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An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

19 December 2022

Our Ref: WHI001

Your Ref: --/--

Dear Sir/Madam,

Re: Planning Application for a wind energy development and all associated works at Ridge, Knocknabranagh and Knockbaun, Baunreagh, and Agharue, Co. Carlow; and Coolcullen, Cloneen and Coan East, Co. Kilkenny

On behalf of our client, White Hill Wind Limited ('the Applicant'), please find enclosed a Strategic Infrastructure Development (SID) planning application for the abovementioned proposed development submitted in accordance with Section 37E of the Planning and Development Act 2000 (as amended) ('the Act').

This planning application is being made directly to An Bord Pleanála ('the Board') following its determination of 25 July 2022 that the proposed development constitutes SID and that the application must be made directly to it in the first instance (Reference ABP-312224-21).

1.0 Description of the Proposed Development

The planning application seeks permission for a 10-year planning permission for a proposed development generally described as follows:-

- i. 7 no. wind turbines with hub height of 104 metres, a rotor diameter of 162 metres and an overall tip height of 185 metres;
- ii. All associated turbine foundations and crane hardstanding areas;
- iii. All associated underground electrical and communications cabling;
- iv. Construction of internal wind farm access tracks;
- v. Construction of a site entrance from the L3037 local road and upgrades to 2 no. existing agricultural entrances from the L7122 local road;
- vi. 1 no. guy-wired meteorological mast with an overall height of 30 metres;
- vii. 1 no. temporary construction compound;
- viii. 3 no. borrow pits which, when exhausted, will be utilised to permanently store excess excavated material;
- ix. The storage, as required, of excavated material at 2 no. further dedicated spoil deposition areas;
- x. Change of use of existing residential dwelling to wind farm site office;
- xi. Felling of 15 hectares of commercial forestry plantation to facilitate the construction of wind farm infrastructure;
- xii. The construction of a temporary access track (150m in length) between the N78 national road and L1834 local road;
- xiii. Carriageway strengthening works at 'Black Bridge' on the L1835 and L3037;
- xiv. All associated and ancillary site development, excavation, construction,

landscaping and reinstatement works, temporary works to public roads along the turbine component haul route, the provision of site drainage infrastructure and environmental mitigation measures; and,

xv. A 35-year operational life from the date of commissioning of the entire proposed development.

2.0 Legislative & Policy Context

This planning application is being made within the following important legislative and policy context.

2.1 Climate & Energy Policy

Current European Union (EU) and national policy in respect of the promotion of alternative, indigenous energy production and the reduction of greenhouse gas emissions are all collectively supremely supportive of the vastly increased generation of electricity from renewable resources, so as to rapidly transition energy production away from fossil fuels in response to the global threat of anthropogenic climate change.

In recognition of this urgency, and more latterly the outbreak of war in Ukraine, the European Commission has published a temporary emergency regulation (2022/0367/NLE) calling on all EU Member States to accelerate, as a matter of overriding public interest and urgent policy priority, the granting of development permits for the deployment of renewable energy generation, such as wind power, with the aim to providing an additional 480 gigawatts (GW) of wind energy capacity across Europe by 2030 so as to both rapidly wean Europe off dependence on Russian fossil fuel imports and to achieve the imperative of long-term climate goals¹.

2.1.1 Climate Change

The landmark United Nations Framework Convention of Climate Change (UNFCCC) international Paris Agreement aims to limit global warming to well below 2°C and pursuing efforts to limit it to 1.5°C above preindustrial levels. In 2015, the Climate Change & Low Carbon Development Act was enacted by Government to legally mandate and drive this transition through primary legislation. Ireland, however, continues to lag significantly behind in reducing greenhouse gas emissions.

The Environmental Protection Agency (EPA) has confirmed that the State failed to meet its legally mandated 2020 emissions target set under the EU Effort Sharing Decision (ESD) (No 406/2009/EC), achieving reductions of just 2-4% below 2005 levels, as compared to a binding target of 20%. As a consequence, Ireland will need to avail of flexibilities under EU rules in order to comply with its obligations, with significant Exchequer costs.

The successor EU Effort Sharing Regulation (ESR) EU/2018/842, which will govern EU emission reductions for the 2020-2030 period in the non-Emissions Trading Scheme (ETS) sectors, has subsequently prescribed Ireland with a 30% emissions reduction target for

¹ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions European Commission (March 2022).

2030, again as compared to 2005 levels. This target will also be amended following the European Council's subsequent decision in 2020 to increase the EU-wide emissions reduction ambition to at least 55%, compared to 1990 levels, in response to increasing knowledge of the unfolding severity of the global climate crisis and the Paris Agreement goals. In June 2021, the European Council adopted a new 'European Climate Law' to achieve this, which is obligatory for all EU Member States, including Ireland.

Given Ireland's past failures to meet emissions targets and the increasing EU ambition, the Climate Change & Low Carbon Development (Amendment) Act 2021 has enshrined a new targets of at least 51% emissions reductions, based on 2018 levels, by 2030 across the whole economy (i.e. both ESR and ETS emissions). This will require annual average emissions reductions of at least 7% in order to put Ireland on a trajectory to become a climate neutral economy and society by 2050. The realisation of these very challenging and timebound targets will require an unprecedented, transformational step change in the implementation and ambition of Irish climate mitigation policy in a very short period of time (<8 years), including in respect of the deployment of renewable energy generation sources.

Pursuant to the 2021 Act, the Government has published the Climate Action Plan 2021 which sets out carbon budgets for each sector of society and prescribes that, for the energy (electricity) sector, a total reduction in emissions of 60-80% shall be required i.e. reducing from 10.5 MtCO₂ equivalent (eq.) in 2018 to between 2-4 MtCO₂ eq. in 2030.

Moreover, the Government has now also published the Sectoral Emissions Ceilings for each sector for both the 2021-2025 and 2025-2030 carbon budget periods. The electricity sector has been prescribed a 40% emissions reduction (6 MtCO₂ eq.) for the 2021-2025 carbon budget with the remainder to be achieved in the subsequent 2025-2030 carbon budget (3 MtCO₂ eq.), resulting in an overall 75% emissions reduction i.e. the emissions reductions have been significantly frontloaded in the first carbon budget cycle (see **Table 1**).

Sector	2018 Baseline (MtCO ₂ eq.)*	Sectoral Emission Ceilings for each 5-year carbon budget period (MtCO ₂ eq.)		Indicative Emissions in Final Year of 2021- 2025 carbon budget period (MtCO ₂ eq)	Indicative Reduction in Emissions in Final Year of 2021-2025 budget period compared to 2018	Emissions in final year of 2026-2030 carbon budget period (MtCO ₂ eq)	Reduction in Emissions final year of 2026-2030 carbon budget period compared to 2018	Agreed CAP21 Ranges
	2018	2021-2025	2026-2030	2025	2025	2030	2030	2030
Electricity	10	40	20	6	~40%	3	~75%	60 – 80%

Table 1: Rounded Sectoral Emissions Ceilings for the Electricity Sector (MtCO₂ eq.)

2.1.2 Renewable Electricity

Electrification is recognised as the lynchpin for all climate mitigation. In order to achieve the scale and speed of the emissions reductions required, all energy systems will need to be electrified from non-fossil fuel sources, including transport, industry and heat.

