An Coimisiún Pleanála

Direction
CD-022458-26
ACP-323635-25

The submissions on this file and the Inspector's report were considered at a meetings held on the 31/08/2026 09/09/2026 and 24/09/2026.

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

The Commission also made a determination in relation to costs associated with the application as indicated in the Schedule of Costs hereunder.

Planning Commissioner: Paul Caprani **Date:** 24/09/2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

The Commission made its decision consistent with:

(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.

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

- European legislation, including of particular relevance
  - 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.
  - EU Renewable Energy Directive 2009/28/EC which aims to promote the use of renewable energy and amending Directive EU/2023/2413 which aims to speed up the EU's clean energy transition as implemented by European Union (Planning and Development) (Renewable Energy) Regulations 2025 (S.I. 274 of 2025).
  - Directive 2011/92/EU (The EIA Directive) as amended by Directive 2014/52/EU as implemented by Article 94 and Schedule 6 (paragraphs 1 and 2) of the Planning Regulations as amended.
- National and regional planning and related policy, including:
  - National policy with regard to the development of alternative and indigenous energy sources and minimisation of emissions from greenhouse gases, particularly the National Planning Framework First Revision 2025 and National Policy Objective 70.

- Wind Energy Guidelines: Guidelines for planning authorities 2006 and the draft guidelines published in 2019.
- The objectives and targets of the National Biodiversity Action Plan 2023-2030.

- Regional and local planning policy, including:
  - Regional Spatial Economic Strategy for the Southern Region 2020-2032.
  - Limerick Development Plan 2022-2028.
  - Cork County Development Plan 2022-2028.
- Other relevant national policy and guidance documents.
- The nature, scale and design of the proposed development as set out in the planning application and the pattern of development in the vicinity.
- The likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on European Sites.
- The reports of the planning authority received in response to same.
- The submissions made on the planning application to the Commission in connection with the application.
- The report and the recommendation of the Inspector, including the examination, analysis and evaluation undertaken in relation to appropriate assessment and environmental impact assessment.
- The revised Renewable Energy Directive (REDIII) Directive (EU) 2023/2413 of the European Parliament and of the Council of 18 October 2023 amending Directive (EU) 2018/2001, Regulation (EU) 2018/1999 and Directive 98/70/EC as regards the promotion of energy from renewable sources, and repealing Council Directive (EU) 2015/652..

Appropriate Assessment: Stage 1:

The Commission considered the Screening Report for Appropriate Assessment and all other relevant submissions and carried out an appropriate assessment screening exercise in relation to the potential effects of the proposed development on designated European Sites. The Commission noted that the proposed development is not directly connected with or necessary for the management of any European Site and considered the nature, scale, and location of the proposed development, as well as the report of the Inspector. The Commission agreed with the screening exercise carried out by the Inspector.

The Commission concluded that, having regard to the qualifying interests for which the sites were designated and in the absence of connections to and distance between the application site and the European Sites, including Ballyhoura Mountains Special Area of Conservation (Site Code: 002036), Blackwater River (Cork/Waterford) Special Area of Conservation (Site Code: 002170), Tory Hill Special Area of Conservation (Site Code: 000439), Glen Bog Special Area of Conservation (Site Code: 001430), Kilcolman Bog Special Protection Area (Site Code: 004095), they could be screened out from further consideration and that the proposed development, individually or in combination with other plans or projects would not be likely to have significant effects on these European Sites or any other European Site in view of the sites' conservation objectives and that a Stage 2 appropriate assessment is therefore not required in relation to these European Sites.

The Commission considered that an appropriate assessment of the implications of the proposed development for the Lower River Shannon Special Area of Conservation (Site Code: 002165) and the River Shannon and River Fergus Estuaries Special Protection Area (Site Code: 004077) required further investigation.

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 for the Lower River Shannon Special Area of Conservation (Site Code: 002165) and the River Shannon and River Fergus Estuaries Special Protection Area (Site Code:004077).

