

**DÚICHE DHÚN GARBHÁN AGUS LIOS MHÓR
DUNGARVAN AND LISMORE DISTRICT MEETING**

**HELD ON 19th July 2023
at 2.30pm in Civic Offices, Dungarvan.**

PRESENT:

Cllr. Pat Nugent (Cathaoirleach)
Cllr. Damien Geoghegan
Cllr. Tom Cronin
Cllr. John Pratt
Cllr. Declan Doocey
Cllr. Mairead Tobin
Cllr. Conor McGuinness
Cllr. Seamus O'Donnell
Cllr. Thomas Phelan

OFFICIALS IN ATTENDANCE:

Mr. Liam McGree, SP
Ms. Aisling O'Sullivan, SEP, Planning
Mr. Niall Kane, A/SEO, Environment
Ms. Honor Dunphy, Meetings Administrator

1. DYRICK HILL WIND FARM

Liam McGree, SP, outlined details of the application to An Bord Pleanála by Dyrick Hill Wind Farm Limited. He outlined that where a Strategic Development Infrastructure planning application is submitted to An Bord Pleanála that the planning authority must prepare and submit a report to the Board within 10 weeks of the making of the application. He outlined the Chief Executive's report to the members which recommends that planning permission be refused for the following reasons:

- Notwithstanding the general planning policy support for wind energy at national, regional and local policy level, including Policy Objective UTL 13 of the Waterford City and County Development Plan 2022-2028, which seeks to support where appropriate, proposals for renewable energy generation, transmission and distribution and ancillary support infrastructure facilities, in relation to the specific sites which is the subject of this application, that policy goes on to state that all such proposals shall be considered having regard to the wind energy designation map (Appendix 2 of the Renewable Energy Strategy) and the Waterford Landscape and Seascape Character Assessment which form an integral part of the development plan.
- The subject site is located in an upland area which is designated as "most sensitive" with very distinctive features with a very low capacity to absorb new development without significant alterations of existing character over an extended area.
- Landscape Policy Objective L 02 of the Waterford City and County Development Plan 2022-2028 states that protection of the landscape and natural assets of the county shall be a priority having regard to the character, integrity, distinctiveness or scenic value of specific areas by ensuring that development proposals are not unduly visually obtrusive in the landscape, in particular, in or adjacent to the uplands, along river corridors, coastal or other distinctive landscape character units.
- The Renewable Energy Strategy of the Waterford City and County Development Plan designates the site of the proposed development as an "exclusion zone" or a "no go area" for new wind energy developments.
- The proposed development would be sited on lands that area located within an area where wind farm development is not normally permissible for reasons relating to landscape sensitivity and, accordingly, it is considered that the proposed development would materially contravene policies

UTL 13 and L 02 of the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

In the event that An Bord Pleanála grants permission he outlined a draft set of appropriate planning conditions that should be attached in the event of a grant of planning permission.

Cllr. Doocey noted inclusion in Development Plan to protect these areas and need to defend this plan in the submission to An Bord Pleanála. The current application contravenes the current Development Plan.

Cllr. Geoghegan outlined the Development Plan as the guiding document for all developments and needs to have an addendum to the report proposing that *'the members of the Dungarvan Lismore district council fully endorse the recommendation of the Chief Executive of Waterford City & County Council to refuse permission for the proposed windfarm at Dyrick Hill on the basis that the proposed development would materially contravene policies UTL 13 and L 02 of the Development Plan and would, be contrary to the proper planning and sustainable development of the area'*.

Cllr. McGuinness seconded Cllr. Geoghegan's proposal, welcomed members of the public to the meeting, noting that the CE report is a comprehensive and considered report and welcomed clear recommendation to reject application. He questioned if An Bord Pleanála will uphold the development plan that is in place and respect local democracy. Acknowledged the need to invest in renewable energy while respecting the rules and strategies in place. The development plan disqualifies the site in question on the grounds of the site has upland status and high sensitivity area, landscape policy L02's protection of the county's landscapes and natural assets and the site is in an exclusion zone.