Therefore, a major plank in the national policy to realise the emissions reduction targets, as described above, is the Government's renewable electricity generation

goal of an additional c. 15.5 gigawatts (GW) of generation capacity by 2030. In the revised National Development Plan 2021-2030, the Government increased the level of ambition in respect of renewable electricity generation to 80% by 2030 to match the Climate Action Plan 2021, noting this as “an unprecedented commitment to the decarbonisation of electricity supplies”.

Notwithstanding the recent Government commitment to significantly increased offshore wind generation, it is recognised that the vast bulk of renewable electricity to achieve the carbon budgets before 2030 will come from onshore wind generation, with up to 8GW required (see **Table 2**). It is expected that significant offshore renewable generation will not come on stream until after 2027, at the very earliest. As a result, achievement of the 2021-2025 carbon budget for the electricity sector will be solely reliant on onshore wind and a smaller contribution from solar (c.1.5-2.5GW)

At the EU level, under the Clean Energy Package, Member States must also, from 2021 onwards, maintain the 2020 renewable energy baseline figure (40% in Ireland’s case for renewable electricity). In addition, national governments must progress along an indicative trajectory to achieve enhanced targets as set out in a *National Energy & Climate Plan 2021-2030 (NECP)*, prepared in accordance with Regulation on the Governance of the Energy Union and Climate Action (EU)2018/1999, with reference points in 2022, 2025, and 2027. If Ireland falls below its baseline, or falls below one or more of its national reference points, it will be required to ensure that rapid additional measures are implemented within one year to cover the gap. These additional measures include increasing the national deployment of renewable electricity, as well as making a voluntary financial payment to an EU renewable energy financing mechanism, and the purchasing of further statistical transfers from other Member States.

Key Metrics	KPI 2030	Additional Abatement Impact, MtCO ₂ eq.
Core Measures		
Share of Renewable Electricity, %	Up to 80	6-8
Indicative Onshore Wind Capacity, GW	Up to ~8 *	
Indicative Offshore Wind Capacity, GW	At least ~5 *	
Indicative Solar PV Capacity, GW	~1.5-2.5 *	

Table 2: Key Performance Indicators for Renewable Electricity in the Climate Action Plan 2021

2.1.3 Onshore Wind Energy

As can be seen from the above brief synopsis, EU and national policies in respect of climate change and renewable energy are progressing at a remarkable scale, speed and ambition in response to the growing climate and energy crises, imposing binding

obligations for renewable energy penetration.

At the same time, with the continued decarbonisation of society, projected economic growth and electrification of transport, industry and heat, the SEAI forecast that demand for electricity will continue to increase rapidly. Indeed, EirGrid's *All-Island Generation Capacity Statement*, projects that long-term electricity demand will increase by between 28% and 43% between 2021 and 2030, also partly due to the expected expansion of large energy users (e.g. data centres). EirGrid caution that this could result in significant dispatch difficulties in meeting demand in the absence of enhanced generation supply, all of which is required to be from renewable electricity sources.

While the overall performance by Ireland in the achievement of renewable energy targets for heat (RES-H) and transport (RES-E) has been widely recognised as very poor², renewable electricity (RES-E) production has, however, been the 'shining light'. Ireland has become a world leader in RES-E, almost exclusively driven by a massive expansion of onshore wind generation (86%). The SEAI estimate that in 2020 wind energy accounted for 39.1% of all electricity generated in Ireland and displaced 4.5Mt CO₂, or 68% of the total CO₂ avoided by renewables. The all-time record for renewable electricity generation was broken in February 2022, with well over half of all electricity generated in the State coming from wind and Ireland now regularly achieves monthly averages that exceed 40% penetration and, on an instantaneous level, greater than 60%.

To date, Ireland currently has an approximate installed capacity of 4.3GW of onshore wind energy, thus requiring the delivery of up to a further 3.7GW to 2030 to achieve up to 8GW, amounting to an effective doubling of the currently installed capacity. The SEAI projects that the build rate of onshore wind would therefore need to increase to at least 300-350 Megawatts (MW) of capacity per year, far exceeding the current five-year historical average of 200MW. This could be achieved by installing approximately 50 no. turbines per annum, each with an output capacity of c. 6-7MW, similar to the proposed development.

2.1.4 Connection Policy

Incorporating such a large share of wind energy onto the Irish electricity network has required the Irish grid operator, EirGrid, also to become a world leader in managing variable electricity loads through the DS3 programme. By 2030, EirGrid's ambition is to accommodate instantaneous penetrations of 95% of demand from variable renewable energy sources.

In light of the ambitious targets outlined above, the Government has committed to

² Under the previous National Renewable Energy Action Plan submitted under Article 4 of Renewable Energy Directive 2009/28/EC, Ireland had binding target to source 16% of all energy consumed from renewable sources. This was to be met by 40% from RES-E, 12% RES-H and 10% from RES-T sector. However, while the scale of RES-E generation capacity deployment over the past decade has been unparalleled (39.1%), according to the SEAI just 11% of all energy consumed in 2020 was from renewable resources. The failure to meet 2020 targets, and particularly significant shortfalls in meeting targets in respect of RES-H (6.5%) and RES-T (7.2%), has meant that Ireland is now required to purchase statistical transfers from other EU Member States at significant Exchequer cost.

supporting the roll-out of onshore wind energy infrastructure through a new system for connecting projects to the national grid under the auspices of the Commission for the Regulation of Utilities' (CRU) Enduring Connection Policy (ECP). A prerequisite for achieving a grid connection offer from the CRU is firstly securing planning permission for the renewable energy generating infrastructure.

A new Renewable Energy Support Scheme (RESS) was also put in place in 2018 to incentivise the introduction of sufficient renewable electricity generation to deliver the RES-E target. This new scheme replaces the previous support mechanism for renewable electricity, known as the Renewable Energy Feed-in Tariff (REFIT), and marks a shift from guaranteed fixed prices for renewable generators to a more market-oriented mechanism i.e., an auction-based scheme where the cost of support will be determined by competitive bidding between renewable energy generators, resulting in a lower cost of support. This means that all wind energy projects which are submitted for planning permission must be located and designed to be fully viable, buildable and to be competitive in an open market competition.

In this context, the proposed development of 7 no. turbines, which is the subject of this planning application, has therefore been located and designed to be highly competitive in a RESS auction, the next of which is anticipated to take place in 2023, and, with a projected output of 50.4MW, can be constructed in the short term and therefore has the capacity to make a very significant contribution to the achievement of Ireland's binding 2030 national decarbonisation targets and, significantly, the 2021-2025 carbon budget.

2.2 National, Regional and Local Planning Policy Context

2.2.1 National

In national spatial planning policy, the crucial role of onshore wind energy development in the transition to a low carbon society and economy is also recognised in the National Planning Framework (NPF) (National Policy Objective 55) and in the concomitant National Development Plan 2021-2030. The NPF and NDP, jointly referred to as '*Project Ireland 2040*', include ten common goals, known as National Strategic Outcomes (NSO's), and NSO 8 is the '*Transition to a Low Carbon and Climate Resilient Society*', including the significant expansion of onshore renewable energy generation in accordance with overarching national energy policies.

The Government's *Wind Energy Development Guidelines for Planning Authorities 2006*, issued under Section 28 of the Act, and subsequent updated Draft Revised Wind Energy Development Guidelines, published in 2019, establishes a land-use planning framework whereby local planning authorities can proactively support the development of wind energy at appropriate locations. Section 3.5 of the 2006 Guidelines sets out a step-by-step guide for the designation of suitable areas for wind energy in statutory county development plans through the use of a series of criteria including, *inter alia*, available wind resources, grid accessibility, landscape capacity, natural heritage, noise, archaeology etc. The proposed development has been advanced by the Applicant in full cognisance of these criteria and local wind energy development policy, as further described below.

