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18 March 2025

Our Ref: WHI001SS
Your Ref: --/--

Dear Sir/Madam,

Re: Planning application for a 110 kilovolt electricity substation, approximately 8.8 kilometres of underground electricity line, an electrical control unit and all associated works at Shankill and Ballygorteen, County Kilkenny; and Moanmore, Lackan and Baunreagh, County Carlow.

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 in accordance with Section 182A 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 October 2024 that the proposed development constitutes SID and that the application must be made directly to it in the first instance ([Reference ABP-319391-24](#)).

1.0 Background to this Proposed Development

Planning permission was granted by the Board in November 2023 for the development of a 7 no. turbine wind energy development and associated infrastructure (known hereafter as the 'White Hill Wind Farm' or the 'permitted development') pursuant to [Reference ABP-315365-22](#).

The permitted development does not provide for the development of infrastructure to connect the White Hill Wind Farm to the national electricity network. While the construction of an electricity substation and installation of an underground electricity line from the White Hill Wind farm to the existing Kilkenny 110kV electricity substation were assessed within the Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) prepared for the permitted development, planning consent was not sought or obtained for this infrastructure.

Following the decision of the Board to grant planning permission for the White Hill Wind Farm, the Applicant undertook a series of technical electrical evaluations to determine the most appropriate location to connect the permitted development to the national electrical. These evaluations examined connection to existing electricity substations and the construction of a new electricity substation. The process of examining the various alternatives available to the Applicant is described in detail at Chapter 2 of the EIAR.

2.0 Description of the Proposed Development

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

- i. A 110 kilovolt (kV) 'loop-in/loop-out' Air-Insulated Switchgear (AIS) electricity substation, including 2 no. single-storey control buildings (with a total gross floor area of 622 square metres [m²]); transformers, busbars, insulators, circuit breakers, and lightning poles, within a secure compound (with a total footprint of approximately 10,600m²);
- ii. 2 no. lattice-type interface masts, each of which will be 16m in height, and approximately 320m of underground electricity line between the electricity substation and the interface masts to facilitate connection of the electricity substation to the existing Kellis-Kilkenny 110kV overhead electricity transmission line;
- iii. A new site entrance from the L66732 and approximately 1.1km of access track to facilitate access to the electricity substation and interface masts;
- iv. The demolition of an existing agricultural shed (with a total gross floor area of 210m²) to accommodate the access track leading to the electricity substation;
- v. The widening of the carriageway of the L66732 by approximately 1.5m over a distance of approximately 130m;
- vi. An electrical control unit with a total gross floor area of 42m² located at the permitted White Hill Wind Farm (An Bord Pleanála Reference ABP-315365-22);
- vii. A new site entrance from the L7117 and approximately 250m of access track to facilitate access to the electrical control unit;
- viii. Approximately 8.8km of underground electricity line between the electricity substation and the electrical control unit to be installed within private lands and the carriageways of the L6673, L6738, L7117 and L71172 public roads; and,
- ix. All associated and ancillary site development, excavation, construction, landscaping and reinstatement works; including a temporary construction compound and the provision of site drainage infrastructure and surface water protection measures.

3.0 National, Regional and Local Planning Policy Context

3.1 National Planning Policy

3.1.1 National Planning Framework

Project Ireland 2040: The National Planning Framework ('the NPF'), published in February 2018, sets out a high level, strategic planning and development framework for the country in order to ensure that growth is economically, socially and environmentally sustainable in line with population growth. The NPF sets out to guide and direct public and private investment, to create and promote opportunities for the public and to protect and enhance the environment through a single shared set of goals known as National Strategic Outcomes (NSOs). The NPF identifies the role of renewable energy sources in our transition to a low carbon energy future throughout the document.

National Strategic Outcome 8 establishes the national objective of achieving a transition to a low carbon, climate resilient and environmentally sustainable economy by 2050. This objective will require investment in new energy systems and transmission grids to ensure a well distributed energy system.