Cllr. Phelan noted that is a well-informed document outlining legitimate reasons for An Bord Pleanála to not recommend this application. This application should not have been categorised as a SID and planning department should have dealt with it. Agree fully with the report and if An Bord Pleanála overrule, the conditions are good and would recommend reduction from 15 to 10 years for the period of the development to be carried out. It is only one year since the Development Plan was passed, this is first critical test of the Development Plan, and it needs to be adhered to, The Planning regulator, statutory agencies and the Department were satisfied with the Development Plan and needs to be adhered to.

Cllr. O'Donnell outlined his concern over the operation of An Bord Pleanála and what is agreed by them in relation to applications.

Cllr. Cronin noted his concerns where one off houses are refused planning permission yet this application will have serious consequences and impact for miles. The area is not zoned for wind turbine development and need to have the Development Plan adhered to.

Cllr. Pratt outlined that all councillors agree on the approach as proposed, noting that he is not in support of on land wind turbine development and supports need to have it offshore. This application should not have been accepted by An Bord Pleanála as it contravenes the Development Plan.

Cllr. Tobin noted that wary of the outcome as An Bord Pleanála as doesn't have respect for rural Ireland. There are further applications in the process and need to get the message out that not in favour of developments that contravene the Development Plan.

Cathaoirleach, Cllr. Pat Nugent thanked and acknowledged the CE report, it is important for the residents that are directly impacted that this development does not proceed due it's contravention of the Development Plan.

L. McGree, SP, outlined that the Development Plan is very clear, and a lot of time and effort went into it, it was as adopted and approved by all statutory agencies, the planning regulator and Department and deemed an example of good planning and appropriate policy for county. The wind farm policy in the plan is very clear and the proposed application is within an exclusion zone. The Board needs to have regard for the policy, it is a positive policy which acknowledges the place of renewable energy, there are areas for development and the policy is tailored and appropriate and there are instances where wind energy is not appropriate that need to be adhered to.

Agreed to append the resolution of council as proposed by Cllr. Geoghegan, seconded by Cllr. McGuinness and agreed by all.

Proposed by Cllr. Geoghegan, seconded by Cllr. Pratt that the minutes of today's meeting are attached as a record of the meeting prior to their approval at the September meeting. Agreed by all.

Cllr. Doocey noted that he is supportive of renewable energy in appropriate areas.

Cllr. McGuinness enquired if the CE report can be made publicly available.

Cllr. Phelan enquired about the criteria for categorisation of an SID from ABP.

A. O'Sullivan, SEP, outlined that a SID is 25 turbines or over turbines over 50 megawatts.

H. Dunphy, MA, noted that the CE report will be made available on the council website.

L. McGree, SP will circulate copy of order made by the Board to make this application a SID and a public record.

This concluded the business of the meeting.

Signed: _____
Cathaoirleach

Dated: _____



Comhairle Cathrach & Contae Phort Láirge
Waterford City & County Council

Resolution of the Elected Members
Waterford City and County Council, Dungarvan Lismore
19th July 2023
Ref: R2023/16

In accordance with Pt. 111 S. 37E of the Planning & Development Act, 2000 (as amended), subsection (6).

The members of the Dungarvan Lismore district council fully endorse the recommendation of the Chief Executive of Waterford City & County Council to refuse permission for the proposed windfarm at Dyrick Hill on the basis that the proposed development would materially contravene policies UTL 13 and L 02 of the Development Plan and would, be contrary to the proper planning and sustainable development of the area'.

CERTIFIED RESOLUTION OF THE Dungarvan Lismore District of Waterford City & County Council.
Proposed by Cllr. Geoghegan seconded by Cllr. McGuinness and agreed unanimously.

Signed:

Councillor Pat Nugent
Cathaoirleach Dungarvan Lismore District

Witnessed:

Honor Dunphy
Meetings Administrator