

An  
Bord  
Pleanála

**Board Direction**  
**BD-017289-24**  
**ABP-317809-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 09/08/2024.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations. The Board also made a determination in relation to costs as set out hereunder.

### **Reasons and Considerations**

1. Policy Objective CM RE 5 of the Laois County Development Plan 2021-2027 seeks to promote and facilitate wind energy development in accordance with the Guidelines for Planning Authorities on Wind Energy Development and Appendix 5, Wind Energy Strategy of the Development Plan, subject to compliance with normal planning and environmental criteria. Notwithstanding the general supportive policy for wind energy development, Policy Objective CM RE 7 prohibits the location of wind farms in areas identified as 'Areas not open for consideration', as outlined in Map 3.2. The Wind Energy Strategy for County Laois delineates "Areas Not Open for Consideration" whereunder Policy Objective WES 7 refers, stating that "these areas are not considered suitable for wind farm development due to their overall sensitivity arising from landscape, ecological, recreational and/or cultural and built heritage resources as well as their limited wind regime". Accordingly, having regard to the totality of relevant policy in relation to wind energy as set out in the statutory plan, it is considered that the proposed development would materially contravene Policy Objective CM RE 7 of the Laois County Development Plan 2021-2027 and Policy Objective WES 7 of the Laois County Wind Energy Strategy and would, therefore, be contrary to the proper planning and sustainable development of the area.

Note 1:

The Board noted the matters raised relating to archaeology and cultural heritage, in the Department of Housing, Local Government and Heritage's submission (dated 6<sup>th</sup> October 2023) and the response to these by the applicant. Ordinarily these matters would elicit a request for further information, however, given the substantive reason for refusal the Board decided not to pursue those matters in this instance.

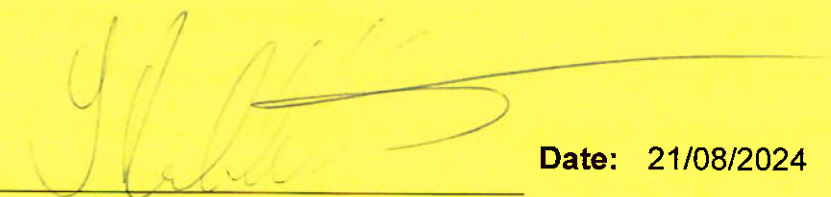
Note 2:

In deciding to refuse permission, the Board noted that at policy-making stage the planning authority's Wind Energy Strategy was subject to oversight by the Office of the Planning Regulator and subsequent Ministerial Direction. However, the Board noted that the areas designated where wind energy development was 'not open for consideration' remained unaltered with regards to the area of the proposed development in the final confirmed and adopted County Development Plan.

### **Schedule of Costs**

In accordance with the provisions of section 37(H)(2)(c) of the 2000 Act (as amended), the Board decided that the net amount due to be refunded to the applicant is €75,075.

**Board Member**

  
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Tom Rabbette

**Date:** 21/08/2024