The Commission considered that the information before it was adequate to allow the carrying out of an Appropriate Assessment as well as the report of the Inspector. In completing the assessment, the Commission considered the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects, the mitigation measures which are included as part of the current proposal and the conservation objectives for these European Sites. 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 sites' conservation objectives.

In overall conclusion, the Commission was satisfied that the proposed development would not adversely affect the integrity of the Lower River Shannon Special Area of Conservation (Site Code: 002165) and the River Shannon and River Fergus Estuaries Special Protection Area (Site Code: 004077) or any other European Site in view of the sites' conservation objectives.

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 Report (EIAR) 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 developer, 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, set out in the Inspector's report, of the information contained in the Environmental Impact Assessment Report and associated documentation submitted by the developer and submissions made in the course of the application.

Reasoned Conclusions on the Significant Effects

The Commission considered, and agreed with the Inspectors reasoned conclusions, that the main significant direct and indirect effects of the proposed development on the environment are and would be mitigated as follows:

- **Climate**: The proposed development would have a significant positive impact on climate due to the displacing of fossil fuel energy generation and the associated displacement of Carbon Dioxide (CO2) and other greenhouse gas emissions. Over the proposed 35-year lifetime of the development, 1,634,117 tonnes of carbon dioxide will be displaced from traditional carbon-based electricity generation, which is a significant positive, long-term impact on climate due to its contribution to renewable energy targets and the reduction of greenhouse gas emissions.
- **Landscape and Visual:** Significant negative visual effects as a result of the proposed windfarm will be experienced by a small number of residential properties within circa 1kilometre where these have open views of the proposed turbines. This will reduce to not significant beyond 1 kilometre where views will be intermittent, limited or screened. These effects are an inevitable consequence of the introduction of large-scale wind turbines into a flat lowland landscape.
- **Traffic**: Significant negative impacts arise during the construction phase of the development. These impacts include additional traffic movements on the National/local road network, movement of abnormal loads on the N20 resulting in delays and the provision of a construction one way haul route on the L1537. Traffic impacts will be short-term and temporary and will be adequately

mitigated during construction by the implementation of measures set out in the Environmental Impact Assessment Report, including the final Construction Environmental Management Plan and Traffic Management Plan.

- **Biodiversity & Ornithology**: Significant local negative impacts on biodiversity and ornithology will occur due to the removal of linear habitats on site, including existing treelines and hedgerows (1,649 metres). This will be mitigated through the delivery of measures outlined the Biodiversity Enhancement Management Plan including the new hedgerow planting programme (1,620 metres), additional hedgerow enhancement (1,359 metres) and re-vitalisation of existing unmanaged hedgerows (4,074 metres), as well as the planting of 0.67 hectares of native woodland the within the site. The Commission has considered the replacement and management of circa 7,000 metres of hedgerow will offset of the negative impacts.
- A potential significant impact on bats and the potential loss of any bat roosts can be avoided through the omission of turbine T2.
- Development of turbine T1 circa 170 metres from the Charleville lagoons poses a significant risk to waterbird species using the lagoons. Significant impacts on these waterbird species can be avoided through the omission of turbine T1.
- **Archaeology and Cultural Heritage:** Ground excavation works during the construction phase will have the potential to result in significant effects on any unrecorded sub-surface archaeological features or deposits that may exist within the footprint of development areas. With the implementation of mitigation measures outlined in Chapter 15 of the Environmental Impact Assessment Report the potential for negative effects on unrecorded archaeological sites during excavations, will be reduced.

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, and subject to compliance with the conditions set out below, the effects of the proposed development on the environment, 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 consistent with the Climate Action and Low Carbon Development Act 2015 (as amended), the National Biodiversity Action Plan 2023-2030, the National Planning Framework, the Regional Spatial Economic Strategy for the Southern Region 2020-2032 (RSES) and the provisions of the Limerick Development Plan 2022 – 2028 (LCDP 2022) and the Cork County Development Plan 2022-2028.

