is likely to cause (reversible) long-term landscape effects of Moderate significance at the site of the Proposed Development. Strategic siting of the Proposed Development infrastructure serves to minimise and mitigate impacts upon valuable and sensitive landscape receptors on the site through avoidance of valuable habitats, karst glacial features and old stone walls and monuments of heritage value.

The visual assessment was conducted using 18 Photomontage viewpoints representative of prominent visual receptors surrounding the Proposed Development whilst demonstrating views of the proposed turbines from a variation of geographical perspectives and distances. The assessment concluded that 'Significant' residual visual effects occurred at two of the 18 viewpoint locations. These significant visual effects are attributed to substantial change occurring from residential receptors of high sensitivity that are located in relatively close proximity to the Proposed Development site. However, the siting of proposed turbines adheres to the minimum 500 metre set back distance in the current Wind Energy Development Guidelines (2006, DoEHLG) and also the 4 times tip height set-back distance explicitly set out for residential visual amenity prescribed by the Draft Revised Wind Energy Development Guidelines (2019, DoHPLG). Residual visual effects of 'Moderate' significance occurred at five of the 18 No. viewpoints. All other viewpoints were assessed as resulting in 'Slight' significance (7) or 'Not Significant' (6). All residual visual effects of 'Moderate' significance occurred within close proximity (7km) to the Proposed Development where most visibility is likely to occur. Visual effects were also assessed from designated scenic amenity and highly sensitive receptors in Counties Roscommon, Longford, Galway, Offaly and Westmeath. Residual visual effects were deemed to be of 'Slight' significance when the turbines were seen within highly sensitive views (views across Lough Ree from Ballykeeran) and from highly sensitivity receptors (Clonmacnoise), in such instances, visual effects are significantly mitigated by distance. All other existing, permitted and proposed turbines have a substantial set back distance (> 8.5 km) from the proposed turbines. Combined visibility (simultaneous and successional) visibility of the other turbines and the Proposed Development occurs from a few limited perspectives. In this regard, cumulative landscape and visual effects with other wind farms are not significant. It is considered then that Policy NH 10.25 of the Plan, to "*Minimise visual impacts on areas categorised within the County Roscommon Landscape Character Assessment including "moderate value", "high value", "very high value" and with special emphasis on areas classified as*

*“exceptional value” and where deemed necessary, require the use of Visual Impact Assessment where proposed development may have significant effect on such designated areas” has been met. The LVIA has also considered neighbouring authorities in this regards, per the provisions of Policy NH 10.27.*

In terms of cumulative visual effects, the greatest are considered likely to occur on account of the visual relationship between the two proposed turbine clusters. Assessments conducted in the LVIA (Chapter 12) determined that the impact of viewing both the northern and southern cluster in opposite directions (combined successional cumulative effects) does cause some minor cumulative visual effects but does not cause a surrounding effect. As seen throughout the photomontage booklet, in most instances where there is a high potential for significant visual effects (e.g. sensitive receptors in close proximity to the Proposed Development), only one turbine cluster is visible, particularly from receptors to the south of the northern turbine cluster. Sequential cumulative effects will occur along the regional roads (R357 and R363) in close proximity to the site, however, these are not routes of high sensitivity and cumulative effects are not deemed to be significant.

It is therefore held that the Proposed Development can be accommodated at this location without significant adverse impact on the landscape or any sensitive receptors in the wider area. The Proposed Development has been brought forward at a location that has been deemed within the current county development plan to be among the most suitable for wind energy infrastructure in the County and is therefore a plan-led project that satisfies in full the requirements of proper planning and sustainable development.

## 4.3 Hydrology and Hydrogeology

Chapter 9: Hydrology and Hydrogeology of the accompanying EIAR:

- Provides a baseline study of the existing water environment (surface and groundwater) in the area of the Proposed Development;
- Identifies likely positive and negative impacts of the Proposed Development on surface and groundwater during construction, operational, and decommissioning phases of the Proposed Development;
- Identifies mitigation measures to avoid, remediate or reduce significant negative effects;
- Assesses the significant residual effects and cumulative effects of the Proposed Development along with other permitted and proposed projects and plans.

As set out in the Chapter, the Chapter has been informed by the previous reasons for refusal in respect of the historic project on the site, and by consultation with statutory consultees, bodies and interested parties. Section 9.1 of the Chapter sets out this scoping and consultation in more detail.

Prior to embarking on the current EIAR Chapter, Hydro Environmental Services (HES) completed a thorough hydrological and hydrogeological review the previous planning files (previous applications: Pl. Ref:10/541 and Pl. Ref:11/273) with respect to geology, hydrogeology and hydrology. This review informed our professional opinion with respect to the scope and approach of the assessment of the current Proposed Development.

A desk study and preliminary hydrological assessment of the Proposed Development site and the surrounding area was completed in advance of the site walkovers, site investigation works, and in advance of seasonal monitoring being implemented.

Initial walkover surveys, geological/hydrogeological mapping and baseline monitoring of water levels in nearby turloughs and private wells were conducted between 21<sup>st</sup> – 23<sup>rd</sup> January 2020.

Water levels in the boreholes and turloughs surrounding the Northern and Southern Clusters were monitored between January 2020 – May 2021.

Numerous intrusive site investigations have taken place across the northern and southern clusters of wind turbines to provide detail and clarity on the nature and extent of subsoils and bedrock and evidence for potential karstification of the limestone bedrock. In addition to the above site investigation dataset, seasonal hydrological and hydrogeological monitoring has been undertaken. These are all detailed in the accompanying Chapter of the EIAR.

Regional and local hydrology has been considered and is detailed at Section 9.3.3 of Chapter 9. On a local scale, the proposed wind farm site (north and south) is broadly contained within the River Suck sub-catchment (Suck\_SC\_090), with a small section of the Southern Cluster (T19 & T20) contained within the Cross River sub-catchment (Shannon[Upper]\_SC\_100). The proposed Grid Connection route is mostly located within the Cross River sub-catchment (Shannon[Upper]\_SC\_100), with a small section close to Athlone located in the Shannon[Upper]\_SC\_090 sub-catchment

With regards local and site drainage, the assessment notes a distinct lack of local drainage (field drains, ditches, first-order streams etc) within the areas of the proposed turbines. The main waterbody near the proposed turbines is the Ballyglass River, which flows southwest from Cuillenirwan Lough ~1.6km southeast of the northern cluster and ~ 1.3km north of the southern cluster and reaches a confluence with the River Suck. There are no other tributaries, aside from very short minor drains, mapped for the Ballyglass River, so it is likely that the majority of its emerging flow is derived from Cuillenirwan Lough. The Killeglan River is mapped ~1.5 km southwest of the southern cluster and ~2-3km south of the Ballyglass River. This river flows west/southwest towards the River Suck and is ~8km in total length. The headwaters of the Killeglan River form at the Killeglan spring. There are 5-6 springs mapped over a ~0.8km stretch in this locality, one of which provides the source for the Killeglan Spring Public Water Supply (PWS). Based on the topographic data, the proposed turbines will not drain in the direction of the Killeglan River, but some turbines are in the catchment of Feacle Turlough, which connects to the Killeglan springs via underground. There are 3 no. point sources which are connected via karst conduits to the Killeglan spring, which have been mapped using tracers. These sources are Feacle Turlough, Glannanea swallow hole and Carrowduff swallow hole. There is a clear relationship between the topography and the mapped karst hydrology. The majority of mapped enclosed depressions, swallow holes and springs are on low lying lands which are generally under grassland. The hills in the area, generally at 70 – 100m OD are more often under rough grazing land and devoid of any hydrological or karst-type features. A local hydrology map is included in the Chapter 9.

In relation to flood risk, no recurring flood incidents within the wind farm site were identified from Office of Public Works (OPWs) indicative river and coastal flood map. There are several recurring flooding incidents surrounding the Wind Farm site, which relate to the turloughs in the surrounding lower-lying areas. There are no 100-year fluvial flood zones mapped within the wind farm site. All proposed turbine locations, substation, construction compounds, met mast, overburden storage areas and access roads are located at least 50m away from streams and are outside of the fluvial indicative 100-year flood zone. There are no areas of potential groundwater flooding mapped along the Grid Connection route. A detailed flood risk assessment for the Proposed Development is enclosed with the EIAR at Appendix 9-1.