2.2.2 Regional

At a regional level, the principal purpose of the *Regional Spatial and Economic Strategy for the Southern Region (RSES)* for the Southern Region is to support the implementation of *Project Ireland 2040* through translating the NSO's to a regional scale. The RSES includes eleven Regional Strategic Outcomes (RSO's) aligned to the UN Sustainable Development Goals, the EU thematic objectives for regional and national policy so as to embed a coherent policy hierarchy and to ensure that future investment is targeted towards identified strategic policy goals.

It is recognised in the RSES that there is over-reliance on non-indigenous supplies of fossil fuel energy and that there is a need to better leverage natural resources to increase the share of renewable energy. RSO 8 therefore supports this transition to low carbon and a climate resilient and sustainable society through: *"Safeguarding and enhancing our environment through sustainable development, prioritising action on climate change across the Region, driving the transition to a low carbon and climate resilient society"*.

In support of the RSO's, a series of Regional Policy Objectives (RPO's) have been established within the RSES which are intended to set the framework for lower tier county development plans to support the increase in the amount of new renewable energy sources in the region, including the development of onshore wind energy at a larger scale on appropriate sites. Since 2010, it is a legal requirement that county development plans are consistent with the RSES and NPF, as higher tier plans in the hierarchy. RPO 99, for example, states that, *"[i]t is an objective to support the sustainable development of renewable wind energy (on shore and off shore) at appropriate locations and related grid infrastructure in the Region in compliance with national Wind Energy Guidelines."*

2.2.3 Local (County Carlow)

In accordance with these overarching national and regional policies, the recently adopted *Carlow County Development Plan 2022-2028* ('the Carlow CDP') is generally supportive of wind energy development at suitable locations within County Carlow. Section 7.10.1 of the Carlow CDP recognises the potential that wind energy development can play in achieving national targets in relation to reductions in fossil fuel dependency, and therefore greenhouse gas emissions, and seeks to achieve a reasonable balance between responding to Government policy on renewable energy and enabling the wind energy resources of the county to be harnessed in a manner that is consistent with proper planning and sustainable development.

According to the Carlow CDP, there is just 5.8MW of installed wind energy capacity currently operational in the county which amounts to an exceptionally low contribution, of just 0.1%, of the overall installed national capacity. While there are a number of permitted and proposed developments at various stages of their development cycle, there is very significant untapped potential within County Carlow to deliver further wind energy generation capacity and to fulfil the county's obligation to contribute meaningfully to meeting national targets for the production of renewable electricity and the abatement of greenhouse gases.

The Carlow CDP, and its accompanying Renewable Energy Strategy (RES), does not set out specific designated areas for wind energy development but, instead, undertakes a technical mapping exercise to identify opportunities and constraints for wind energy developments. In respect of the proposed development site, the CDP identifies that:-

- The site and its environs have, according to the SEAI Wind Atlas, wind speeds of greater than 7.6m/s;
- The site and its environs are assessed to have a 'moderate' capacity for wind energy development. This classification has been assigned notwithstanding the fact that Figure 6.4 of the RES indicates that such developments in 'Uplands' areas are 'Not Normally Permissible'; and
- There is an absence of environmental designations which would preclude wind energy development at this location.

Notwithstanding the absence of a specific designation for the subject site regarding its suitability for wind energy development, it is evident there are no policies contained within the Carlow CDP which specifically preclude such development, while the need to rapidly increase the contribution of County Carlow to the achievement of national renewable energy targets is clearly recognised.

Therefore, and given the absence of any likely significant adverse environmental effects identified in either of the EIAR or Natura Impact Statement (NIS) submitted with the planning application (see below), the Applicant submits that he proposed development would be in accordance with the proper planning and sustainable development of the area having regard to the local policy context set out in the Carlow CDP.

2.2.4 Local (County Kilkenny)

It is a strategic aim of the *Kilkenny City & County Development Plan 2021-2027* ('the Kilkenny CDP') to generate 100% of the county's electricity demand from renewable technologies by 2030. This ambitious aim is underpinned by a recognition of the need to support and facilitate the transition to a low carbon energy future by providing for renewable energy sources.

According to the Kilkenny CDP, the county has a total of 39 no. installed wind turbines with an installed capacity of 76MW. In the context of the overall installed national capacity of c. 4,300MW, this represents a contribution of c. 1.8%. As with County Carlow, there is, therefore, very significant potential within the county to deliver further wind energy generation capacity and to contribute meaningfully to production of renewable electricity and the abatement of greenhouse gases.

The Kilkenny CDP, and its accompanying Wind Energy Strategy (Appendix K), has identified suitable locations for wind energy development on the basis of 4 no. key criteria, as follows:-

- the SEAI Wind Atlas;
- the sensitivity of landscapes having regard to the Landscape Character Assessment;

- Sieve Analysis of various constraints; and
- Accessibility to the electricity network.

Following the completion of this analysis, the subject site and its wider environs have been designated as 'Acceptable in Principle' on the basis of high wind speeds and an absence of environmental designations and sensitivities. It follows, therefore, that, subject to compliance with the development management standards set out at Section 11.5.3 of the Kilkenny CDP, the proposed development would be in accordance with local planning policy.

3.0 Site Selection & Justification

On the basis of a strategic site search of possible suitable locations within counties Carlow and Kilkenny; and having regard to the wind energy policies in the Carlow CDP and Kilkenny CDP (see **Section 2.2.3** & **Section 2.2.4** above) and those contained within the respective predecessor plans; two possible strategic areas were identified as potentially suitable for a wind energy development. Subsequent to further evaluation, the proposed development site was selected for the following reasons:-

- The proposed development site as an average wind speed of approximately 7.8m/s at c. 100m height which is sufficient to ensure the viability of a wind energy development, and which has been verified by the on-site temporary met mast. The site is also located proximate to a number of connection points to the national electricity grid which can facilitate the efficient export of the renewable electricity generated directly to the national grid;
- The land use context is benign, generally consisting of flat or gently undulating and heavily managed pasture and commercial forestry plantations;
- The proposed development site comprises a landbank of a suitable scale thus facilitating the development of a smaller number of larger turbines, thereby maximising electricity generating yield and efficiency, while also maximising setback distances to third-party dwellings;
- The environs of the proposed development site generally has a low population density with a low number of residential properties and, again, appropriate setback distances are therefore available to third-party dwellings. The nearest urban settlement, Oldleighlin, is approximately 4km distant. The *Draft Revised Wind Energy Development Guidelines 2019* propose a setback distance of 4-times overall tip height between a wind turbine and the nearest point of the curtilage of any residential property, subject to a mandatory minimum setback of 500 metres. Given the size of the available landbank, these setback distances can be achieved at this location and there are no 'non-involved dwellings' within 740m of any proposed turbine. This will ensure that there is unlikely to be any significant effect on local residential amenity, particularly in respect of noise and shadow flicker (including in respect of the revised criteria included in the *Draft Revised Wind Energy Development Guidelines 2019*);
- There is a general absence of sensitive habitats, including any European designated nature conservation sites (Natura 2000) or other national nature conservation designations in the wider vicinity of the proposed development site. The nearest Special Area of Conservation (SAC) is the River Barrow and River

Nore SAC (Site Code: 002162), located c. 1.5km to the north, while the River Nore SPA (Site Code: 004233) is located c. 13km to the west;