It would comply with European, national, and regional renewable energy policies and with the provisions of Local policy, would be consistent with the obligations of the Climate Action Plan 2024 and 2025, would not have an unacceptable impact on the character of the landscape and visual amenities of the area, would not have a significant adverse impact on biodiversity, hydrology/hydrogeology, ecology, ornithology or archaeological and cultural heritage of the area, would be acceptable in terms of traffic safety and would make a positive contribution to Ireland's renewable energy and security of energy supply requirements. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

The Commission noted that the Development Management Standards set out in Section 11.7.2.1 of the Limerick County Development Plan 2022 (LCDP 2022) refers to a lower night-time noise limit, which differs to those stated in the Wind Energy Development Guidelines for Planning Authorities 2006 (WEDG 2006). WEDG 2006 recommends a night-time noise not exceeding 43dB(A). The LCDP 2022 has a lower fixed noise limit for night-time noise not exceeding 38dB(A) L90 or 5dB(A) above background noise levels, whichever is greater.

As such, the proposed development can be considered to comprise a material contravention of the County Development Plan given that the predicted operational noise levels of the proposed development will not accord with the development management standards of the LCDP 2022. However, the noise levels will comply with the night-time limit levels of WEDG 2006 which is the appropriate Section 28 ministerial guidelines for windfarm developments.

The Commission noted that under Section 37G(6) of the Planning and Development Act 2000, as amended, it may, in determining an application under that section, decide to grant a permission even if the proposed development contravenes materially the Development Plan.

The specific circumstances where permission may be granted notwithstanding a material contravention are set out in Section 37G(6) which provides that;

> *'(6) The Board may decide to grant a permission for development, or any part of a development, under this section even if the proposed development, or part thereof, contravenes materially the development plan relating to any area in which it is proposed to situate the development.'*

Subject to the provisions of Section 37G(6), the proposed wind farm development complies with these provisions based on the proposed windfarm development being of strategic and national importance, based on the Climate Plans and Policy Objectives, national and regional objectives and on achieving European and Irish legally binding renewable energy targets including the 9 GW onshore wind target and achieving 80% of electricity demand from renewable sources by 2030. Furthermore, having regard to the particular features of the specific development, including the distance to noise sensitive receptors, the provided assessment of noise impact at operation stage, it is considered appropriate and practicable to grant permission in this instance notwithstanding the material contravention of the development plan as described above.

The Commission agreed with the Inspector and the specialised reports in relation to bats and ornithology prepared in conjunction with the inspectors main report, that Turbine Numbers 1 and 2 should be omitted on the basis that insufficient information has been presented in the documentation submitted with the application which would satisfy the Commission that as proposed the Turbines in question would not have an adverse environmental impact on potential bat roosts and could present a potential collision risk for nocturnally active species such as shoveler and other wildfowl passing through the windfarm on flights associated with the Charleville Lagoons. Under the current consent exercise, the Commission on the evidence presented by the applicant, decided, based on the precautionary principle, to omit turbines 1 & 2.

The Commission also noted that Limerick County Development Plan 2022 supports the development of renewable energy in the County, under renewable energy policy CAF P6;

> *'It is a policy of the Council to support renewable energy commitments outlined in national and regional policy, by facilitating the development and exploitation of a range of renewable energy sources at suitable locations throughout Limerick, where such development does not have a negative impact on the surrounding environment landscape, biodiversity, water quality or local amenities, to ensure the long-term sustainable growth of Limerick.'*

On the basis of the above, and noting the conclusions reached in the Inspectors report that the proposed development subject to the conditions attached, accords with the proper planning and sustainable development and that environmental effects would be acceptable, the Commission is satisfied that, notwithstanding the material contravention in relation to noise contained in the Limerick County Development Plan 2022 (LCDP 2022) (Development Management Standards, Section 11.7.2.1 of LCDP 2022), it is appropriate for the Commission to grant permission, taking into account the guidance contained in the Wind Energy Development Guidelines 2006 in respect of noise limits and the wider support for wind energy set out in the LCDP 2022 as well as national, regional and local policy support for onshore wind energy, and the obligations placed on the Commission under Section 15 of the Climate Action and Low Carbon Development Act 2015, as amended. In conclusion on this matter, it is considered that the proposed development is in accordance with the proper planning and sustainable development for 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 developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Turbines T1 and T2, together with associated hardstands and access tracks, shall be omitted from the development hereby permitted. For clarity, the permitted wind farm shall relate to seven wind turbines only. Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

   Reason: In the interest of protection of the Bird and Bat species/habitat.