Acknowledging the reason behind the change in zoning on part of the wind farm site (refer to Section 4.1 of this report), it is pertinent to make note of the assessment of karst features in the Chapter at Section 9.3.7.4. Karst features are mapped by the GSI and available through the GSI online viewer. Tracer studies were carried out at several springs in Roscommon to better understand the groundwater flow directions in the underlying bedrock, primarily in relation to public water supplies. Turloughs were also mapped and water monitoring undertaken. Group and Public Water Schemes have been fully considered in the Chapter, noting that in specific relation to the Killeglan PWS (Section 9.3.7.7 of the Chapter refers) the Killeglan PWS is situated ~1.9km from the southern cluster of wind turbines. From mapping undertaken, it is known that the Zone of Contribution (ZOC) of the Killeglan spring encompasses a small area of the Proposed Development site, near the proposed Turbine T17. Site investigation data has been gathered, through the completion of geological logs during borehole drilling by Roadstone Ltd. (private Roadstone quarry at Cam, near the Southern Cluster of the Proposed Development) and HES, for the Southern Cluster, near the northern edge of the Killeglan Spring ZOC

boundary – Table 9-17 of the Chapter provides a summary of this data. Potential effects at the construction stage are set out at Section 9.4.2.11, where it is noted that:

**"Pre-Mitigation potential Impact:** Indirect, negative, moderate, long term, unlikely impact on groundwater quality and quantity in the ZoCs to Killeglan PWS and Mount Talbot PWS.

**Impact Assessment & Proposed Mitigation Measures:**

The Zone of Contributions (ZoC) to both of these nearby sources have been mapped. The ZoC assessment excludes any area of the Proposed Development from the catchment to the Mount Talbot PWS. The ZoC assessment of the Killeglan Spring PWS does include a small section of the Proposed Development site near T17 and T18, and short sections of proposed access tracks.

Winter groundwater levels near T17 measure ~69.5 m OD, while the ground elevation measures

~90 m OD. There is ~4.5 - 4.8m of overburden (COBBLES and GRAVEL) at T17 overlying Strong to very Strong fine to medium grained Limestone with no water strikes recorded during the drilling of the site investigation boreholes. This provides a good depth of subsoil protection over an unproductive aquifer zone, where maximum water levels are at least 20m below ground during Winter.

Winter groundwater levels near T18 were dipped by IGSL at ~83 m OD following the initial drilling of rotary core boreholes (this only an indicative water level as water level dipping straight after drilling can be slightly erroneous). The subsoils at T18 are logged as 4.1 - 4.5m of sandy gravelly COBBLES and sandy GRAVEL. The underlying bedrock is logged as Limestone with no fractures noted or groundwater strikes recorded.

The area of Proposed Development site which is located within the mapped Zone of Contribution is negligible (1.53 Ha) within the scale of the overall catchment (4218.5 Ha) to the Spring. (0.36 %).

Furthermore, the mitigation measures (including drainage design measures) outlined in Sections 9.4.2.1 - 9.4.2.7, which will protect groundwater water quality and quantities, will mean that there will be no net effect on any groundwater from the T17 area and other areas identified which may flow towards the Killeglan PWS.

No part of the proposed Grid Connection is proposed within the ZoC to either of the PWSs (Killeglan PWS and Mount Talbot PWS), and therefore there can be impact on water quality or water quality at either of the PWSs arising from the construction of the proposed Grid Connection.

**Residual Impact:** Based on the separation distance, the relative area of the Proposed Development site within the Killeglan Spring ZoC and the mitigation measures outlined in Sections 9.4.2.1 - 9.4.2.7, the residual impact on the Killeglan Spring PWS is considered to be – Indirect, negative, imperceptible, long term, unlikely impact on groundwater quality and quantity in the ZoCs to Killeglan PWS and Mount Talbot PWS.

**Significance of Effects:** For the reasons outlined above, and with the implementation of the listed mitigations measures, no significant effects on the Killeglan PWS will occur.”

During the operational phase of the proposals, it is expected that some progressive replacement of vegetation on the land surface could take place. The drainage design for this site has been optimised

however to allow for all rainfall which may fall on impermeable surfaces (e.g turbine hardstands) to recharge to ground as would normally occur at the site. The Chapter summarises:

***"Pre-Mitigation Potential Impact:*** *Indirect, negative, slight, permanent, unlikely impact on groundwater quality and quantity within the South Suck GWB.*

#### ***Impact Assessment/Mitigation Measures***

*As summarised in Section **Error! Reference source not found.**, and outlined in detail in Appendix 4-2, the drainage design for the Wind Farm site includes for the release of any surface water captured within the interceptor drains to recharge back to ground, with a very nominal spatial diversion of the water (10's of metres). In doing so, all rainfall which falls on the site will still infiltrate to ground. There will be no net increase in runoff from the Wind Farm site.*

#### ***Proposed Mitigation by Design:***

*The operational phase drainage system of the Proposed Development will be installed and constructed in conjunction with the road and hardstanding construction work as described below:*

- *Interceptor drains will be installed up-gradient of all proposed infrastructure to collect clean local drainage water, in order to minimise the amount of rainfall reaching areas where suspended sediment could become entrained. Collected drainage water will then be directed to areas where it can be slowly re-distributed over the ground surface and infiltrate through the soil and subsoils;*
- *Swales/road side drains will be used to collect drainage from access roads and turbine hardstanding areas of the site, likely to have entrained suspended sediment, and channel it to settlement ponds for sediment settling; and,*
- *Check dams will be used along sections of access road drains to attenuate flows and intercept silts at source. Check dams will be constructed from a 4/40mm non-friable crushed rock.*

***Residual Impact:*** *Due to the retention of groundwater recharge regime, with no surface water drainage from the Wind Farm site, as well as the relative short displacement of any rain water before it infiltrates and the mitigation measures to ensure the quality of the drainage discharge water, the residual effect is considered to be - indirect, negative, imperceptible, permanent, unlikely impact on groundwater quality and quantity within the South Suck GWB.*

***Significance of Effects:*** *No significant effects on surface water quality or quantity are will occur during the operational phase of the Proposed Development."*

A key design criterion for the wind farm site is to avoid potential karst anomalies or weathered bedrock at proposed turbine locations. This has been achieved with the proposed layout as iterative site investigation works have been completed (drilling and geophysical surveys). In addition, the detailed site investigation works that have been completed demonstrate that there is a significant cover of soil and subsoil over bedrock across both of the proposed Wind Farm site clusters. This means there is a natural protection to the underlying bedrock aquifer in the form of that soils/subsoil cover. The perception of this area of Roscommon is that is significantly karstified and limestone boulders observed in fields are representative of should bedrock and extreme groundwater vulnerability. This is proven not to be the case.

In relation to turloughs which surround the Proposed Development these occur at higher and lower elevations within the landscape. The turloughs are situated at ~55-65 m OD and are approximately 3-4km from the River Suck, which has a typical water level of 40-42 m OD. This relative elevation difference creates a reasonably high hydraulic gradient over that 3-4 km distance. At site of the turbines groundwater levels are observed to rise gradually in Autumn-Winter (in response to accumulations of rainfall depth), and in certain locations rising groundwater emerge above ground to form open water flooded areas (called turloughs: Gortaphuill, Commons, Thomas Street, Lough Croan, Four Roads, Feacle Turlough, Ballyglass Corkip Lough etc), and groundwater levels remain high from January to April, and then groundwater levels slowly recede until the turloughs disappear in May/June, and the regional groundwater levels are fully below ground again.

Drainage measures, pollution control and other preventative measures have been incorporated into the project design (Wind Farm site and Grid Connection route works) to minimise significant negative impacts on groundwater quality and downstream designated sites.