- The proposed development site is not the subject of any specific protective landscape designations in the Carlow CDP or Kilkenny CDP. Within County Carlow, the proposed development site is located within the 'Killeshin Hills' landscape character area which is assessed as having a 'Moderate' capacity for wind energy development. In County Kilkenny, the proposed development site is located within the 'Castlecomer Plateau' landscape character area. While this landscape character area contains a number of scenic views and prospects, the vistas are generally orientated away from the proposed development site;
- There are no major watercourses within the site and its environs, and the surface water features which are present are lower-order streams and agricultural/man-made drainage features;
- There is a general absence of sensitive geological features, including karst features and extensive blanket peat, however some localised and isolated areas of peat have been mapped on the subject site by the EPA;
- There is a general absence of cultural heritage features both within the proposed development site and its environs. Accordingly, direct effects on any heritage features can be avoided while indirect effects, such as visual and noise effects, can be substantially ameliorated through distance;
- The subject site is well served by the national road network, with ease of access via the motorway and national road network, with the N78 located c. 10km to the north. A network of regional and local roads traverse the general area to provide suitable access during the construction and operational phases of development. Some road modifications to accommodate the delivery of turbine components would be necessary, particularly at the junction of the N78 and L1834 and along the L7122; however, these would not be significant or extensive; and
- There is an absence of significant constraints in respect of aviation and telecommunications.

Having regard to the above, the Applicant submits that the proposed development site is an eminently suitable location for a wind energy of this general scale, and which is viable and buildable in the short-term to positively contribute to 2030 renewable electricity and decarbonisation targets. Full details of the site selection process and assessment of reasonable alternative locations, layouts and designs for the proposed development are provided in **Chapter 2 (Volume I)** of the EIAR submitted with this planning application.

4.0 SID Determination & Prospective Application Consultations

4.1 SID Determination

The proposed development is a wind energy development which has a total output which exceeds 50MW and comprises a class of development which is listed in the Seventh Schedule of the Act and is therefore subject to the SID provisions as prescribed in the legislation. Accordingly, as is required, the Applicant entered into

prospective application consultations with the Board in December 2021, pursuant to Section 37B, to determine whether the proposed development constituted SID (Reference ABP-312224-21).

Following the completion of the prospective application consultations, on 25 July 2022 the Board served notice of its determination that the proposed development constitutes SID and that a planning application for same must be made directly to it pursuant to Section 37E of the Act and not to the relevant local planning authority (see **Annex 1** enclosed). Accordingly, the Board has determined that the proposed development, if granted planning permission, would:-

- a) Be of strategic economic or social importance to the State and the region due to its scale, location, and the contribution that it would make to the provision of renewable energy and reducing the State's carbon footprint (Section 37A(2)(a));
- b) Contribute substantially to the fulfilment of national and regional spatial planning objectives as set out in the NPF, NDP and RSES in relation to sustainable development of rural areas, sustainable management of national capital, renewable energy generation and carbon footprint (Section 37A(2)(b)); and
- c) Have a significant effect on the area of more than one planning authority being located within County Carlow and County Kilkenny (Section 37A(2)(c)).

4.2 Matters to be Considered

During the course of the prospective application consultations, the Board's representatives also provided guidance to the Applicant, in accordance with Section 37B(3), as to what considerations relating to proper planning and sustainable development and the environment may, in the opinion of the Board, have a bearing on its decision in relation to a planning application pursuant to Section 37E, alongside the procedures involved in making such an application. The matters that the Applicant was advised to consider and address in the planning application included:-

- The reasons for refusal of the previous wind energy development at this general location (Reference PL01.243364) should be assessed in significant detail;
- The assessment of project alternatives should be clearly documented in the EIAR;
- Detailed consideration should be given to the judgement of Mr. Justice Humphreys in the High Court in the case of *Sweetman v An Bord Pleanála* ([2021] IEHC 390) as it relates to the description of the proposed wind turbines;
- Potential impacts on the landscape, views, and scenic routes; residential amenity, drainage, and water management; ground conditions, including the presence of any blanket bog; ecology, including proximity the River Barrow and River Nore SAC and River Nore SPA; along with an assessment of the project's grid connection;
- Screening for Appropriate Assessment (AA) pursuant to the EU Habitats Directive (92/43/EEC) and Bird Directive (2009/147/EC) should be undertaken having regard to the presence of European designated nature conservation sites in the surrounding area and a comprehensive and detailed Natura Impact Statement (NIS) should be prepared, if deemed necessary; and

- Consideration should be given to in-combination effects on the environment with other existing and proposed developments in the wider area, including other wind energy developments.

Each of these aforementioned matters have been fully addressed in the enclosed planning application, including in this Cover Letter; the EIAR and NIS submitted; and all other plans and particulars with the application.

5.0 Stakeholder Consultation

5.1 Community Consultation

In advance of the submission of this planning application, the Applicant undertook extensive public and community consultation. In compliance with prevailing public health guidance arising from the COVID-19 pandemic, the Developer sought to facilitate public consultation, in early 2021, via remote means which generally comprised written correspondence or telephone correspondence. During the subsequent period of reduced public health restrictions, the Developer completed door-to-door visits with local residents and held a number of consultation clinics where individual members or families were afforded the opportunity to discuss the project directly with the project team.

A full 'Community Report' documenting the entire public consultation process is presented at **Annex 1.9 (Volume II)** of the EIAR.

The community consultation process, which has been undertaken in accordance with the *Draft Revised Wind Energy Development Guidelines 2019* and the Department of Environment, Climate and Communication's *Code of Practice for Wind Energy Development*, facilitated the early identification of potential concerns of the public in respect of the proposed development and a more focused consideration of likely significant effects, including the identification of design modifications and opportunities to incorporate mitigation measures into the design process.

5.2 Planning Authority Consultation

Prior to the submission of this planning application, the Applicant has consulted regularly with both Carlow County Council and Kilkenny County Council. Full details of all consultations, including written correspondence and meetings, are provided in **Chapter 1** of the EIAR submitted.

Overall, Carlow County Council did not express any significant concerns in respect of the proposed development and stated that care should be taken to avoid any potential planning or environmental impacts. In written correspondence in response to a Scoping Report issued by the Applicant, Carlow County Council offered advice in relation to the scope of the EIAR and NIS; referring specifically to matters including cumulative impacts, statutory planning policy, natural and built heritage, residential amenity, noise & vibration, dust, water, and transport & access. While Carlow County Council (Planning Authority) were, on a number of occasions, offered the opportunity to attend a consultation meeting with the Applicant to discuss the proposed development, the offer was not availed of. Notwithstanding this, the Applicant has

ensured that all matters raised by Carlow County Council in their scoping response have been fully addressed within the EIAR and/or NIS.

Similarly, Kilkenny County Council did not express any significant concerns and advised that they are positively disposed to the proposed development having regard to its location within an area designated as 'Acceptable in Principle' within the *Kilkenny City & County Development Plan 2021-2027*. In written correspondence, Kilkenny County Council advised that matters relating to cultural heritage, transport and access, statutory planning policy, land and soil, residential amenity, noise and vibration, shadow flicker, and biodiversity should be appropriately assessed.

In a subsequent consultation meeting, Kilkenny County Council (Planning Authority) provided further advice in relation to the scope of the necessary assessments including in relation to population & human health (proximity to residential dwellings), biodiversity, transport, flooding, and landscape and visual amenity. As above, all such matters raised have been fully addressed within the EIAR and/or NIS.