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

   Reason: To protect the environment.

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

   Reason: To protect the integrity of European Sites.

5. The following design requirements shall be adhered to:

   (a) The wind turbines shall be designed as follows, in accordance with the turbine option assessed in the Environmental Impact Assessment Report and Natura Impact Statement, together with application documentation;

   - Turbine Tip Height – 170 metres.
   - Hub Height – 95 metres.
   - Rotor Diameter – 150 metres.

   (b) The wind turbines, including masts and blades, shall be finished externally in a light grey colour to be agreed in writing with the planning authority prior to commencement of development.

   (c) Cables within the site shall be laid underground.

   (d) The wind turbines shall be geared to ensure that the blades rotate in the same direction.

(e) Transformers associated with each individual turbine and mast shall be located either within the turbine mast structure or at ground level beside the mast.

Reason: In the interest of visual amenity.

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

Reason: Having regard to the nature and extent of the proposed development, the Commission considered it appropriate to specify a period of validity of this permission in excess of five years.

7. (a) The permission shall be for a period of 35 years from the date of the first commissioning of the windfarm save for the 110kV Substation and underground cable connecting to the National Grid. All structures, including foundations, shall then be removed and the site reinstated unless, prior to the end of that period, planning permission shall have been granted for their retention for a further period.

(b) Prior to the commencement of development, a detailed Site Restoration Plan providing for the removal of the turbines and all ancillary structures, and a timescale for its implementation, shall be submitted to and agreed in writing with the planning authority.

(c) On full or partial decommissioning or if the wind farm ceases operation for a period of more than one year the windfarm, the turbines and all ancillary structures shall be dismantled and removed permanently from the site. The site shall be restored in accordance with the agreed Site Restoration Plan and all decommissioned structures shall be removed from the site within 12 months of decommissioning.

Reason: To enable the planning authority to review the operation of the windfarm over the stated time period, having regard to the circumstances then prevailing, and in the interest of landscape restoration upon cessation of the project.

8. Prior to commencement of development, the developer shall submit to the planning authority a schedule of all mitigation, monitoring and enhancement measures. This shall identify who is responsible for the implementation and monitoring of these measures and timescales for implementation and monitoring (where applicable).

The schedule of mitigation measures shall include the following additional requirements for agreement with the planning authority:

Roads:

(a) Drawings and supporting information shall be submitted to and agreed in writing with the planning authority prior to the commencement of the development as follows;

- **Site Entrance number one -** The following shall be submitted in plan form and to scale, a drawing demonstrating full sightlines and stopping sight distances of 215 metres at Site 1 Entrance off the N20. Details of drawings and photographs to be agreed in writing with the planning authority.
- **Site Entrance number two-** The following shall be submitted in plan form and to scale, a drawing demonstrating full sightlines, stopping sight distances and forward visibility of 90 metres at Site 2 Entrance off L1537. Details of drawings to be agreed in writing with the planning authority.
- **Road Safety Audit Stage 1, 2 and 3 –** Road safety audit stage 1,2 and 3 to be submitted and agreed in writing with the planning authority for site entrance number 2.

Condition surveys –

(i) The developer shall submit a pavement condition survey incorporating report on any structures (e.g. bridges, culverts) along various routes affected by the proposed works. Details to be agreed in writing with the planning authority.

(ii) A pre-condition survey of the haulage route at the proposed entrances shall be submitted for the written agreement of the planning authority including all bridges.

(iii) A post-condition survey of the haulage route at the proposed entrances shall be submitted for the written agreement of the planning authority including all bridges upon site completion

Bat Carcass Search Protocol:

- A site-specific bat carcass search schedule and protocol in line with the current Northern Ireland Environment Agency guidelines shall be submitted and agreed in writing with the planning authority.