The surface water drainage plan will be the principal means of significantly reducing sediment in drainage water arising from construction activities and for the control of runoff/recharge. The key drainage water control measure is that there will be no direct discharge of Wind Farm site drainage water without treatment prior to recharge. This will be achieved by design methods outlined in the Drainage Management Plan.

Preventative measures also include controls for fuel and concrete management and a waste management plan which will be incorporated into the Construction and Environmental Management Plan (refer to Appendix 4-9 of the EIR).

In summary, the assessment concludes that the Proposed Development presents no significant impacts to surface water and groundwater quality provided the proposed mitigation measures are implemented. No significant cumulative impacts on any of the regional surface water catchment or groundwater bodies will occur as a result of the Proposed Development.

Based on the robust technical assessment presented it is held there are no hydrological or hydrogeological reasons as to why planning permission should not be granted for this entire development as proposed.

#### 4.4

## Traffic and Transport

The wind turbine clusters, north and south, are accessed from the R363 which runs east-west between both land parcels. Three access junctions will be required as follows:

- Access A on the R363 Regional Road into northern cluster of turbines (T1 to T7),
- Access B on the L7535 Local Road at the junction with R363, into the southwest cluster of turbines within the southern cluster (T8 to T18), and
- Access C on the R363 Regional Road, into the southeast turbines (T19 and T20) and proposed onsite electrical substation within the southern cluster.

The majority of traffic associated with the Proposed Development will be generated over the construction phase of the development. While the selection of a precise port of entry can only be determined once the chosen turbine manufacturer has been appointed at the end of a competitive tender process (following a grant of planning permission), it is at this point considered likely that the Port of Galway will be utilised. Turbine components may also be imported through other ports including Dublin Port, Port of Waterford or Foynes/Shannon/Limerick Port. Each of these ports are regularly used in the transportation of turbine components and are readily accessible without the need for significant road upgrade works between their location to the national road network. All potential port options connecting to the M6/R362 junction are readily achievable via the national road/motorway network.

The turbine transport haul route to the Proposed Development site will, from the Port of Galway, be via the Lough Atalia Road, R339, R336, N6, M6, R362 and R363. The northern cluster of turbines will be accessed from the R363. The southern cluster of turbines will be accessed from the L7535 and the R363.

All turbine deliveries and abnormal loads will be made with the assistance of escort vehicles and traffic management staff. Access junctions will remain open throughout the duration of the proposed construction works and throughout the operation of the Proposed Development, to serve as a controlled access road to the onsite substation. The construction phase of the development will likely comprise a six-day week with normal working hours from 07.00 to 19.00 Monday to Friday and 08.00 to 13.00 on Saturdays. It may be necessary to undertake works outside of these hours to avail of favourable weather conditions (e.g. during time of low wind speed to facilitate turbine erection etc.) or during extended concrete pours (e.g. turbine foundation pours must be completed within 24 hours etc.). Where the delivery of materials are necessary outside of the normal working hours, local residents and the Planning Authority will receive prior notification.

The delivery route for general Heavy Goods Vehicles (HGV) construction traffic will be via the R363, with traffic either coming east or west of the site. For the purpose of this EIAR, it is assumed that deliveries of smaller component parts for the wind turbines will follow the same route towards the Proposed Development. In practice the delivery route for these component parts could change, but as the associated traffic volumes are low, as established in Section 14.1.4 of this EIAR, the impacts will be minimal regardless of the route selected.

The proposed transport delivery route for the Proposed Development have been the subject of a route assessment to determine if any widening works are required (refer to Section 14.1 of the EIAR). No permanent road widening or junction accommodation works are required along the turbine delivery route. Some temporary hardcore surfacing will be required at roundabouts or areas off oversail. Some minor modifications to street furniture will also be required along the turbine delivery route such as temporary removal of some street signs, traffic lights, etc.

The need to transport turbine components on the public roads is not an everyday occurrence in the vicinity of the site of the Proposed Development. However, the procedures for transporting abnormal size loads on the country's roads are well established. Whilst every operation to transport abnormal loads is different and requires careful consideration and planning, escort vehicles, traffic management plans, drive tests, road marshals and convoy escorts from the Garda Traffic Corps are all measures that are regularly employed to get unusual loads from origin to destination.

A Traffic Management Plan (TMP) has been prepared as set out in the Construction and Environmental Management Plan (CEMP) which accompanies the planning application (refer to Appendix 4-9 of the EIAR). Should planning permission be granted, a final Traffic Management Plan will address the requirements of any relevant planning conditions, including any additional mitigation measures which are conditioned. In addition the Planning Authority will be advised of the selected port of entry as part of a final Traffic Management Plan, and that any specific traffic control measures arising from the selected route will be agreed with the Planning Authority prior to the commencement of development.

The TMP will include:

- A delivery schedule.
- Details of works or any other minor alteration identified.
- A dry run of the route using vehicles with similar dimensions.

The delivery of wind turbine components will be carried out by specialist HGVs. The largest vehicles to be used will facilitate the delivery of the wind turbine blades. The delivery of general construction materials and aggregates to site for the construction of the Proposed Development will be undertaken using standard HGVs, cement mixer trucks, and tipper trucks, the largest of which is anticipated to be a 16.5m articulated vehicle.

The deliveries of turbine components to the site may be made in convoys of three to five vehicles at a time, and mostly at night when roads are quietest. Convoys will be accompanied by escorts at the front and rear operating a “stop and go” system. Although the turbine delivery vehicles are large, they will not prevent other road users or emergency vehicles passing, should the need arise. The delivery escort vehicles will ensure the turbine transport is carried out in a safe and efficient manner with minimal delay or inconvenience for other road users.

It is not anticipated that any section of the public road network will be closed during transport of turbines, although there will be some delays to local traffic at pinch points. During these periods it may be necessary to operate local diversions for through traffic. All deliveries comprising abnormally large loads where required will be made outside the normal peak traffic periods, at night, to avoid disruption to work and school-related traffic.

Prior to the Traffic Management Plan being finalised, a full dry run of the transport operation along the proposed route will be completed using vehicles with attachments to simulate the dimensions of the wind turbine transportation vehicles. This dry run will inform the final Traffic Management Plan. All turbine deliveries will be provided for in the Transport Management Plan which will be finalised in advance of the construction stage, when the exact transport arrangements are known, delivery dates confirmed and escort proposals in place. The finalised Transport Management Plan will be submitted to the Planning Authority for agreement in advance of any abnormal loads using the local roads, and will provide for all necessary safety measures, including a convoy and Garda escort as required, off-peak turning/reversing movements and any necessary safety controls.

During the operational phase, the Proposed Development will generally be unmanned. Operational and remote monitoring activities will be carried out on an ongoing basis. However, regular visits to the site will be undertaken for routine inspections and maintenance of the proposed wind turbines, meteorological mast and electricity substation. Under normal circumstances, the operation of the wind farm would require 1-2 no. visits to the site per week by maintenance personnel. Maintenance staff will be instructed not to park on any public road and parking will be available at turbine hardstands and the on-site substation. In the case of a major fault; for example, breakdown of a turbine component; larger machinery may require access to the site; however, it is assessed that extensive works would not be required in order to accommodate same.

Occasional inspections of the grid connection infrastructure (including joint and communication bays) will also be completed, on average, twice per year. Maintenance operations will entail a visual inspection of the bays by personnel, travelling in a light goods vehicle (LGV), and will not necessitate large machinery. Overall, the volume of traffic predicted to be generated during the operational phase is very low.

Upon decommissioning of the Proposed Development, the wind turbines will be disassembled in reverse order to how they were erected. The turbines will be disassembled with a similar model of crane that would be used for their erection. The turbine will most likely be removed from site using the same transport methodology adopted for delivery to site initially. The turbine materials will be transferred to a suitable recycling or recovery facility. All above ground turbine components would be separated and removed off-site for recycling. Turbine foundations would remain in place underground and would be covered with earth and reseeded as appropriate. Leaving the turbine foundations in-situ is considered a more environmentally prudent option, as to remove that volume of reinforced concrete from the ground could result in environment emissions such as noise, dust and/or vibration.