The *Draft First Revision to the National Planning Framework* ('the Draft NPF') was published in July 2024. The Draft NPF reiterates the requirement to transition to a low carbon and climate resilient economy. In particular, the Draft NPF recognises the essential requirement for the continued and accelerated delivery of renewable energy generation for Ireland to meet its climate change and greenhouse gas emission reduction targets; and acknowledges that *"Renewable energy generation cannot be considered in isolation from its means of connection to both the national electricity transmission and lower-voltage distribution grids."* In November 2024, the Government published a draft schedule of amendments to the Draft NPF. The amendments do not alter the recognition that electrical infrastructure is critical to transition to a carbon neutral economy and National Policy Objectives sets out to *"Support the development and upgrading of the national electricity grid infrastructure, including to supporting the delivery of renewable electricity generating development."*

In the context of the NPF and the Draft NPF, the delivery of electrical transmission infrastructure is rightly recognised to be of critical importance in the delivery of renewable energy developments. Therefore, it is evident that the proposed development; comprising electrical infrastructure to facilitate the connection of the permitted White Hill Wind Farm to the national electricity network; is supported by national planning policy.

3.1.2 National Development Plan 2021-2030

The *National Development Plan 2021-2030* ('the NDP') sets out a series of Strategic Investment Priorities; one of which relates to energy and, in particular, the decarbonisation of the Irish energy system. The NDP recognises that significant expansion and strengthening of the electricity transmission and distribution grid will be required to connect renewable energy generation projects to electricity consumers.

The proposed development, in accommodating the connection of the permitted White Hill Wind Farm to the electricity network; will serve to both strengthen the electricity network in County Kilkenny and County Carlow and enable the delivery of renewably-generated electricity thus off-setting fossil-fuel generated electricity.

3.2 Regional Planning Policy

At a regional level, the principal purpose of the Southern Regional Assembly *Regional Spatial and Economic Strategy* (RSES) is to support the implementation of Project Ireland 2040 through translating the NSOs to a regional scale. In order to deliver on the RSES's Strategic Vision, the RSES includes 11 no. regional strategic outcomes (RSO) aligned to the UN Sustainable Development Goals, the EU thematic objectives for regional policy and national policy 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 RSOs, a series of Regional Policy Objectives (RPOs) have been established 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 a more integrated and strengthened electricity transmission network. 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. With specific reference to the delivery of electricity infrastructure, RPO 96 states that *“It is an objective to support the sustainable development, maintenance and upgrading of electricity and gas network grid infrastructure to integrate renewable energy sources and ensure our national and regional energy system remains safe, secure and ready to meet increased demand as the regional economy grows.”* Furthermore, RPO 219 states that *“It is an objective to support the sustainable reinforcement and provision of new energy infrastructure by infrastructure providers (subject to appropriate environmental assessment and the planning process) to ensure the energy needs of future population and economic expansion within designated growth areas and across the Region can be delivered in a sustainable and timely manner and that capacity is available at local and regional scale to meet future needs”*.

3.3 Local Planning Policy

3.3.1 County Kilkenny

In accordance with these overarching national and regional policies, the *Kilkenny City and County Development Plan 2021-2027* ('the Kilkenny CDP') is strongly supportive of climate action and provides clear strategic aims and policies to tackle climate change at the local level. It is a strategic aim of 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.

As the proposed development will facilitate the connection of the permitted White Hill Wind Farm to the national electricity network, Section 10.3.1 of the Kilkenny CDP; which states that the Planning Authority will *“support the development of a safe, secure and reliable supply of electricity and to support and facilitate the development of enhanced electricity networks and facilitate new transmission infrastructure projects that might be brought forward in the lifetime of this plan”*.

Section 10.3.2 of the Kilkenny CDP details development management requirements for the provision of energy/electricity networks. Each of the requirements are set out below and a description of how the proposed development adheres to the respective requirements is also provided:-

- The development is required in order to facilitate the provision or retention of significant economic or social infrastructure: The proposed development will enable the delivery of renewable electricity, from the permitted White Hill Wind Farm to the national electricity network. The increased generation of renewable electricity and its export to the electricity network will have substantial economic and social benefits by assisting in the achievement of renewable energy generation targets and the avoidance of penalties for failing to achieve same, the abatement of greenhouse gas emissions and the improvement of air quality;
- The route proposed has been identified with due consideration for social, environmental and cultural effects: The proposed development has been subject to a comprehensive assessment of its likely social, environmental and cultural effects in the EIAR and NIS which accompany this planning application;