6.0 Environmental Impact Assessment

6.1 Overview

A full EIAR has been submitted with this planning application to inform the Environmental Impact Assessment (EIA) to be carried out by the Board. All matters raised by the Board during prospective application consultations are addressed in the EIAR (see **Section 5.2** above). The EIAR is presented as 2 no. volumes, which should be read in conjunction with each other, as follows:-

- **Volume I** comprises the main EIAR text and follows a 'grouped format' structure where each environmental factor is assessed and presented as a separate chapter. The EIA Directive prescribes the range of environmental factors which should be used to organise descriptions of the environment and likely environmental effects. These have been supplemented with additional environmental factors owing to the characteristics of the project under assessments, as follows:-
 - Chapter 1: Introduction;
 - Chapter 2: Assessment of Project Alternatives;
 - Chapter 3: Description of the Proposed Development;
 - Chapter 4: Population & Human Health;
 - Chapter 5: Biodiversity;
 - Chapter 6: Land & Soils;
 - Chapter 7: Water;
 - Chapter 8: Air Quality & Climate;
 - Chapter 9: Landscape;
 - Chapter 10: Cultural Heritage;
 - Chapter 11: Noise & Vibration;
 - Chapter 12: Shadow Flicker;
 - Chapter 13: Material Assets; and
 - Chapter 14: Interactions of the Foregoing; and
- **Volume II** comprises a range of annexes, including technical data and reports,

which informed the impact assessment provided in **Volume I** so as to ensure the EIAR is transparently supported by evidence. All environmental mitigation measures, as prescribed within the EIAR, have also been compiled into a standalone document and submitted at **Volume II**.

A Non-Technical Summary of the EIAR is also provided as a separate standalone volume in order to facilitate the wider public concerned in their involvement in the statutory consultation during the planning application determination stage.

As is required, an EIA Portal submission confirmation notice accompanies this planning application in accordance with the Planning & Development Regulations 2001 (as amended).

Some key environmental matters pertaining to the proposed development are addressed and summarised below.

6.2 Biodiversity

A comprehensive biodiversity study of the proposed development site and its environs was undertaken by Ecology Ireland in accordance with all best-practice survey methods related to wind energy developments, and a detailed assessment on the likely significant effects of the proposed development is included at **Chapter 5 (Volume I)** of the EIAR.

There are a number of European and national sites designated for nature conservation in the wider environs of the proposed development site. For the majority of these relatively distant sites, there is no ecological connectivity with the proposed development site. Where there are potential ecological links, these are via lower-order watercourses which connect to the River Barrow and River Nore Special Area of Conservation (SAC; Site Code: 002162) and River Nore Special Protection Area (SPA; Site Code: 004233). The River Barrow & River Nore SAC is located immediately adjacent to the proposed haul route works along the L1835 and L3037 at 'Black Bridge' and c. 1.7km from the nearest wind turbine. The likelihood of significant effects on European designated sites is fully assessed in the NIS submitted with the planning application (see also **Section 7.0** below). It is concluded that, with the implementation of all mitigation measures, the project will not, beyond reasonable scientific doubt, adversely affect the conservation objectives or integrity of any Natura 2000 site.

There are no nationally or European designated sites located within the proposed development site. No Annex I habitats listed under the EU Habitats Directive were recorded within the project site. No botanical species protected under the Flora (Protection) Order 2022, listed in Annex II or IV of the EU Habitats Directive (92/43/EEC) were recorded. Furthermore, no Bryophytes protected under the Flora (Protection) Order 2022 are documented for the proposed development site (Flora Protection Order Map Viewer NPWS). In addition, no Third Schedule invasive plant species were recorded within the proposed development site.

The main habitats which will be directly affected by the proposed development include improved agricultural grassland (GA1) and conifer plantation (WD4) which are of Local importance (Lower value). Other habitats which will be directly affected

include Hedgerows (WL1), Treelines (WL2) Wet grassland (GS4), Dry meadows and grassy verges (GS2) and Scrub (which are considered to be of Local importance (Higher value) and Exposed rock Local importance (Lower value). The actual permanent land take is limited to the area of the turbine bases, crane hardstandings, the new and existing access tracks, the meteorological mast base and the electricity substation collectively account for circa 9ha and will be predominately improved agricultural grassland (GA1) and conifer plantation (WD4). The permanent loss of sections of such habitats will lead to a neutral-imperceptible effect on habitats at the site and surrounding locality. It is also noted that the forestry plantation cleared to facilitate the wind farm development will be replaced elsewhere.

Small areas of relatively high quality and diverse wet grassland (GS4) will be permanently removed at the location of turbines T1 and T3 and their associated infrastructure. The wet grassland is a semi-natural habitat that is of Local Importance (Higher value). However, the loss of such habitat will be minimised to the greatest possible extent through appropriate construction practices (e.g. fencing off of works area and the avoidance of undue trafficking outside of the works footprint) and careful drainage management (i.e. to avoid the drying out of underlying soils which could affect the habitat composition).

Sections of hedgerow (WL1) and treeline (WL2) habitat will also be permanently removed to accommodate the construction of wind farm infrastructure. However, the extent of vegetation removal has, by design, been minimised and no vegetation will be unnecessarily removed. As part of the reinstatement process; all trees felled and hedgerow removed in the construction of wind farm infrastructure will be replaced elsewhere within the project site, particularly along arterial access tracks.

Vantage point surveys were undertaken over a number of years to identify and record the bird activity at the proposed development site. The surveys recorded a variety of bird species including raptors, waders and waterbirds. Kestrel and Sparrowhawk were recorded in the area year-round. Occurrence of wintering Golden Plover varied greatly between years, with few flightlines observed in 2 no. of the 3 no. winter seasons. A total of 59 no. bird species were recorded across the 5 no. seasons of breeding and wintering transect and point count surveys in this area. 6 no. of the 59 no. species recorded are on the Red-list (Gilbert *et al.* 2021), as follows: Kestrel, Meadow Pipit, Grey Wagtail, Redwing, Golden Plover and Snipe. A further 14 no. of the species recorded locally are currently Amber-listed, including Skylark, House Martin, Swallow, Willow Warbler, Starling, Spotted Flycatcher, Goldcrest, House Sparrow, Tree Sparrow, Greenfinch, Linnets, Mallard, Lesser Black-backed Gull and Herring Gull.

The bird surveys have established that the proposed development site and environs is used by a diversity of breeding and wintering species typical of the range of habitats present (i.e., conifer plantation and agricultural grassland). It is not assessed as likely that there will be any significant reduction of species diversity within the proposed development site or environs as a result of vegetation clearance to accommodate the construction and operation of the proposed development.

Similarly, during the operational phase, it is assessed that the proposed development

does not pose a risk of likely significant effects from disturbance/displacement; while, due to the characteristics and behaviour of the species recorded at the proposed development site, the risk of collision with the proposed wind turbines is assessed as likely to be non-significant negative and localised.

A number of badger setts were identified within the proposed development site and have been fully avoided by the footprint of the proposed infrastructure. Indirect and direct disturbance of badger setts during construction will be avoided by ensuring appropriate construction practices and that exclusion zones are implemented during construction, as per NatureScot (2017) and TII (formerly NRA) (2006) *Guidelines for the Treatment of Badger prior to the Construction of National Road Schemes*.

A very comprehensive bat survey of the subject site was undertaken. No significant roosts (e.g. maternity roosts or underground hibernation sites) were identified or are likely to occur within the wind farm site. During surveys to identify any potentially significant roosts which may be affected by the project, 2 no. minor roosts were discovered. Overall, a moderate level of activity was recorded at the site, and a moderate-to-high level of species diversity.