Site roadways will be left in situ, as appropriate. If it were to be confirmed that the roads were not required in the future for any other useful purpose, they could be removed where required. Underground cables will be removed, and the ducting left in place.

The overall likely effects of the Proposed Development in traffic and transport terms are considered slightly to moderate, and temporary in nature associated with the construction and decommissioning

phase of the Proposed Development. Mitigation is set out in Chapter 14 of the EIAR (refer to Section 14.1.5) include, but is not limited to:

- Timing of peak delivery of construction materials to the proposed wind farm site will be carefully scheduled to minimise traffic disruption
- Traffic movements will be limited to 7am-7pm Monday to Friday, and 8am – 1pm Saturdays, with no movements on Sunday or public holidays.
- Wheel cleaning equipment will be employed as necessary
- Comprehensive TMP will be agreed with the LPA
- Prior to and post construction pavement and bridge condition surveys will be undertaken
- Traffic restrictions shall be kept to a minimum duration and extent

In light of the above, it is held that Policy ITC 7.15 seeking to protect the road network and Policy ITC 7.16 regarding the submission of a TTA and RSA, are met.

## 4.5 Biodiversity and Ornithology

Chapter 6 of the EIAR addresses matters of Biodiversity, while Chapter 7 addresses Ornithology. The detail presented in those chapters is conclusive that there are no reasons as to why, in this context, the development as proposed could not be granted planning permission. The following paragraphs provide a summary of the main aspects of those biodiversity and ornithology elements of the application.

At the outset it should be noted that the site of the Proposed Development is not covered by any formal designations.

### 4.5.1 Appropriate Assessment/NIS

In relation to Appropriate Assessment screening, MKO and SLR Consulting were appointed to provide the information necessary to allow the competent authority to conduct a Screening for Appropriate Assessment for the Proposed Development. Following an examination, analysis and evaluation of the relevant data and information set out within the AA Screening Report, it could not be excluded beyond reasonable scientific doubt, in view of best scientific knowledge, on the basis of objective information and in light of the conservation objectives of the relevant European sites, that the Proposed Development, individually or in combination with other plans and projects, would be likely to have a significant effect on the following sites:

- Ballynamona Bog And Corkip Lough SAC
- Killeglan Grassland SAC
- Four Roads Turlough SAC
- River Shannon Callows SAC
- Lough Croan Turlough SPA
- River Suck Callows SPA
- Four Roads SPA
- Lough Ree SPA
- Middle Shannon Callows SPA

As a result, a Natura Impact Statement was prepared in respect of the Proposed Development in order to assess whether the Proposed Development will adversely impact the integrity of these European Sites, alone, or in combination with other plans and projects.

The Natura Impact Statement (NIS) concludes that, taking cognisance of the suite of bespoke mitigation measures incorporated into the project design the Proposed Development will not result in adverse

impacts on the integrity of the European Sites in light of their conservation objectives. It will not prevent the QIs/SCIs of the European Sites from achieving favourable conservation status in the future as defined in Article 1 of the EU Habitats Directive. Based on the NIS, it can be concluded in view of best scientific knowledge, on the basis of objective information that the Proposed Development will not adversely affect the Qualifying Interests/Special Conservation Interests associated with any of the following European Designated Sites:

- Ballynamona Bog And Corkip Lough SAC
- Killeglan Grassland SAC
- Four Roads Turlough SAC
- River Shannon Callows SAC
- Lough Croan Turlough SPA
- River Suck Callows SPA
- Four Roads Turlough SPA
- Lough Ree SPA
- Middle Shannon Callows SPA

All identified potential pathways for impact are robustly prevented through the use of avoidance, appropriate design and mitigation measures as set out within this report and its appendices. The measures ensure that the construction and operation of the Proposed Development does not adversely affect the integrity of European sites. Therefore, the NIS has objectively concluded, following an examination, analysis and evaluation of the relevant information, including in particular the nature of predicted impacts from the Proposed Development, and with the implementation of mitigation measures proposed, that the Proposed Development, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site and there is no reasonable scientific doubt in relation to this conclusion.

#### 4.5.2 Biodiversity

Biodiversity is addressed in Chapter 6 of the EIAR. The recommendations of the consultees received at scoping stage have informed the EIAR preparation process and the contents of Chapter 6 of the EIAR. This includes responses from the Department of Agriculture, Food and the Marine (DAFM), Department of Culture, Heritage and the Gaeltacht and Inland Fisheries Ireland.

The desk study undertaken as part of the assessment identified that a variety of protected faunal species are known to occur within the survey area, including bats, marsh fritillary, otter and badger. The mammal species recorded during the desk study informed the survey methodologies undertaken during the site visits. The mammal species recorded within the relevant hectad have widespread range and distributions in Ireland and are likely to be recorded frequently throughout Ireland (Marnell et al, 2009). The site is not located within a freshwater pearl mussel ‘sensitive area’. The desk study also provided useful information to inform the ecological surveys undertaken on site as well as the identification of pathways for potential impact on sensitive ecological receptors.

In addition to the desktop work undertaken, a comprehensive survey of the biodiversity regarding the site and extended survey area was undertaken on various dates throughout 2019, 2020 and 2021. These included multi-disciplinary walkover surveys, dedicated habitat and vegetation composition surveys, terrestrial fauna surveys including badger surveys, otter surveys, marsh fritillary surveys, bat surveys, aquatic surveys and invasive species surveys. A total of eleven habitats were recorded within the EIAR boundary and extender survey area.

Two badger setts were recorded within the EIAR Site Boundary, both comprising of a single entrance. These were classified as outlier setts. The location of the badger setts are provided in **Confidential Appendix 6-6** of the EIAR. One of the setts is located in close proximity to the proposed site access

road leading to T4 (see Plate 6-18). Therefore, following the deployment of a camera trap at the location and subsequent evidence of badger usage of the sett, the proposed site access road was altered during the iterative design process to avoid any potential for unnecessary destruction/disturbance to the feature.

No otter signs were recorded within close proximity to the proposed wind turbines, hardstands and access roads. This is due to the absence of watercourses in relation to these features within the EIAR Site Boundary. Watercourses do occur however at a number of locations along the proposed Grid Connection route. As a result, these watercourses were assessed for signs of otter. The watercourses were assessed as providing suitable commuting and foraging habitat for the species and it suggests that otters occur within these watercourses downstream of the Grid Connection route, at least on occasion.

Bat surveys were undertaken as part of the EIAR including roost surveys, manual transect surveys and ground-level static surveys. No structures containing potential suitable bat roost features were identified within 200m plus the rotor diameter proposed (81m) of the Proposed Development footprint. A roost was identified at a structure approximately 100m outside the main EIAR survey area, approximately 550m from the nearest proposed turbine. No trees with significant features suitable for roosts were identified. Manual transects and ground-level static surveys were also undertaken, along with surveys at height. Bat activity was recorded in all instances.

A record of Key Ecological Receptors identified is set out at Table 6-13 of Chapter 6.

While there are no European or nationally designated sites within the Proposed Development site, the Chapter has considered the likely zone of impact (refer to Table 6-4). In terms of effects on designated sites, the EIAR finds that none of the elements of the Proposed Development are located within the boundaries of any Nationally or European designated sites. There will be no direct effects on any designated site as a result of the construction, operation and decommissioning of the Proposed Development.

Likely significant effects on habitats and fauna during construction and operation of the Proposed Development are set out in Section 6.7.3 and 6.7.4 of the Chapter. Likely significant effects during decommissioning of the Proposed Development are set out at Section 6.7.5 and will also be similar in nature to those experienced during construction but on a far lesser scale and magnitude. There would be no additional or ancillary impacts associated with the decommissioning phase.

The Proposed Development was considered in combination with other plans and projects in the area that could result in cumulative impacts on the Key Ecological Receptors (KERs) identified in Section 6.6.4 of the Chapter, including European Sites, Nationally designated sites. This included a review of online Planning Registers and served to identify past and present plans and projects, their activities and their predicted environmental effects. The projects considered are listed in Chapter 2: Background of the Proposed Development.