- The design is such that will achieve least environmental effect: A wide range of project alternatives have been assessed and the proposed development is considered to have the least environmental effect of the options reasonably available to the Applicant;
- The lines should be planned to avoid areas of high landscape sensitivity: The proposed development is not located within any areas of high landscape sensitivity;
- Preference should be given to undergrounding services where appropriate: The proposed electricity line will be located entirely underground;
- The proposed infrastructure complies with all internationally recognised standards with regard to proximity to dwellings and other inhabited structures including best practice and new accepted research on the effects on health: The proposed development has been assessed in accordance with recognised international standards and a significant effect on human health is not assessed as likely;
- New power lines and power installations should be sited in accordance with the requirements of the “*Health Effects of Electromagnetic Fields*” Report issued by the Department of Communications, Marine and Natural Resources in 2007. The proposed development has been designed having regard to the “*Health Effects of Electromagnetic Fields*” Report, issued by the Department of Communications, Marine and Natural Resources, and a significant effect on human health is not assessed as likely;
- Where effects are inevitable, mitigation features have been included: Mitigation measures have been provided in the EIAR and NIS where adverse environmental effects are unavoidable. It should be noted, however, that significant effects are not assessed as likely to arise;
- Where considered necessary by the Council, a Visual Impact Assessment and a Landscape Impact Assessment will be required for significant Grid Infrastructural projects: A landscape and visual impact assessment of the proposed development has been undertaken and is contained within the accompanying EIAR;
- That existing grid infrastructure should be used where possible in preference to erecting new grid infrastructure: The use of existing electrical infrastructure, as opposed to the installation of additional infrastructure, has been assessed within the EIAR. The assessment found that the development, as proposed, represents the most appropriate technical solution for connecting the permitted White Hill Wind Farm to the electricity network and that significant environmental effects are not likely to occur as a consequence; and,
- Any proposed development must avoid effect on any Special Area of Conservation: The proposed development does not encroach upon a Special Area of Conservation. The NIS which accompanies this planning application concludes that “*the project, either alone or in combination with other plans or projects will not undermine the conservation objectives of any European sites or have any significant effects thereon. It can therefore be concluded that the project will not have an adverse effect on the integrity of any European site*”.

The Applicant submits, therefore, that the proposed development complies, in full, with all relevant policies and development management standards as described in the Kilkenny CDP.

3.3.2 County Carlow

The *Carlow County Development Plan 2022-2028* ('the Carlow CDP') is generally supportive of renewable energy developments and recognises the potential that such developments can play in achieving national targets in relation to reductions in fossil fuel dependency, and therefore greenhouse gas emissions. The Carlow CDP recognises that the availability of supporting electrical infrastructure can facilitate or constrain the delivery of renewable energy developments.

Policy EI P1 of the Carlow CDP states that *"It is the policy of the Council to support and facilitate the reinforcement and development of enhanced energy infrastructure, and associated networks, to serve the existing and future needs of the County and Region. This will include the delivery of the necessary integration of transmission network requirements facilitating linkages of renewable energy proposals to the electricity and gas transmission grid, in a sustainable and timely manner, subject to proper planning and environmental considerations."*

Policy EI P2 seeks to ensure that the development of electrical infrastructure follows best practice. The proposed development has been designed in accordance with all relevant best practice guidelines and conforms with EirGrid and ESB Networks' standards for such developments.

With specific reference to renewable energy developments, Policy IF P1 states that *"It is the policy of the Council to support the development, reinforcement, renewal, and expansion of key supporting infrastructure to facilitate renewable energy developments, subject to compliance with proper planning and environmental considerations."* The proposed development has been subject to a comprehensive environmental assessment and it is concluded that significant environmental effects are not likely to occur.

Having regard to the above, the Applicant submits that the proposed development accords with the relevant planning policy provisions and, given the absence of likely significant environmental effects, would be in accordance with the proper planning and sustainable development of the area,

4.0 SID Determination & Prospective Application Consultations

4.1 SID Determination

In accordance with Section 182E, the Applicant entered into prospective application consultations with the Board in March 2024 to determine whether the proposed development constituted SID ([Reference ABP-319391-24](#)).

Following the completion of the pre-application consultations, the Board served notice, on 25 October 2024, of its determination that the proposed development constitutes a SID and that a planning application for same must be made directly to it pursuant to Section 182A of the Act and not to the relevant local planning authority (see **Annex 1** enclosed).

Subsequent to the determination of the Board, the alignment of the underground electricity line was revised following the conclusion of consultations with various private landowners. In summary, c. 2km of the underground electricity line has been removed from private lands and will instead be placed within the public road corridor.