The primary mitigation measure employed to avoid collision and negative effects on bats relates to the design of the proposed development to avoid features utilised by foraging/commuting bats. A 50m separation distance from habitat features used by bats and the blade tips of wind turbines will be implemented to limit bat flight activity within the collision risk zone around turbines. Felling plans for the proposed development allow for a buffer of 100m around turbine towers. This will facilitate a 50m blade-tip to vegetation feature separation distance for features up to 20m in height. It is anticipated that implementing bat feature buffers will limit bat activity in the vicinity of turbines and will be effective in reducing the potential for collision risk. Replacement planting of treelines and hedgerows will be undertaken to compensate for lengths removed during infrastructural felling.

During the operational phase, monitoring of bat activity will be undertaken during the first 3-years (as a minimum). Surveys will be conducted from March/April to October/November inclusive, during temperate weather conditions (i.e. air temperatures not lower than 10°C, calm, dry and overcast conditions). This monitoring will include detector surveys of bat activity near all turbines and at the minor roost locations.

A series of aquatic ecology surveys were undertaken including electrofishing, freshwater pearl mussel surveys and biological water quality sampling. In terms of freshwater pearl mussel, a total of 80 no. transect surveys were completed within watercourses in the River Dinin catchment. No surveys were undertaken of watercourses within the proposed development site as, following examination, they were assessed to be too small to support freshwater pearl mussel populations. No freshwater pearl mussel, or evidence of the species, was observed during the surveys. It is assessed that while water quality/chemistry is suitable for freshwater pearl mussel, the physical characteristics of the catchment watercourses downstream of the proposed development site are not conducive to the presence of the species.

A comprehensive suite of mitigation measures have been proposed to ensure the protection of aquatic ecology and downstream water quality. These measures include interceptor drains, silt fencing, check dams, and silt ponds and their implementation is described in detail at in the Surface Water Management Plan enclosed at **Annex 3.4** of the EIAR. In addition, specific measures for the protection of freshwater pearl mussel have been proposed in the form of settlement lagoons; the design of which is adapted from Altmüller & Dettmer (2006)³. These settlement lagoons been proven to avoid the discharge of silt/sediment from construction sites, both in the short and long term, thus ensuring that downstream water quality, which is critical to freshwater pearl mussel, does not deteriorate.

The overall assessment concludes that the detailed monitoring and mitigation commitments will be effective in ensuring that there are no significant residual effects on biodiversity arising from the construction, operation or decommissioning of the proposed development.

6.3 Land, Soil & Water

The overburden geology of the proposed development site typically comprises poorly drained mineral soils. There are localised and isolated areas of mapped peat; however, extensive site investigations have not identified the presence of deep peat. Where peat was encountered, it generally comprised a thin layer of peaty topsoil at the surface. Construction of the wind farm infrastructure will require the removal of peaty topsoil, soil, subsoil and bedrock to a competent base layer. Given the findings of the site investigations, it is assessed that substantial volumes of rock will be encountered during the excavation of turbine foundations etc. and such material will be utilised in the construction of crane hardstandings and access tracks. Additional topping/finishing material will be imported from local authorised quarries. Excess overburden/spoil that remains after landscaping and reinstatement will be placed in dedicated spoil storage areas. Other potential effects such as soil erosion and compaction are expected to be negligible.

Due to the characteristics of the proposed development, significant interactions with groundwaters are not anticipated. While there are no major surface water features (watercourses) within the proposed development site, a suite of mitigation measures have been proposed to ensure that there are no adverse effects on watercourses or, in particular, downstream water quality. The protection of water quality is of utmost importance given the identified hydrological connection between the proposed development site and the River Barrow & River Nore SAC where Freshwater Pearl Mussel is a qualifying species. With the implementation of the prescribed measures, there is no risk of likely significant effects arising.

6.4 Landscape

A full set of photomontages/visual representations of the proposed wind turbines are

³ Altmüller R. & Dettmer, R. (2006) *Successful species protection measures for the Freshwater Pearl Mussel (Margaritifera margaritifera) through the reduction of unnaturally high loading of silt and sand in running waters – Experiences within the scope of the Lutterproject.*

provided in **Annex 9.1 (Volume II)** of the EIAR. These photomontages were prepared to inform a landscape and visual impact assessment, provided at **Chapter 9** of the EIAR. The landscape and visual impact assessment concludes that the highest level of impact significance is 'substantial-moderate' and is representative of 'worst-case' views from the local community (within 5km).

Outside of the central study area, the significance of impacts considerably reduces and ranges between 'slight' and 'imperceptible' due to the robust working nature of this landscape context which is not assessed to be highly sensitive or susceptible to development. When coupled with the assessed landscape impact and cumulative impacts, it is assessed that the project will not give rise to any significant landscape impacts, visual impacts, or cumulative impacts.

6.5 Noise

According to the *Wind Energy Development Guidelines for Planning Authorities 2006*, in general, noise is unlikely to be a significant problem where the distance from the nearest turbine to any noise sensitive locations is more than 500 metres. Other than 3 no. dwellings which are financially involved in the proposed development, all dwellings are located in excess of 500m from a proposed wind turbine. A total of 129 no. noise sensitive locations within 10-times overall tip height of the proposed turbines (1,850 metres) were surveyed to assess the likelihood for noise impacts and the results provided at **Chapter 11** of the EIAR. Using sound emission data specific to the selected turbine model, and a proven noise propagation model, the operational noise levels at the noise sensitive locations have been predicted. In all cases, predicted noise levels are within the adopted noise criteria, including when the proposed development is assessed cumulatively with the proposed Seskin Wind Farm. The noise impact of the development is not, therefore, assessed as not likely to be significant.

An assessment into the level of vibration likely to occur as a result of the proposed development, particularly in relation to construction traffic, has also been carried out and also included at **Chapter 11** of the EIAR. Effects of a magnitude which could give rise to disturbance or damage to properties are not assessed as likely.

6.6 Shadow Flicker

The *Wind Energy Development Guidelines for Planning Authorities 2006* provide that shadow flicker is also not normally an issue where setback distances are more than 500m. Nevertheless, the EIAR assesses the potential number of shadow flicker hours per year likely to be experienced under 'expected' and exceptional 'worst-case' scenarios at all dwellings within 1,850m of the proposed wind turbines. As presented in **Chapter 12** of the EIAR; the 'expected' results indicate that 36 no. receptors are likely to experience no shadow flicker whatsoever over the course of a year while the remaining dwellings will experience varying levels of shadow flicker.

However, and in accordance with the *Draft Revised Wind Energy Development Guidelines 2019* the Applicant has committed to the implementation of design/mitigation measures to fully eliminate shadow flicker at all dwellings, places of work and schools; and, accordingly, significant shadow flicker effects will not occur.

6.7 Cumulative Assessment

The EIAR has assessed the likelihood of the proposed development, in its totality including secondary and off-site developments, acting in combination with other existing, permitted, and proposed developments in the wider vicinity of the proposed development site, to result in likely effects on the environment which, when combined, may result in impacts which are cumulatively significant.