Key policy provisions of the adopted Development Plan in relation to biodiversity include:

- Policy Objective NH 10.1: Ensure the protection, conservation and enhancement of the biodiversity of the county
- Policy Objective NH 10.4: Proposals where woodland, tree or hedgerow removal is proposed will be required to demonstrate a sufficient level of protection to Annex IV species, such as Bats and Otter, in accordance with the Habitats Directive.
- Policy Objective NH 10.5: Ecological Impact Assessment (EcIA) will be required for Proposed Developments likely to significantly impact on natural habitats and/or species, and which are not subject to Environmental Impact Assessment
- Policy Objective NH 10.7: Implement Article 6(3) and where necessary Article 6(4) of the Habitats Directive and to ensure that Appropriate Assessment is carried out in relation to works, plans and projects likely to impact on European sites (SACs and SPAs), whether directly or indirectly or in combination with any other plan(s) or

- project(s). All assessments must be in compliance with the European Communities (Birds and Natural Habitats) Regulations 2011
- Policy Objective NH 10.8: Ensure that no plans, programmes, etc. or projects are permitted that give rise to significant cumulative, direct, indirect or secondary impacts on the integrity of European Sites arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects, (either individually or in combination with other plans, programmes, etc. or projects).
  - Policy Objective NH 10.9: Ensure that any plan or project that could have a significant adverse impact (either alone or in combination with other plans and projects) upon the conservation objectives of any Natura 2000 Site or would result in the deterioration of any habitat or any species reliant on that habitat will not be permitted unless in exceptional circumstances.
  - Policy Objective NH 10.10: Actively promote the conservation and protection of areas designated as an NHA (including proposed sites) and to only consider proposals for development within or affecting an NHA where it can be clearly demonstrated that the Proposed Development will not have a significant adverse effect on the NHA or pNHA.

Ultimately, taking the findings of the assessments and survey work information into consideration and having regard to the precautionary principle, the Proposed Development will not result in a residual loss of any habitat of high ecological significance and will not have any significant impacts on the ecology of the wider area. Provided that the Proposed Development is constructed, operated and decommissioned in accordance with the design, best practice and mitigation that is described within this application, significant effects on biodiversity are not anticipated at any geographic scale. As such, it can be concluded that the Proposed Development is in accordance with policy provisions.

#### 4.5.3 Ornithology

With regards ornithology, Chapter 7 of the EIAR (and associated appendices) contains the full and robust assessment of the current avian interests of the application site.

At policy level, the RES of the Plan notes that biodiversity, in addition to other matters such as ecological and natural heritage, peatlands, water resources, archaeology and built heritage, landscape value, and infrastructure constraints were considered from a planning perspective to inform the process in identifying areas suitable for renewable energy development. Policy NH 10.8 of the Development Plan aims to *“Ensure that no plans, programmes, etc. or projects are permitted that give rise to significant cumulative, direct, indirect or secondary impacts on the integrity of European Sites arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects, (either individually or in combination with other plans, programmes, etc. or projects).”*

Potential effects on international and national sites that are designated for birds have been considered in the Chapter, both in terms of the bird species themselves, but also in terms of any supporting habitats for those bird species that may be located outside the relevant designated site boundaries (including other wetland sites designated for non-avian interests). An assessment of effects on Natura 2000 sites has also been provided within a separate Appropriate Assessment Screening Report and Natura Impact Statement (NIS) which is discussed at Section 4.5.1 of this report.

The field survey methodologies were all carried out using survey standards recommended by NatureScot (formerly Scottish Natural Heritage (SNH), 2017), which are widely regarded as representing standard best practice in Ireland, and were carried out during suitable times of the year.

Three full years of surveys have been completed, which is in excess of the two full years recommended by current NatureScot (2017) guidance. No significant gaps in the assessment have been identified (see Section 7.2.5).

This Chapter is supported by a number of Appendices:

- Technical Appendix 7-1: Bird Survey Report Winter 2018-19;
- Technical Appendix 7-2: Bird Survey Report Breeding Season 2019;
- Technical Appendix 7-3: Bird Survey Report Winter 2019-20;
- Technical Appendix 7-4: Bird Survey Report Breeding Season 2020;
- Technical Appendix 7-5: Bird Survey Report Winter 2020-21;
- Technical Appendix 7-6: Bird Survey Report Breeding Season 2021; and
- Technical Appendix 7-7: Avian Collision Risk Modelling.
- Technical Appendix 7-8: DAU Response
- Technical Appendix 7-9: Site Synopses for Designated Sites

A request for observations on the preparation of the EIAR for the proposed Seven Hills Wind Farm was sent to the Development Applications Unit (DAU) of the (then) Department of Culture, Heritage and the Gaeltacht on 17th August 2020 by MKO. A summary of the key points relating to ornithology taken from the Development Applications Unit (DAU) response, dated 23 September 2020, along with details of how the comments have been addressed in the EIAR are set out in Table 7-1 of Chapter 7.

Baseline ornithology surveys were conducted during the period October 2018- September 2021 which included:

- Flight activity surveys
- Breeding wader surveys
- Breeding raptor surveys
- Swan and goose feeding distribution surveys
- Greenland White-fronted goose roost surveys
- European Golden Plover nocturnal foraging surveys

Pre-existing survey data was also considered, asset out at Section 7.3.1.2.1 of the EIAR.

Following the implementation of good practice measures no significant negative effects on valued ornithological receptors (VORs) are likely during the construction or decommissioning phases of the proposed development.

A comprehensive suite of bird surveys was undertaken at the proposed development which have informed the impact assessment. These included flight activity surveys, breeding wader surveys, breeding raptor surveys, swan and goose feeding distribution surveys, Greenland white-fronted goose roost surveys and European golden plover nocturnal foraging surveys.

The field survey methodologies were all carried out using survey standards recommended by NatureScot (formerly Scottish Natural Heritage (SNH), 2017), which are widely regarded as representing standard best practice in Ireland, and were carried out during suitable times of the year. Three full years of surveys have been completed, which is in excess of the two full years recommended by current NatureScot (2017) guidance. No significant gaps in the assessment have been identified.

During operation, collision risk mortality is likely to affect the following VORs:

- Whooper swan
- Greenland white-fronted goose
- Eurasian wigeon, peregrine falcon
- European golden plover
- Northern lapwing

- Eurasian curlew
- Black-headed gull

The likely potential impact of collision mortality on Eurasian curlew and black-headed gull would be of potential regional/county significance, although this is based on a number of precautionary assumptions and the true level of mortality is considered likely to be lower.

The likely potential impact of collision mortality on the other species assessed (including the qualifying features for all designated sites within at least 15 km) would not be significant. These species include: whooper swan, Greenland white-fronted goose, Eurasian wigeon, peregrine falcon, European golden plover, northern lapwing, common scoter, common coot, mallard and Eurasian teal.

All other potential impacts on the species assessed, including nest damage or destruction, habitat loss (direct and indirect), disturbance/displacement and barrier effects would be non-existent or non-significant.

In relation to cumulative effects, potential cumulative effects on VORs have been considered in relation to operational, consented and wind farms for which applications have been submitted within 20 km of the Proposed Development. Online searches for relevant information were made using relevant local authority (Roscommon County Council) and ABP websites.

There are three wind farm developments located in proximity to the proposed wind farm:

- Skrine Wind Farm, which lies approximately 8.5 km north of the site and consists of two constructed turbines;
- Derrane Wind Farm, which is located approximately 20 km north of the site and consists of two turbines not yet constructed; and
- Kilcash Wind Farm, which is located approximately 10.3 km north of the site and consists of one turbine; the application is currently under consideration by the Council.