The Developer considers, having reviewed the report of the Board's Inspector and the determination issued, that the revised alignment does not affect the SID status of the project or materially affect the Board's justification in determining that the project constitutes SID.

4.2 Matters to be Considered

During the course of the pre-application consultations, the Board's representatives also provided guidance to the Applicant, in accordance with Section 182E(2), 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 182A, 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 relationship of the proposed development to the permitted White Hill Wind Farm;
- The classes of development which, for Environmental Impact Assessment purposes, may be applicable to the proposed development; and,
- The effect of the proposed development on watercourses and, particularly, the methods of crossing watercourses with the underground electricity line.

Each of these aforementioned matters have been fully addressed in the enclosed planning application, including in this Planning Statement; 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 consultation throughout the project design and EIAR process. In August and September 2024, door-to-door visits were undertaken with local residents together with leaflet drops. In addition, a public information event was held on 28 and 29 August 2024 at the Lord Bagenal Inn, Leighlinbridge, County Carlow where members of the public and community groups were afforded the opportunity to discuss the project directly with the project team.

The public consultation was managed by a dedicated Community Liaison Officer and structured and managed to ensure clarity and consistency, and to maintain an objective and factual approach. A website was also established where members of the public concerned could view details of the project, receive updates on public consultation and to contact the Developer via email or a freephone number (www.whitehillwindfarm.ie).

A full 'Community Consultation Report' documenting the entire public consultation process is presented at **Annex 1.8 (Volume II)** of the EIAR.

5.2 Planning Authority Consultation

As part of the pre-application consultation process, the Board identified Kilkenny County Council and Carlow County Council as the applicable planning authorities for the proposed development. Full details of all consultations, including written correspondence and meetings, are provided in **Chapter 1** (Volume I) of the EIAR submitted.

In summary, the Applicant sought advice from the planning authorities as to the matters which, in their opinion, ought to be considered in the planning application and assessed within the respective environmental assessments. A *Preliminary Scoping Report* was provided to each planning authority in order to provide sufficient information on the project and its possible likely significant environmental effects. A response was received from each planning authority and the matters raised have

been assessed in the EIAR and/or NIS or addressed in the planning application as relevant.

A consultation meeting with representatives of the Kilkenny County Council was held on 23 October 2024. During the meeting, the project was described in detail followed by an open discussion on various matters including *inter alia* biodiversity, ground conditions, water, transport, and landscape and visual amenity; to be addressed in the EIAR. Other matters discussed during the meeting included the provisions of the *Kilkenny City and County Development Plan 2021-2027* and the cumulative impact assessment to be undertaken.

A consultation meeting with Carlow County Council was also held (online) on 24 October 2024. During the meeting the project was described in detail and the assessment of relevant environmental factors; including, *inter alia*, biodiversity, water, transport, and landscape and visual amenity; were discussed.

6.0 Environmental Impact Assessment

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 pre-application consultations are addressed in the EIAR. 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: Material Assets; and,
 - Chapter 13: 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).

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 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 Birds 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 project will not, beyond reasonable scientific doubt, undermine the conservation objectives of any European site or adversely affect the integrity of any Natura 2000 site either directly or indirectly.

8.0 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”.

While acknowledging that the proposed development comprises a connection to the national grid for an extant permitted wind energy development, a 10-year planning permission is considered appropriate for a development of this nature given the predicted construction timeframes (approximately 18-months) and to ensure all required supplementary statutory consents and licenses; such as an electricity transmission network connection agreement from EirGrid, construction authorisation from the Commission for Regulation of Utilities and road opening licences from the respective planning authorities; can be put in place.

9.0 Operational Duration

The proposed electricity substation (and ancillary electrical infrastructure) will, once operational, become a 'node' on the national electricity network and will be operated and maintained by ESB Networks and/or EirGrid as part of the electricity network. Consequently, the proposed electricity substation does not have a specified operational period and its decommissioning is not proposed.

The proposed electrical control unit and underground electricity line are solely for the purposes of transmitting electricity from the White Hill Wind Farm to the proposed electricity substation. Consequently, it is proposed that the control unit and electricity line will be decommissioned concurrently with the White Hill Wind Farm at the expiry of its operational life i.e. 35-years from the commencement of its operation.

10.0 Site Notices

13 no. site notices have been erected in respect of this proposed development at appropriate locations so as to be easily visible and legible by 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.

