



An
Coimisiún
Pleanála

Direction
CD-020175-25
ABP-321238-24

The submissions on this file and the Inspector's report were considered at a meeting held on 09/07/2025.

The Commission decided to approve the development generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

The Commission also determined under section 182B of the Planning and Development Act, 2000, as amended, that the amount due to be reimbursed to the applicant is **€79,195**.

Planning

Commissioner:

Patricia Calleary
Patricia Calleary

Date: 09/07/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

In performing its functions in relation to the making of its decision, the Board had regard to:

- (a) Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, and the requirement to, in so far as practicable,

perform its functions in a manner consistent with Climate Action Plan 2024 and Climate Action Plan 2025 and the national long term climate action strategy, national adaptation framework and approved sectoral adaptation plans set out in those Plans and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.

- (b) Directive 2000/60/EC, the Water Framework Directive and the requirement to exercise its functions in a manner which is consistent with the provisions of the Directive and which achieves or promotes compliance with the requirements of the Directive.

The Board also had regard to the following in coming to its decision:

- (a) **European legislation**, including of particular relevance:

- The relevant provisions of EU Directive 2011/92/EU as amended by Directive 2014/52/EU (EIA Directive) on the assessment of the effects of certain public and private projects on the environment,

European, policy/legislation including:

- Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC, as amended by 2009/147/EC (Birds Directive);
- Directive 2000/60/EC (Water Framework Directive);
- EU Directive 2009/28/EC and Directive 2018/2001/EU (Renewable Energy);
- EU 2030 Climate and Energy Framework;
- EU Energy Roadmap 2050, and
- REPowerEU Plan May 2022.

National Policy and Guidance including:

- National Development Plan 2021 – 2030;
- National Planning Framework (first revision April 2025);
- National Energy Security Framework (April 2022);

- National Energy and Climate Plan 2021 – 2030;
- National Biodiversity Action Plan 2023 – 2030;
- Long-term Strategy on Greenhouse Gas Emissions Reductions (2024);
- Policy Statement on Security of Electricity Supply (November 2021), and
- Climate Action Plan 2025 and 2024.

Regional and local policy support for developing renewable energy, in particular:

- Northern and Western Regional Assembly's Regional Spatial and Economic Strategy 2020 – 2032, and
 - Roscommon County Development Plan 2022 – 2028;
- (b) The nature, scale, extent and layout of the proposed development;
 - (c) The pattern of development within the area and context of the receiving environment, including the absence of any specific conservation or amenity designation for the site;
 - (d) Documentation submitted with the application;
 - (e) The submissions on file including those from observers, prescribed bodies and the planning authority;
 - (f) Mitigation measures proposed for the construction and operation of the development;
 - (g) The national targets for renewable energy contribution to the overall national grid;
 - (h) The proximity of the proposal to the 110kV overhead line and the permitted wind farm (An Bord Pleanála Reference ABP-313750-22), and
 - (i) The distance to dwellings and other sensitive receptors from the proposed development.

Appropriate Assessment Stage 1:

The Commission agreed with the screening assessment and conclusion carried out in the Inspector's report that the River Shannon Callows Special Area of Conservation (Site Code: 000216), the Middle Shannon Callows Special Protection Area (Site Code: 004096), the Ballynamona and Corkip Lough Special Area of Conservation (Site Code: 002339), the Castlesampson Esker Special Area of Conservation (Site Code: 001625), the River Suck Callows Special Protection Area (Site Code: 004097), the Lough Ree Special Area of Conservation (Site Code: 000440), and the Lough Ree Special Protection Area (Site Code: 004064) are European Sites for which there is a possibility of significant effects and must, therefore, be subject to Appropriate Assessment.

Appropriate Assessment Stage 2:

The Commission considered the Natura Impact Statement and all other relevant submissions including observations of the Department of Housing, Local Government and Heritage and carried out an appropriate assessment of the implications of the proposed development for European Sites in view of the Conservation Objectives for the River Shannon Callows Special Area of Conservation (Site Code: 000216), the Middle Shannon Callows Special Protection Area (Site Code: 004096), the Ballynamona and Corkip Lough Special Area of Conservation (Site Code: 002339), the Castlesampson Esker Special Area of Conservation (Site Code: 001625), the River Suck Callows Special Protection Area (Site Code: 004097), the Lough Ree Special Area of Conservation (Site Code: 000440), and the Lough Ree Special Protection Area (Site Code: 004064). The Commission considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the Sites' conservation objectives using the best available scientific knowledge in the field.