While no documentation regarding ornithology for Skrine or Derrane Wind Farm was available, the Chapter considers that given the separation distances, and given that both wind farms contain only two turbines each, significant cumulative effects are very unlikely. Similarly, the fewer turbines that are present in each wind farm, the lower the additive cumulative collision risk. With regards Kilcash Wind Farm (a single turbine), it is considered that given the separation distance between Kilcash Wind Farm and the site, any cumulative negative effects of habitat loss or disturbance to VOR bird species are very unlikely to be significant. Given that Kilcash Wind Farm consists of a single turbine and given the intervening distance, there is no realistic potential for significant cumulative negative effects due to barrier effects or operational displacement upon VORs. In terms of collision risk, collision risk modelling was not undertaken for Kilcash and therefore a quantitative assessment of cumulative collision risk is not possible, although the lack of collision risk modelling for Kilcash suggests that collision risk was considered to be negligible for all species. However, given the separation distance, and given that Kilcash is only a single turbine, significant cumulative effects resulting from collision are very unlikely.

Other (non-wind farm) projects with the potential to have cumulative negative effects on VORs have also been assessed and, following the implementation of the proposed embedded measures during construction, there is not likely to be any significant cumulative negative effects on VORs as a result of the construction and operation of the proposed wind farm.

As there are no effects predicted on VORs as a result of the proposed grid connection, no significant negative cumulative effects from the grid connection on VORs can occur.

A series of embedded mitigation and good practice measures -such as timing of works, pre-commencement surveys and disturbance-free buffer zones- are outlined in the Chapter with full details

of construction mitigation measures provided in a Construction Environmental Management Plan (CEMP), a draft of which is included at Appendix 4-9 of the EIAR.

In terms of further monitoring and survey work, the Ornithology Chapter proposes that prior to and throughout construction (if this takes place within the breeding bird season), surveys will be undertaken for nesting birds in order to prevent disturbance and/ or contravention of wildlife legislation. Based on current best-practice guidelines (SNH, 2009), it is proposed that a targeted range of flight activity surveys and collision monitoring (carcass searching) should be undertaken during the non-breeding season in years 1, 2 and 3 post construction, in order to monitor the rate of avian turbine collisions and identify any significant unforeseen adverse effects. Thereafter, if the rate of turbine strikes is as low as predicted, the monitoring should no longer be required. If monitoring indicates potentially significant levels of collision mortality for VORs potential mitigation measures would be developed and implemented and further monitoring would also be considered. Further details of proposed monitoring methods and survey effort, and possible mitigation measures (if required), would be provided to and agreed with the Planning Authority prior to wind farm operation commencing.

On the basis of the above and detailed contents of the EIAR as presented, it is held that the proposal is in accordance with key policy provisions of the adopted Development Plan including:

- Policy Objective NH 10.1: Ensure the protection, conservation and enhancement of the biodiversity of the county
- Policy Objective NH 10.7: Implement Article 6(3) and where necessary Article 6(4) of the Habitats Directive and to ensure that Appropriate Assessment is carried out in relation to works, plans and projects likely to impact on European sites (SACs and SPAs), whether directly or indirectly or in combination with any other plan(s) or project(s). All assessments must be in compliance with the European Communities (Birds and Natural Habitats) Regulations 2011
- Policy Objective NH 10.8: Ensure that no plans, programmes, etc. or projects are permitted that give rise to significant cumulative, direct, indirect or secondary impacts on the integrity of European Sites arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects, (either individually or in combination with other plans, programmes, etc. or projects).
- Policy Objective NH 10.9: Ensure that any plan or project that could have a significant adverse impact (either alone or in combination with other plans and projects) upon the conservation objectives of any Natura 2000 Site or would result in the deterioration of any habitat or any species reliant on that habitat will not be permitted unless in exceptional circumstances.
- Policy Objective NH 10.10: Actively promote the conservation and protection of areas designated as an NHA (including proposed sites) and to only consider proposals for development within or affecting an NHA where it can be clearly demonstrated that the Proposed Development will not have a significant adverse effect on the NHA or pNHA.

5.

## CONCLUSION

The Proposed Development is located almost in its entirety in an area designated as being among the most suitable in the county for wind energy development in the extant Development Plan. The continued deployment of renewable energy developments is supported at all levels of the planning hierarchy, and within that mix onshore wind energy is noted as being a key contributor to meeting national and international targets. 16 of the 20 no. wind turbines of the Proposed Development are located in a ‘Most Favoured’ area, which is the uppermost tier in the location hierarchy for such developments. The location of the 4 no. remaining turbines were also included in this designation up until the decision by Councillors at Material Alterations stage of the Development Plan review process to discount the Chief Executives advice and re-zone a small portion of the site to ‘Not Favoured’ for wind energy development. The background to this change and the conclusive evidence base as to why this should not have taken place is set out over the course of this report and the EIAR as presented. The applicant has also sought to formally correct this error by seeking an alteration to the Plan. The principle of the Proposed Development in this location is therefore considered wholly acceptable in Development Plan terms.

The site is free from constraints arising from sensitive environmental receptors as demonstrated in the accompanying EIAR, with no matters arising which could either limit or pose a threat to the successful development of the Proposed Development. Mitigation measures, where required, have been set out and can be successfully implemented.

The landscape character is such that it can absorb such developments. Being ‘settled’ in nature there are already similar scale man-made developments present in the landscape. The area is not devoid of man-made features and development of wind energy in this location is not prohibited or indeed advised against in the LCA of the Council.

There are no matters arising with regards residential amenity in terms of shadow flicker or noise which represent non-compliance with policy or guidance or would warrant refusal of the application. The EIAR was cognisant of third party and statutory body submissions made on the previous applications and appeals in relation to the site. Additional site work, visuals and assessments have been conducted with an aim of addressing specific concerns raised by local residents living in close proximity to the Proposed Development. This design process has been cognisant of set-back distances and this project achieves the four times tip height separation distance recommended in the Draft Revised Wind Energy Development Guidelines (2019, DoHPLG), which explicitly addresses residential visual amenity.

The Development Plan is ultimately supportive of appropriate sited wind energy developments in suitable locations. It remains the position of the applicant that this site, in its entirety, is wholly suitable to wind energy development as set out in the Proposed Development.

Ultimately it is respectfully requested that An Bord Pleanála grant planning permission for this development which directly assists Roscommon County Council in meeting its target wind energy within the County.

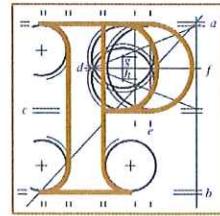


## **APPENDIX 1**

### **ABP MINUTES SID 01**

**Our Case Number:** ABP-307075-20

**Your Reference:** Energia Renewables



An  
Bord  
Pleanála

Meabhann Crowe  
MKO  
Planning & Environmental Consultants  
Tuam Road  
Galway  
Co. Galway  
H91 VW84



**Date:** 17th June 2020

**Re:** 21 number wind turbines  
Cronin, Gortaphuill, Mullaghardagh, Dysart and other townlands, County Roscommon.

Dear Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned pre-application consultation request.

Please find enclosed a copy of the written record of the first meeting of the 11<sup>th</sup> June, 2020.

If you have any queries in relation to the matter 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.

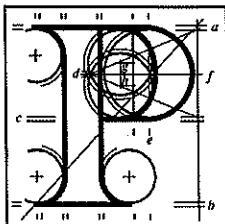
Yours faithfully,

Rob Mac Giollarnáth  
Executive Officer  
Direct Line: 01-873 7247

PC07

Teil	Tel	(01) 858 8100
Glao Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.leanala.ie
Ríomhphost	Email	bord@leanala.ie

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



An  
Bord  
Pleanála

## Record of Meeting ABP-307075-20 1<sup>st</sup> meeting

<b>Case Reference / Description</b>	ABP-307075-20 Proposed windfarm (21 No. wind turbines) and electricity substation, County Roscommon.		
<b>Case Type</b>	Pre-application consultation		
<b>1<sup>st</sup> / 2<sup>nd</sup> / 3<sup>rd</sup> Meeting</b>	1 <sup>st</sup>		
<b>Date</b>	11/06/20	<b>Time</b>	11 am – 12 pm

### Representing An Bord Pleanála

Ciara Kellett, Assistant Director of Planning (Chair)

Patricia Calleary, Senior Planning Inspector

Rob Mac Giollarnáth, Executive Officer [r.macgiollarnath@pleanala.ie](mailto:r.macgiollarnath@pleanala.ie)