In particular, and as appropriate, the cumulative assessment included in the EIAR assesses the likely significant in-combination effects of the proposed Seskin Wind Farm and Freneystown Wind Farm, each of which are located within 5km of the proposed wind farm and are currently in the pre-planning development stage. The precise design and layout of the proposed Seskin Wind Farm and Freneystown Wind Farm remains subject to change; however, during consultation between the Applicant and the promoter of the Seskin Wind Farm and Freneystown Wind Farm (EDF Renewables Ireland Limited), current turbine coordinates and preferred turbine specifications have been provided for use in cumulative assessments.

7.0 Appropriate Assessment

Following the completion of a Stage 1 Appropriate Assessment Screening Assessment, a full Natura Impact Statement (NIS) (Stage 2) has been prepared by Ecology Ireland and submitted with this planning application. The NIS is presented as a separate, standalone document and submitted to inform a Habitats Directive Appropriate Assessment to be carried out by the Board pursuant to Council Directive 92/43/EEC and Bird Directive 2009/147/EC. The NIS addresses the entirety of the project, including relevant cumulative, off-site, and secondary developments.

The NIS concludes that the proposed development, individually or in combination with other plans or projects, will not, beyond reasonable scientific doubt, adversely affect the conservation objectives or integrity of any Natura 2000 site.

8.0 Planning History

There has been one recent planning application on the subject site and its immediate environs of relevance to the proposed development. In January 2022, Carlow County Council granted permission for the development of a temporary 100m meteorological mast (Register Reference 21/316). The duration of the permission is for a period of 3-years, from the date of the Notification of Final Grant, following which the meteorological mast shall be removed.

In granting planning permission, Carlow County Council concluded that the development would not seriously injure the amenities of the area or of property in the vicinity and would be consistent with the proper planning and sustainable development of the area.

Previously, in September 2014, the Board refused to grant planning permission for the development of 21 no. turbines and associated ancillary infrastructure on lands which partially include the subject proposed development site. In refusing to grant planning permission, the Board raised concerns regarding visual impact (the height, spatial

extent and configuration of the wind turbines) and considered that there was a deficiency in the information submitted relating to *inter alia* a geotechnical assessment, bat surveys, effects on local roads, effects on residential amenity, and effects on surface water (PL01.243364).

Notwithstanding that the subject proposed development is markedly different to that for which planning permission was refused, the Applicant has had due regard to the reasons and considerations set out by the Board in their previous decision. In particular, it should be noted that the subject proposed development comprises significantly fewer turbines and thus has a significantly reduced spatial extent and, while the proposed wind turbines are of a greater height than previously proposed, the currently proposed development has been designed to avail of the natural screening afforded by the local terrain and topography. Furthermore, the Applicant has undertaken extensive geotechnical assessments and site investigations while the accompanying EIAR provides comprehensive assessments of the likely effects on bats, transport & access, residential amenity and surface water.

9.0 Permission Period

A 10-year planning permission is being applied for in respect of this proposed development. That is, planning consent would remain valid for 10-years following the final grant of planning permission. We note that the *Wind Energy Development Guidelines for Planning Authorities 2006* state that, "*Planning Authorities may grant permission for a duration longer than 5 years if it is considered appropriate, for example, to ensure that the permission does not expire before a grid connection is granted. It is, however, the responsibility of the applicants in the first instance to request such longer durations in appropriate circumstances*".

A 10-year planning permission is considered appropriate for a development of this nature and scale so as to ensure all required supplementary statutory consents and grid connections can be put in place, and the proposed development can participate in RESS auctions.

10.0 Operational Duration

The operational lifetime of the proposed development is 35-years from the date of full and final commissioning. Prior to the expiry of this period, the Applicant will decide whether to replace or decommission the turbines. For the purposes of the EIAR, decommissioning is assumed. It should be noted that the *Wind Energy Development Guidelines for Planning Authorities 2006* state that: "*The inclusion of a condition which limits the life span of a wind energy development should be avoided, except in exceptional circumstances.*"

The Applicant therefore requests that, subject to a grant of permission, a 35-year operational period from the date of full and final commissioning of the wind farm be provided by way of condition of consent.

11.0 Site Notices

15 no. site notices have been erected in respect of this proposed development at

appropriate locations, including at the main entrances to the proposed development sites and at all relevant access points to the subject lands so as to be easily visible and legible by persons using the public road network and the public concerned.

The site notices will be monitored on a regular basis by the Applicant to ensure, to the best possible extent, that they remain in situ and are not otherwise defaced or become illegible. In the event that notices are removed or tampered with, the Applicant will seek to ensure that they are replaced as quickly as possible.

12.0 Support of Local Residents

In addition to the agreements which have been reached with each of the respective landowners whose lands are the subject of this planning application and, by virtue of same, have expressed their support for the proposed development; all residents living within 740m of a proposed wind turbine (4-times overall tip height) have confirmed their support for the development.

These residents have been extensively consulted with throughout the project design process and have provided written support for the proposed development (see **Annex 2**).

13.0 Planning Application Documentation

The Board will find enclosed all of the required planning application plans and particulars, which includes:-

- Completed planning application form;
- Site notice;
- Copy of each newspaper notice (3 no.);
- EIA Portal Confirmation Notice;
- Planning Application Fee (€100,000);
- Planning Application Notification Letter issued to Carlow County Council and Kilkenny County Council;
- Planning Application Notification Letter issued to each prescribed body;
- Planning Application Drawings (see Schedule of Drawings attached to the Planning Application Form);
- Environmental Impact Assessment Report;
 - Volume I – Assessment of Proposed Development;
 - Volume II – Technical Annexes in support of Volume I;
 - Non-Technical Summary; and
- Natura Impact Statement.

As instructed during the prospective application consultation process, we have provided 2 no. hard copies and 8 no. electronic copies of all planning application plans and particulars. In addition, 2 no. hard copies and 1 no. electronic copy have been furnished to the Planning Authority of Carlow County Council, and 6 no. hard copies and 2 no. electronic copies have been submitted to the Planning Authority of Kilkenny County Council. Furthermore, all planning application and associated documentation is available to view at the dedicated project website www.whitehillwindfarmplanning.ie.

The Applicant was also instructed by the Board in its SID determination to furnish copies of the planning application to each of the prescribed bodies listed at **Table 3**. Each of the prescribed bodies, including Carlow County Council and Kilkenny County Council, were consulted regarding the preferred method of receiving the planning application documentation. Where a response has not been received, each body has been advised, via written correspondence, of the URL of the project website where all planning application documentation can be viewed and downloaded.

Prescribed Body	Means of Receiving Planning Application Documentation	Date Issued
An Chomhairle Ealaíon (The Arts Council)	Notified of URL of dedicated project website	19 December 2022
An Taisce	Notified of URL of dedicated project website	19 December 2022
Carlow County Council	2 no. hard copies and 1 no. electronic copy have been provided.	19 December 2022
Commission for Regulation of Utilities	Notified of URL of dedicated project website	19 December 2022
Department of Agriculture, Food and the Marine	Notified of URL of dedicated project website	19 December 2022
Department of Environment, Climate & Communications	Notified of URL of dedicated project website	19 December 2022
Department of Housing, Local Government and Heritage	Notified of URL of dedicated project website	19 December 2022
Department of Tourism, Culture, Arts, Gaeltacht, Sports and Media	Notified of URL of dedicated project website	19 December 2022
Fáilte Ireland	Notified of URL of dedicated project website	19 December 2022
Health Service Executive	Notified of URL of dedicated project website	19 December 2022
Heritage Council	Notified of URL of dedicated project website	19 December 2022
Inland Fisheries Ireland	Notified of URL of dedicated project website	19 December 2022
Irish Aviation Authority	Notified of URL of dedicated project website	19 December 2022
Kilkenny County Council	6 no. hard copies and 2 no. electronic copies have been provided.	19 December 2022
Office of Public Works	Notified of URL of dedicated project website	19 December 2022

Southern Regional Assembly	Notified of URL of dedicated project website	19 December 2022
Transport Infrastructure Ireland	Notified of URL of dedicated project website	19 December 2022

Table 3: Notified Prescribed Bodies

14.0 Conclusion

This planning application is being lodged with Board following a determination that the proposed development constitutes SID and, if granted planning permission, would be of strategic importance to the State and the region due to its scale, location, and the contribution that it would make to the provision of renewable energy and reducing the State's carbon footprint. It would also contribute substantially to the fulfilment of national and regional spatial planning objectives as set out in the NPF, NDP and RSES in relation to sustainable development of rural areas, sustainable management of national capital and renewable energy generation.