In completing the assessment the Commission considered, in particular, the following:

- (i) Site Specific conservation objectives for these European Sites;
- (ii) Current conservation status, threats and pressures of the qualifying interest features including Otter, Whooper Swan, Lapwing, Wetlands, Turloughs, Bog

Woodland, Little Grebe, Wigeon, Teal, Mallard, Shoveler, Tufted Duck, and Coot;

- (iii) Likely direct and indirect impacts arising from the proposed development, either individually or in combination with other plans or projects, specifically Seven Hills Windfarm, and the uprating of the Athlone to Lanesboro 110 kV overhead line and others set out in section 5.4 of the Natura Impact Statement, and
- (iv) Mitigation measures which are included as part of the current proposal.

In completing the Appropriate Assessment, the Commission accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the implications of the proposed development on the integrity of the aforementioned European Sites, having regard to the Sites' conservation objectives.

In overall conclusion, the Commission was satisfied that the proposed development would not adversely affect the integrity of the European Sites in view of the Sites' conservation objectives and there is no reasonable scientific doubt as to the absence of such effects.

Environmental Impact Assessment:

The Commission completed an environmental impact assessment of the proposed development taking account of:

- (a) the nature, scale and extent of the proposed development;
- (b) the Environmental Impact Assessment Reports and associated documentation submitted in support of the application;
- (c) the Screening for Appropriate Assessment and Natura Impact Statement and associated documentation submitted in support of the application;

- (d) the planning authority reports, and the submissions received from the observers and prescribed bodies, and
- (e) the Inspector's report.

The Commission considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately considers alternatives to the proposed development, and identifies and describes adequately the direct, indirect, residual and cumulative effects of the proposed development on the environment.

The Commission agreed with the examination, as set out in the Inspector's report, of the information contained in the Environmental Impact Assessment Report and associated documentation submitted by the applicant and the submissions made in the course of the application.

Reasoned Conclusions on the Significant Effects

The Commission considered and agreed with the Inspector's reasoned conclusions, that the main significant direct and indirect effects of the proposed development on the environment are disturbance/displacement of birds and construction related control of surface water and pollution. These effects are mitigated by means of scheduling works, screening of construction from birds and operation of surface water and the pollution controls during construction.

The Commission completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures proposed, as set out in the Environmental Impact Assessment Report, and subject to compliance with the conditions set out below, the effects of the proposed development on the environment, both by itself and in combination with other plans and projects in the vicinity, would be acceptable. In doing so, the Commission adopted the report and conclusions of the Inspector.

Proper Planning and Sustainable Development

It is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with European, national, regional and local planning and related policy, would not have an unacceptable impact on the landscape, biodiversity or the cultural or archaeological heritage, would not seriously injure the visual or residential amenities of the area or of property in the vicinity, and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the undertaker shall agree such details in writing with the planning authority prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The period during which the development hereby permitted may be carried out shall be 10 years from the date of this Order.

Reason: Having regard to the nature of the development and its interdependent relationship to other developments, the Commission considers

it appropriate to specify a period of validity of this consent in excess of five years.

3. The mitigation measures contained in the submitted Natura Impact Statement (NIS), shall be implemented.

Reason: To protect the integrity of European Sites.

4. The mitigation measures contained in the submitted Environmental Impact Assessment Report (EIAR), shall be implemented.

Reason: To protect the environment.

5. In addition to mitigation measures, as set out in Chapter 10 of the EIAR -

- (a) The undertaker shall engage a suitably qualified archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping or groundworks associated with the development.
 - (i) The use of appropriate machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary.
 - (ii) Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the Department of Housing, Local Government and Heritage, regarding appropriate mitigation.
 - (iii) The undertaker shall facilitate the archaeologist in recording any remains identified.
 - (iv) Any further archaeological mitigation requirements specified by the planning authority, following consultation with the Department of Housing, Local Government and Heritage, shall be complied with by the undertaker.

- (b) The Construction Environment Management Plan (CEMP) shall include the location of any and all archaeological or cultural heritage constraints relevant to the proposed development, as set out in Chapter 13 of the EIAR and by any subsequent archaeological investigations associated with the project. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during all phases of site preparation and construction activity.
- (c) The planning authority and the Department of Housing, Local Government and Heritage shall be furnished with a final archaeological report describing the results of all archaeological monitoring and any archaeological investigative work/excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. All resulting and associated archaeological costs shall be borne by the undertaker.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

- 6. In advance of commencement the applicant shall receive written agreement of the planning authority to a complete schedule of mitigation measures including those described in section 5.7 of the submitted Natura Impact Statement (NIS) subject to the additions/amendments below. The schedule shall identify who is responsible for the implementation of these measures and a timescale for implementation. The schedule of mitigation measures shall be implemented in full:
 - (i) No trenching, backfilling, road reinstatement or horizontal directional drilling shall be undertaken in the Townlands of Derryglad or Eskerbaun in the months from October to March inclusive in order to avoid disturbance of Whooper Swans or other wintering birds utilising this area.