### Representing the prospective Applicant

Rob Scott, Energia

Grace Curran, Energia

Steven Drury, Gaeltech

Órla Murphy, MKO

Meabhann Crowe, MKO

### Introduction:

The Board referred to the letter received from the prospective applicant requesting pre-application consultations and advised the prospective applicant that the instant meeting essentially constituted an information-gathering exercise for the Board; it

also invited the prospective applicant to outline the nature of the proposed development and to highlight any matters that it wished to receive advice on from the Board. The Board mentioned the following general procedures in relation to the pre-application consultation process:

- The Board will keep a record of this meeting and any other meetings, if held. Such records will form part of the file which will be made available publicly at the conclusion of the process. The record of the meeting will not be amended by the Board once finalised, but the prospective applicant may submit comments on the record which will form part of the case file.
- The Board will serve notice at the conclusion of the process as to the strategic infrastructure status of the proposed development. It may form a preliminary view at an early stage in the process on the matter.
- A further meeting or meetings may be held in respect of the proposed development.
- Further information may be requested by the Board and public consultations may also be directed by the Board.
- The Board may hold consultations in respect of the proposed development with other bodies.
- The holding of consultations does not prejudice the Board in any way and cannot be relied upon in the formal planning process or any legal proceedings.

### **Presentation by the prospective applicant:**

- **Planning history** – Planning permission for 16 number turbine development (Seven Hills Wind Farm Phase 1) and a 19 number turbine development (Seven Hills Wind Farm Phase 2) at the current site were initially granted planning permission by An Bord Pleanála. This decision was quashed by the High Court on judicial review and subsequently, planning permission was refused by An Bord Pleanála.
- **Planning policy:**
  - Strong National and International support for additional renewable energy and de-carbonisation.

- Recent Regional policy in the RSES, recognises the opportunities for growth in renewables.
- Roscommon County Development Plan: A Renewable Energy Strategy (RES) was adopted to accompany the County Development Plan. The Development Plan aims to facilitate the appropriate development of associated infrastructure to enable the harnessing of renewable energy resources.
- The Development Plan's Wind Energy Strategy Map identifies three tiers of areas of suitability for wind development with the subject site being in the 'Most Favoured' area.
- **Site Selection** – As the proposed development site was previously subject to a planning application, the site has already been deemed appropriate for wind energy and the site selection process has already occurred. The following criteria were used: Wind resource, planning policy context, proximity to sensitive receptors, environmental/ecological sensitivity and designations; grid capacity, landscape capacity, land-use, access and infrastructure.
- **Proposed development** – The proposed wind energy development will likely comprise up to approximately 21 No. wind turbines, access roads and entrances, with electricity substation and associated control buildings. The proposed output of the wind farm will be approximately 105MW.
- **Grid connection** – The proposed connection will be assessed as part of the EIAR. It is planned that there be an on-site substation with a connection to the national grid via an underground connection.
- **Project Design/Constraints** – Project design was informed through the application of a site constraints process which considers the following set back/buffer distances: Dwellings (720m – non-associated properties); Designated Sites (200m); Rivers/streams (50m); Telecommunications Links (operator specific buffer); Neighbouring existing or permitted wind turbines (2.5 x rotor distance). The application of the foregoing constraints results in the viable area for the provision of turbines.
- **Scoping and Pre-Application Consultation** – A Scoping Document providing details of the proposed project and the site of the proposed development has recently been completed and is due to be issued to relevant

bodies. Additional pre-application consultations with Roscommon County Council have been sought (no meeting held yet).

- **Public Consultation:** The Seven Hills project website is currently hosted on Energia website. It will be continually updated as the project develops through various phases. Community liaison officers have been appointed to engage with interested parties and communities. Public consultation was postponed due to public health concerns relating to Covid-19. Door to door consultation begun in February/March 2020 within a 2 km radius of the proposed wind farm and had to cease (Covid-19). Information leaflets have been posted to all 470 households within 2km radius of proposed wind farm. Advertisement campaign began in April 2020 on local radio along with press release local newspaper. Appointments can be made with community liaison officers (these will start in July). It is planned to hold consultation clinic days in July 2020 to be held in the local area and in Athlone town.
- **Environmental Impact Assessment Report** – There was a brief outline of the Chapters that would constitute the EIAR.

## **Discussion:**

The following matters were discussed:

- The prospective applicant outlined the criteria for reaching the threshold for strategic infrastructure development and stated their view that the project would meet the threshold. The Board's representatives stated their general agreement with this assessment and noted as always that the final conclusion would rest with the Board.
- Two routes were currently being considered as options for connecting to the electricity network.
- There was some discussion as to whether the wind-farm itself and the electricity element of the project could be lodged as one project. The Board was currently seeking legal advice regarding this same issue and the prospective applicant may wish to do likewise. Although the Board did not

share legal advice received it would offer as much guidance as was possible on the subject at subsequent meetings.

- The Board's representatives pointed out that the site location was quite a unique landscape in itself and also in visual terms with prominent features, stone walls, graveyards and archaeological features present. There were also significant hydrology and hydrological features.
- Reference was made by the Board's representatives to the Wind Energy Development Guidelines 2006. Arising from the Balz court case it was clear that regard must be had to more up-to-date scientific studies and guidelines (even if they were in draft form).
- Public consultation had been interrupted somewhat by the Covid-19 crisis but was due to resume shortly with one-to-one meetings planned.
- It appeared that although the prospective applicant had sought to meet with stakeholders no meetings had, as of yet, been held. The Board's representatives stated that holding a meeting with the NPWS regarding the proposed project was advisable.

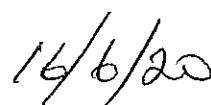
### **Conclusion:**

The record of the instant meeting will issue. The prospective applicant can then respond with their own comments on issues raised in the record. It may be that a further meeting will be held to clarify and to develop issues.



**Ciara Kellett**

**Director of Planning**



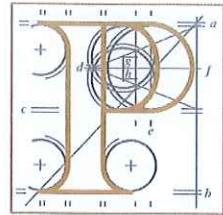


## APPENDIX 2

**ABP MINUTES SID 02**

**Our Case Number:** ABP-307075-20

**Your Reference:** Energia Renewables



An  
Bord  
Pleanála

MKO  
Planning & Environmental Consultants  
Tuam Road  
Galway  
Co. Galway  
H91 VW84



**Date:** 16 December 2020

**Re: 21 number wind turbines  
Cronin, Gortaphuill, Mullaghardagh, Dysart and other townlands, County Roscommon.**

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned pre-application consultation request.

Please find enclosed a copy of the written record of the meeting of the 16<sup>th</sup> November 2020.

If you have any queries in relation to the matter 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,

pp. Eimear Reilly

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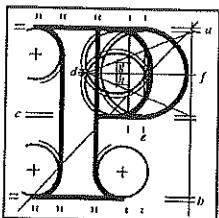
Rob Mac Giollarnáth  
Executive Officer  
Direct Line: 01-8737247

PC07

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Ríomhphost	Email	bord@leanala.ie

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Baile Átha Cliath 1  
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64 Marlborough Street  
Dublin 1  
D01 V902



An  
Bord  
Pleanála

**Record of Meeting**  
**ABP-307075-20 2<sup>nd</sup>**  
**meeting**

Description	Proposed construction of windfarm and electricity substation, County Roscommon.		
Case Type	Pre-application consultation		
1st / 2nd / 3 <sup>rd</sup> Meeting	2 <sup>nd</sup>		
Date	16/11/20	Time	11 am – 11.40 am

<b>Representing An Bord Pleanála</b>
Ciara Kellett, Assistant Director of Planning (Chair)
Patricia Calleary, Senior Planning Inspector
Rob Mac Giollarnáth, Executive Officer <a href="mailto:r.macgiollarnath@pleanala.ie">r.macgiollarnath@pleanala.ie</a>
<b>Representing the prospective Applicant</b>
Rob Scott, Energia
Grace Curran, Energia
Órla Murphy, MKO
Meabhann Crowe, MKO

## **Introduction:**

This was the second meeting held between the prospective applicant and the Board's representatives.