11.0 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 Kilkenny County Council;
- Planning Application Notification Letter issued to Carlow 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 by the Board, 2 no. hard copies and 8 no. electronic copies of all planning application plans and particulars have been provided. In addition, 2 no. hard copies and 1 no. electronic copy have been furnished to Kilkenny County Council and Carlow County Council respectively. Furthermore, all planning application and associated documentation is available to view at the dedicated SID planning application website: www.whitehillwindfarmsubstation.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 1**. Each of the prescribed bodies have been advised 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	Notified of URL of dedicated project website	18 March 2025
An Taisce	Notified of URL of dedicated project website	18 March 2025
Carlow County Council	2 no. hard copies and 1 no. soft/digital copy	18 March 2025
Commission for Regulation of Utilities	Notified of URL of dedicated project website	18 March 2025
EirGrid	Notified of URL of dedicated project website	18 March 2025
ESB Networks	Notified of URL of dedicated project website	18 March 2025
Fáilte Ireland	Notified of URL of dedicated project website	18 March 2025
Inland Fisheries Ireland	Notified of URL of dedicated project website	18 March 2025
Kilkenny County Council	2 no. hard copies and 1 no. soft/digital copy	18 March 2025
Minister for the Environment, Climate & Communications	Notified of URL of dedicated project website	18 March 2025
Minister for Housing, Local Government and Heritage	Notified of URL of dedicated project website	18 March 2025
The Heritage Council	Notified of URL of dedicated project website	18 March 2025

Transport Infrastructure Ireland	Notified of URL of dedicated project website	18 March 2025
Uisce Éireann (Irish Water)	Notified of URL of dedicated project website	18 March 2025

Table 1: Notified Prescribed Bodies

12.0 Conclusion

This planning application is being lodged with the Board following a determination that the proposed development constitutes a SID.

Government policy recognises that onshore wind energy will continue to be the major contributor to Ireland's renewable electricity generation to 2030. As the purpose of the proposed development is to facilitate the connection of the permitted White Hill Wind Farm to the national electricity network, the proposed development, in combination with the White Hill Wind Farm, will make a substantial contribution to the achievement of Ireland's binding renewable energy generation and greenhouse gas abatement targets.

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 permitted White Hill 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 population and human health, biodiversity, land and soil, water, landscape, noise, and transport and access. The NIS submitted with the application also concludes that the project will not undermine the conservation objectives or 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

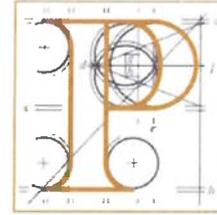
Galetech Energy Services

**Annex 1 –
Strategic Infrastructure Development Determination**



Our Case Number: ABP-319391-24

Your Reference: White Hill Wind Limited



**An
Bord
Pleanála**

Galetech Energy Services
Clondargan
Stradone
Co. Cavan
H12 NV06

Date: 29 October 2024

Re: Proposed Development of 110kV Loop in - Loop Out Electricity Substation and Approximately 8.5km of underground Electricity Line at Shankill and Ballygorteen, County Kilkenny and Lacken, Baunreagh and Annagar, County Carlow.
at Shankill and Ballygorteen, County Kilkenny and Lacken, Baunreagh and Annagar, County Carlow.

Dear Sir / Madam,

Please be advised that following consultations under section 182E of the Planning and Development Act 2000, as amended, the Board hereby serves notice that it is of the opinion that the proposed development falls within the scope of section 182A of the Planning and Development Act 2000, as amended. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 182A of the Planning and Development Act 2000, as amended. Any application for approval for the proposed development must therefore be made directly to An Bord Pleanála under section 182A(1) 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.

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

1. Minister for Housing, Local Government and Heritage
2. Minister for the Environment, Climate and Communications
3. Carlow County Council
4. Kilkenny County Council
5. Transport Infrastructure Ireland
6. An Taisce
7. Fáilte Ireland

Teil (01) 858 8100
Glaó Áitiúil 1800 275 175
Facs (01) 872 2684
Láithreán Gréasáin www.pleanala.ie
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64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
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8. The Heritage Council
9. An Chomhairle Ealaíon
10. Uisce Éireann (Irish Water)
11. Commission for Regulation of Utilities
12. EirGrid
13. ESB
14. Inland Fisheries Ireland

Further notifications should also be made where deemed appropriate.

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 following 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.

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

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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.

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.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,



Lauren Murphy
Executive Officer
Direct Line: 01-8737275

VC11A

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