- (ii) Temporary acoustic and visual barriers described in section 5.7.1.8 of the submitted NIS shall extend to the western boundary of the substation construction site in addition to that proposed to the south-west.
- (iii) Construction details/measures for surface water control including drawings in plan and cross section to a suitable scale at
 - (a) the site of the substation and at
 - (b) the crossing of the Cross River.
- (iv) Detailed construction details/measures for directional drilling below the Cross River.

Reason: To protect the environment and the integrity of European sites and prevent disturbance of ex-situ wintering bird species in the vicinity of the works.

7. All road surfaces, culverts, watercourses, verges, and public lands shall be protected during construction and, in the case of any damage occurring, shall be reinstated to the satisfaction of the planning authority at the undertaker's expense. Prior to commencement of development, a road condition survey shall be carried out to provide a basis for reinstatement works. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In order to protect the road network.

8. The undertaker shall comply with the following requirements:
- (a) Prior to commencement, the final construction height of interface masts shall be agreed with the planning authority.
 - (b) No additional artificial lighting shall be installed or operated on site unless authorised by a prior grant of planning permission.
 - (c) External finishes to fencing, gates and exposed metalwork (non-galvanised/subject to EirGrid requirements), roof and external walls of substation, and interface masts, shall comply with the requirements of the planning authority.

Reason: In the interests of clarity and of visual and residential amenity.

9. Prior to the commencement of development, details of CCTV cameras shall be submitted to the planning authority for written agreement. These shall be fixed and angled to face into the site and shall not be directed towards adjoining property or roads.

Reason: In the interests of clarity and of visual and residential amenity.

10. Site development and building works shall be carried out only between the hours of 0800 and 1600 from Mondays to Saturdays inclusive and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: For consistency with the Seven Hills Windfarm consent working hours and to safeguard the amenity of property in the vicinity.

11. The landscaping scheme shown in Annex 9.3 Volume II of the EIAR on Drawing Number LD.SVNHLLS-SBST 1.0, shall be carried out within the first planting season following commencement unless as otherwise agreed with the planning authority. All new planting shall be of native Irish species only, unless otherwise agreed.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of residential and visual amenity.

12. Prior to commencement of development, a detailed Construction Environmental Management Plan (CEMP), incorporating a Traffic Management Plan for the construction phase shall be submitted to, and agreed in writing with, the planning authority, generally in accordance with the Outline Construction Methodology submitted with the application. The CEMP shall incorporate the following:

- (a)
 - (i) All necessary insurances and performance bonds;
 - (ii) Consultation with An Garda Síochána, emergency services and public transport operators in the area;
 - (iii) Community Liaison Officer consultation with, inter alia, schools, the public, local residents, business owners, and elected officials;
 - (iv) Road closure licences, diversionary routes and temporary road work speed limits required. Applications to be made a minimum of eight weeks prior to the closure period. All signage by applicant;
 - (v) Pre-condition survey to the satisfaction of the planning authority of haul routes and the route of the underground electricity line and adjoining private entrances and boundary structures with structural surveys of adjoining properties where necessary;
 - (vi) Any proposed deviation from Transport Infrastructure Ireland's Specification for Road Works;
 - (vii) All public roads within which the underground electricity line is installed will be subject to a full-carriageway (i.e. full road width) reinstatement and all reinstatement proposals shall be agreed with the planning authority;
 - (viii) All ironworks, road marking and road studs shall be reinstated to their original condition;
 - (ix) Full details will be provided relating to any interactions with existing services and watercourse crossings;
 - (x) A two-year defects liability period.
- (b) A detailed plan for the construction phase incorporating, inter alia, construction programme, supervisory measures, noise, dust, and surface water management measures including appointment of a site noise liaison officer, and the management of transport and disposal of construction waste. This shall address any concurrent construction phase of the Seven Hills Wind Farm.

- (c) A comprehensive programme for the implementation of all monitoring commitments made in the application and supporting documentation during the construction period;
- (d) An Invasive Species Eradication and Management Strategy for the site, to include monitoring post completion of works;
- (e) An emergency response plan;
- (f) Proposals in relation to public information and communication. A record of daily checks that the works are being undertaken in accordance with the Construction Environmental Management Plan shall be kept for inspection by the planning authority.

Reason: In the interests of environmental protection and orderly development.