Following introductions, the prospective applicant was asked if there were any comments on the record of the first meeting to which they replied they had none. The prospective applicant proceeded with their presentation.

## **Presentation by the prospective applicant**

### **Proposed Development**

- The proposed wind energy development will likely comprise up to 20 no. wind turbines, access roads and entrance(s), electricity substation and associated control buildings and plant, borrow pits (to be confirmed pending site investigative studies), electrical cabling for grid connection, temporary construction compound and permanent anemometry masts.
- New sections of turbine access routes will also be required, the siting of which will have regard to the constraints identified onsite. All site cabling, including connection to the onsite substation, will be laid underground.

### **Site Location & Policy Context**

- The application site is located to the west of Athlone in County Roscommon.
- Site comprises two land parcels, north and south, separated by the R363, comprising agricultural grassland and both parcels are accessed via the R363.
- As the site was previously subject to a planning application, the prospective applicant was of the opinion that the site has already been deemed appropriate for wind energy and the site selection process has already occurred.
- There is support at all levels of planning policy for additional renewable energy and decarbonisation.

- Roscommon County Development Plan (CDP) 2014-2020 includes the Renewable Energy Strategy (RES) adopted in 2014. Aims to harness renewable energy in accordance with the RES and facilitate appropriate development of associated infrastructure.
- The Development Plan's Wind Energy Strategy Map identifies three tiers of areas of suitability for wind development with the subject site being in the 'Most Favoured'.
- Preparation of the next CDP 2021-2027 is underway – consultation Issues Paper closed in July 2020.

## **Wind Farm Design**

- There will be up to 20 turbines across two land parcels (7 in the north and 13 in the south).
- Underground connector cabling between the two sites will be across the R363.
- Access will be via the R363.
- Internal site roads will connect turbines.
- Proposed substation will be located within the southern land parcel.
- EIAR Study Area boundary outlined.

## **Grid Connection**

- Nearest grid infrastructure is the existing 110kV substation at Monksland Athlone – approx. 10km to the east/southeast of the site.
- An existing 110kV overhead line, which runs from the substation at Monksland is located approximately 6.5km from the site at its nearest point.
- Underground connection to an on-site substation.

## **Turbine Delivery Route**

- Turbines will come from Galway Port to the Proposed Development site via the M6, R362 and R363 before entering the site.
- Preliminary traffic report completed.
- Appropriate junction design at the site is underway.

## **Scoping and Pre-Application Consultation Update**

- A scoping document providing details of the proposed project and the site of the proposed development has been issued.
- Responses to date include those from the DAU, GSI, Irish Water, IAA and TII.
- Pre-application consultations are underway with Roscommon County Council – next meeting 18th November, 2020.
- The applicant has engaged in an extensive public consultation process during the design phase of the proposed developments since February 2020.
- Door to door visits re-commenced in September 2020, but due to Covid-19 restrictions, these have now adjourned. They will recommence once the restrictions have been lifted.
- In October 2020, a letter was sent to all the remaining residents that were not reached by door-to-door visits pre-Covid containing contact details for the project.
- Regular updates are posted on the website.
- A virtual ‘town hall’ type public consultation video, supported by technology, is also intended to be prepared.

## **Environmental Impact Assessment Report**

The following developments were outlined:

**Chapter 6:** Biodiversity: Flora and Fauna. Full suite of ecological surveys have been completed on site. Identification underway for proposed habitat enhancement lands.

**Chapter 7:** Biodiversity: Birds. A full two year of bird surveys on site as per SNH have been completed as of October 2020. Surveys are continuing on site through the winter season.

**Chapter 8:** Land, Soils and Geology. Site Investigation works are starting on site in the coming weeks.

**Chapter 9:** Hydrology and Hydrogeology. Hydrological monitoring is continuing onsite during the winter - turlough and groundwater water levels and rainfall data collection are ongoing.

**Chapter 11:** Noise and Vibration. Noise Monitoring is underway (northern cluster complete, southern cluster ongoing).

**Chapter 12:** Landscape and Visual. Various landscape and visual assessments are ongoing.

**Chapter 13:** Archaeological, Architectural and Cultural Heritage. Archaeological site surveys have been completed as of October 2020.

## **Discussion:**

- The Board's representatives submitted that the site comprises of an open, elevated and distinct landscape with a number of residential dwellings in the vicinity. They were ruins and ringforts in the area, indicating archaeological constraints. The prospective applicant outlined that archaeological surveys were undertaken and all such archaeological features would be avoided.
- It was also stated for information that a previous Board decision to grant permission was quashed following a judicial review. The Board's representatives then asked if the Department of Arts and Heritage and the Gaeltacht (NPWS) were consulted. In response, the prospective applicant stated that there was consultation and further consultation will be progressed.
- Bird surveys had been carried out and were continuing. In this regard the prospective applicant was receiving input from the Department regarding methodology and guidance.
- The Board's representatives queried the nature of public consultation that had been carried out.

- The Board's representatives stated that it will be important to treat 'Land' as a topic in its own right in an EIAR and also deal with any issues regarding vulnerability to 'Major Accidents', as per the EIA Directive.
- The Board's representatives stated that in light of the new (Draft) wind energy guidelines, it would be of relevance to take note of recent Board Orders including noise conditions and to also have regard to any relevant recent court decisions.
- It was noted that the Board's current advice was that the entire application could be lodged under section 37 of the Planning and Development Act 2000, as amended, should the Board determine that the project is a development coming within the definition of Strategic Infrastructure Development

### **Conclusion:**

The record of the instant meeting will issue. The prospective applicant can then respond with their own comments on issues raised in the record. A further meeting can be held to clarify any issues or the prospective applicant can request that the pre-application consultation process be concluded.

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 15/12/2020

**Ciara Kellett**

**Assistant Director of Planning**

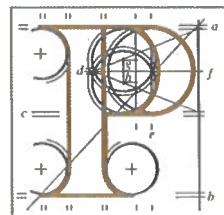


## APPENDIX 3

### **ABP SID CLOSE OUT**

**Our Case Number:** ABP-307075-20

**Your Reference:** Energia Renewables



An  
Bord  
Pleanála



**MKO**  
Planning & Environmental Consultants  
Tuam Road  
Galway  
Co. Galway  
H91 VW84

**Date:** 01 July 2021

**Re:** 21 number wind turbines  
Cronin, Gortaphuill, Mullaghardagh, Dysart and other townlands, County Roscommon.

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act, 2000 as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act, 2000, as amended. Any application for permission for the proposed development must therefore be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

In accordance with section 146(5) of the Planning and Development Act, 2000 as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

The attachment contains information in relation to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act, 2000, as amended.

If you have any queries in relation to the matter 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.

Teil	Tel	(01) 858 8100
Glao Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.bleanala.ie
Ríomhphost	Email	bord@bleanala.ie

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

**List of prescribed bodies considered relevant for the purposes of Section 37E (3) (c) of the Act:**

Minister for Housing, Local Government and Heritage  
Minister for Culture, Heritage and the Gaeltacht (Development Applications Unit)  
Minister for Agriculture, Food and the Marine  
Minister for Communications, Climate Action and Environment  
Minister for Transport, Tourism and Sport  
Roscommon County Council  
Galway County Council  
Irish Water  
Inland Fisheries Ireland  
Transport Infrastructure Ireland  
Environmental Protection Agency  
The Heritage Council  
An Taisce  
An Chomhairle Ealaíon  
Fáilte Ireland  
Irish Aviation Authority  
Health & Safety Authority  
Office of Public Works

Further notifications should be made, where deemed appropriate.

Please see below excerpt from Inspector's report:

The prospective applicant should be advised to submit a standalone document (which may form part of the EIAR) with the planning application, which outlines the mitigation measures, in the interest of convenience and ease of reference.

In addition to setting out the overall height of the turbines, the prospective applicant is advised to submit drawings and documents, including turbine dimensions, sufficient to describe the nature and extent of the development.

## Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(7) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, [www.citizensinformation.ie](http://www.citizensinformation.ie).

**Disclaimer:** The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

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