Current government policy recognises that onshore wind energy, as a proven and cost-effective technology in the context of Ireland's abundant wind resource, will continue to be the major contributor to Ireland's renewable electricity generation to 2030. Given the urgent, timebound and supreme national imperative for the State to achieve its binding and unprecedented 2030 renewable energy and emissions reductions targets, and the policies set out in the Carlow CDP and Kilkenny CDP; the Applicant submits that, for the reasons set out herein, the proposed development site is an eminently suitable location for a wind energy development of this general scale.

The EIAR submitted with this planning application provides a comprehensive assessment of the likelihood of significant environmental effects arising as a result of the proposed development, both individually and in-combination with other existing, permitted, and proposed developments, including the proposed Seskin Wind Farm and Freneystown Wind Farm. Overall, the EIAR has concluded that any likely adverse environmental effects resulting from the proposed development can be adequately mitigated such that there will be no likely significant environmental effects, including in-combination effects, in respect of biodiversity, landscape, noise, and shadow flicker. The NIS submitted with the application also concludes that the project will not adversely affect the integrity of any Natura 2000 site either directly or indirectly.

Having regard to the above, we respectfully request that the Board grant planning permission for the proposed development. We trust that the plans and particulars submitted are in order and sufficient for your consideration of this planning application. Should you have any queries in relation to any of the information enclosed, please do not hesitate to contact this office.

Yours sincerely,

Galetech Energy Services

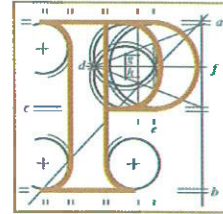
Galetech Energy Services Ltd

**Annex 1 –
Strategic Infrastructure Development Determination**



Our Case Number: ABP-312224-21

Your Reference: White Hill Wind Limited



**An
Bord
Pleanála**

Simon Carleton
Galetech Energy Services
Clondargan
Stradone
Co. Cavan
H12 NV06

Date: 25 July 2022

Re: Proposed 7 turbine wind farm with a predicted output of 50.4 megawatts (mw)
Ridge (Ridge E.D), Knocknabranagh and Knockbaun, and Baunreagh Co. Carlow and Coolcullen,
Co. Kilkenny

Dear Sir,

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), (b) and (c) 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.

In accordance with the fees payable to the Board and where not more than one pre-application meeting is held in the determination of a case, a refund of €3,500 is payable to the person who submitted the pre-application consultation fee. As only one meeting was required in this case, a refund of €3,500 will be sent to you in due course.

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.

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

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

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,



Sarah Caulfield
Executive Officer
Direct Line: 01-8737287

PC09

Teil
Glao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel (01) 858 8100
LoCall 1890 275 175
Fax (01) 872 2684
Website www.pleanala.ie
Email bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Appendix – List of prescribed bodies

The following list identifies the prescribed bodies which are considered relevant in this instance:

- An Chomhairle Ealaíon
- An Taisce
- Carlow County Council
- Commission for Regulation of Utilities
- Department of Agriculture, Food and the Marine
- Department of the Environment, Climate and Communications
- Department of Housing, Local Government and Heritage
- Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media
- Fáilte Ireland
- Health Service Executive
- Heritage Council
- Inland Fisheries Ireland
- Irish Aviation Authority
- Kilkenny County Council
- Office of Public Works
- Southern Regional Assembly
- Transport Infrastructure Ireland

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D01 V902

64 Marlborough Street
Dublin 1
D01 V902

**Annex 2 –
Support of Local Residents**



Spiwe Ruth Graefin Fon Deym

Coon

Coolcullen

Co. Carlow

To whom it may concern,

Re: White Hill Wind Farm

Applicant: White Hill Wind Ltd.

I, Spiwe Ruth Graefin Fon Deym of Coon, Coolcullen, Co. Carlow wish to confirm that we are the full owners of the dwelling contained within Folio KK17845, Eircode R93 CY81.

I acknowledge that White Hill Wind Ltd. is applying to An Bord Pleanála for planning permission to construct the proposed White Hill Wind Farm.

I also acknowledge that a representative of White Hill Wind Ltd. has explained to me the exact location of the proposed wind turbines and their associated infrastructure, and I am satisfied with same.

Yours sincerely,



Spiwe Ruth Graefin Fon Deym

Date 05/07/22

Robert & Nathaniel William Smyth

The Ridge

Old Leighlin

Co. Carlow

An Bord Pleanála

64 Marlborough Street

Dublin 1

DO1 V902

To whom it may concern,

Re: White Hill Wind Farm

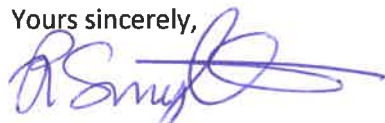
Applicant: White Hill Wind Ltd.

We, Robert & Nathaniel William Smyth of The Ridge, Old Leighlin, Co. Carlow wish to confirm that we are the full owners of the dwelling contained within Folio CW5223F, Eircode R93 F984

I acknowledge that White Hill Ltd. is applying to An Bord Pleanála for planning permission to construct the proposed White Hill Wind Farm.

I also acknowledge that a representative of White Hill Ltd. has explained to me the exact location of the proposed wind turbines and their associated infrastructure, and I am satisfied with same.

Yours sincerely,



Robert Smyth

Date 5/7/22



Nathaniel Smyth

Date 5-7-22

Niall Smyth & Samantha Smyth
Knockbaun
Old Leighlin
Co. Carlow

To whom it may concern,

Re: White Hill Wind Farm

Applicant: White Hill Wind Ltd.

We, Niall Smyth, and Samantha Smyth, Knockbaun, Old Leighlin, Co. Carlow wish to confirm that we are the full owners of the dwelling contained within Folio CW27042F, Eircode R93 PV27.

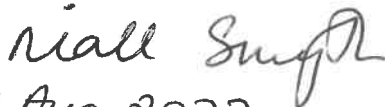
I acknowledge that White Hill Wind Ltd. is applying to An Bord Pleanála for planning permission to construct the proposed White Hill Wind Farm.

I also acknowledge that a representative of White Hill Wind Ltd. has explained to me the exact location of the proposed wind turbines and their associated infrastructure, and I am satisfied with same.

Yours sincerely,

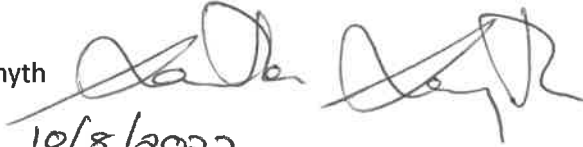
Niall Smyth

Date


10th Aug 2022

Samantha Smyth

Date


10/8/2022.

