

An
Coimisiún
Pleanála

Direction
CD-022454-26
ABP-322575-25

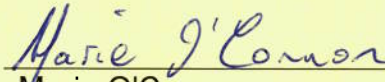
The submissions on this file and the Inspector's report were considered at a meeting held on 03/09/2026.

The Commission decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Planning

Commissioner:

Date: 09/09/2026


Marie O'Connor

DRAFT WORDING FOR ORDER

Reasons and Considerations

The Commission performed its functions in relation to the making of its decision, in a manner consistent with:

- (a) Section 15(1) of the Climate Action and Low Carbon Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, (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);
and,

- (b) Directive 2000/60/EC, the Water Framework Directive and in a manner which achieves or promotes compliance with the requirements of the Directive.

In coming to its decision, the Commission had regard to the following:

- (c) Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directive) which set the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union.
- (d) Directive 2011/92/EU (The Environmental Impact Assessment Directive) as amended by Directive 2014/52/EU as implemented by Article 94 and Schedule 6 (paragraphs 1 and 2) of the Planning and Development Regulations, 2001, as amended.

National and regional planning and related policy, including:

- (e) National Planning Framework First Revision April 2025;
- (f) Programme for Government- Our Shared Future 2020;
- (g) Regional Spatial & Economic Strategy for the northern and western region 2020-2032;
- (h) Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy 2022;
- (i) Large Energy User Action Plan January 2026;
- (j) CRU Large Energy Users Connection Policy December 2025;
- (k) Renewable Electricity Corporate Purchase Agreements Roadmap March 2022;
- (l) Harnessing Digital- The Digital Ireland framework 2022, and
- (m) Government Policy Statement on Security of Electricity Supply (2021)

Local Planning policy including in particular,

- (n) The provisions of the Mayo County Development Plan 2022-2028.

Having regard to the information on file, the application has failed to demonstrate that they have a fixed connection agreement to the grid, and that there is existing capacity in the electricity grid (without which the broader principles and allowances set out in the Government Statement on the role of Data Centres can be assessed), the lack of significant on site renewable energy to power the proposed development, the lack of evidence provided in relation to the applicant's engagement with Compulsory Power Purchase Agreements (CPPAs) in Ireland, and in the absence of a future occupier of the development to engage in EU Emission Trading Systems (ETS), it is considered the applicant has failed to demonstrate that the proposed development would be in accordance with the overarching objectives of the Climate Action Plan 2025, by reference to reducing Greenhouse Gas emissions and the broader principles and allowances set out in the Government Statement on the Role of Data Centres. Notwithstanding a number of renewable wind energy projects in the vicinity of the appeal site, the applicant has not provided any evidence that the proposed development could avail of locally generated renewable power for the development and that there is sufficient capacity in the grid to service the development. The proposed development is considered to be premature in the absence of this detail and would therefore be contrary to Objectives EDO 67 and EDO 69 of the Mayo County Development Plan 2022-2028. The proposed development would therefore be contrary to the proper planning and development of the area.

Appropriate Assessment Stage 1

The Commission completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development, the Appropriate Assessment Screening Report submitted with the application, the Inspector's Report, and reports on file.

In completing the screening exercise, the Commission adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would be not likely to have a significant effect on any European site in view of the conservation objectives of such sites, other than Killala Bay/Moy Estuary SAC (000458) and Killala Bay/Moy Estuary SPA (004036). There was therefore a requirement to carry out a Stage 2 Appropriate Assessment.

Appropriate Assessment Stage 2:

The Commission considered the Natura Impact Statement and all other relevant submissions and carried out an appropriate assessment of the implications of the proposed development on the Killala Bay/Moy Estuary SAC (000458) and Killala Bay/Moy Estuary SPA (004036), in view of the sites' Conservation Objectives. 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 site's Conservation Objectives using the best available scientific knowledge in the field.

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

- (a) the site specific Conservation Objectives for the European Sites,
- (b) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects, and
- (c) the 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 potential effects of the proposed development on the aforementioned European sites, having regard to the site's conservation objectives.

In overall conclusion, the Commission was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of European site in view of the sites' conservation objectives. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable scientific doubt as to the absence of adverse effects.

Environmental Impact Assessment (EIA):

The Commission completed an Environmental Impact Assessment in relation to the proposed development, taking into account:

- (a) the nature, scale, location, and extent of the proposed development,

- (b) the Environmental Impact Assessment Report (EIAR) and associated documentation submitted in support of the application,
- (c) the submissions received from the applicant, planning authority, prescribed bodies and observers in the course of the application, and
- (d) the Inspector's report and addendum report.

The Commission considered that the environmental impact assessment report, supported by the documentation submitted by the applicant, adequately identifies and describes the direct, indirect, secondary and cumulative effects of the proposed development on the environment.

The Commission completed an environmental impact assessment in relation to the proposed development and concluded that, notwithstanding the implementation of the mitigation measures proposed as set out in the Environmental Impact Assessment Report, the EIAR relies to a large extent on the electricity sectoral ceilings be met and net zero decarbonisation of Greenhouse Gas (GHG) emissions by 2050 as committed to in the Programme for Government and set out in the Climate Act 2021.

The Commission also concluded that the proposed development would be likely to have significant effects relating to emissions of GHG from energy generated from fossil fuels by the national grid during the operational phase of the development. Although the applicant has identified there is a significant level of renewable energy projects in the North Mayo area they have not indicated how the development would avail of these projects and have not provided any supporting documentation from any System Operators agreeing to a connection to power the proposed development.