Inland Fisheries Ireland Requirements:

- In relation to the clear-span bridges proposed, the following measures are required;
  - Abutments are set back at least 5 metres from the top of the bank.
  - Edging is provided on the bridge deck to prevent direct loss of material to the river below.
  - Bridge drainage is away from the river and passes through a treatment system before returning to the river.
  - A method statement agreed in writing in advance of works with Inland Fisheries Ireland.

Barn Owl Boxes:

- Barn owl boxes shall be provided onsite and the location and number to be agreed in writing with the planning authority.

Reason: In the interest of road safety and to protect biodiversity, the environment and the integrity of European Sites.

9. Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a Construction Traffic Management Plan (CTMP) for the construction phase of the development for the written agreement of the planning authority. The Traffic Management Plan shall incorporate details of the road network to be used by construction traffic including oversized loads, detailed proposals for the protection of bridges, culverts and other structures to be traversed, as may be required. The agreed CTMP shall be implemented in full during the course of construction of the development.

   The plan shall also contain details of how the developer intends to engage with relevant parties (planning authorities, Public Private Partnership companies) and notify the local community in advance of the delivery of oversized loads. Any proposed works to the national road network to facilitate turbine delivery shall comply with the requirements of Transport Infrastructure Ireland.

   Reason: In the interest of traffic safety and convenience.

10. The developer shall appoint a Community Liaison Officer for all stages of the development who shall be the first point of contact for residents and be responsible for monitoring and reporting of complaints, maintaining complaints register, addressing complaints and for discharging information in relation to the development to residents.

    Reason: In the interest of amenity and orderly development.

11. Noise levels generated by the windfarm following commissioning by itself or in combination with other existing or permitted wind energy development in the vicinity, when measured externally at noise sensitive location the windfarm following commissioning by itself shall not exceed:

    - For the daytime period 0700 hours to 2300 hours, in quiet environments, where background noise is less than 30dB(A)L90 T10, a maximum noise level of 40dB(A)L90 T10,

- For daytime periods, 0700 hours to 2300 hours, where the background noise level exceeds 30dB(A)L90 T10, the greater of 45dB(A)L90 T10, or 5dB(A) above background levels,
- For the nighttime period 2300 hours to 0700 hours, for all noise environments, 43dB(A)L90 T10.

Prior to the commissioning of the windfarm, the developer shall submit and agree in writing with the planning authority a Noise Compliance Monitoring Programme (NCMP) for the operational windfarm. The NCMP shall include a detailed methodology for all sound measurements, including frequency of monitoring and recording of results, which shall be made publicly available. The results of the initial noise compliance monitoring shall be submitted to and agreed in writing with the planning authority within 12 months of commissioning of the wind farm. The NCMP shall be fully implemented during the operation of the windfarm.

Reason: In order to protect the amenities of noise sensitive properties in the vicinity of the development.

12. (a) Appropriate software shall be employed on each of the turbines to ensure that there will be no shadow flicker at any existing nearby dwelling. Turbine shutdown shall be undertaken by the wind energy developer or operator in order to eliminate the potential for shadow flicker.

(b) A report shall be prepared by a suitably qualified person in accordance with the requirements of the planning authority indicating compliance with the above shadow flicker requirements at dwellings. Within 12 months of the commissioning of the wind farm, this report shall be prepared and submitted to, and agreed in writing with, the planning authority. The developer shall outline proposed measures to address any recorded non-compliances, controlling turbine rotation if necessary. A similar report may be requested by the planning authority at reasonable intervals thereafter.

Reason: In the interest of residential amenity

13. Prior to the commissioning of the windfarm, the developer shall submit for the written agreement of the planning authority details of actions to be taken by the developer in the event of the proposed development causing interference with telecommunication signals or television reception. Such actions shall be completed to minimise interference with telecommunication signals and shall be carried out to the written satisfaction of the planning authority at the developer's expense.

Reason: In the interest of protecting telecommunication signals and residential amenity.

14. The construction of the development shall be managed in accordance with a Construction and Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

    (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;

    (b) Location of areas for construction site offices and staff facilities;

    (c) Details of site security fencing and hoardings;

    (d) Details of on-site car parking facilities for site workers during the course of construction;

    (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;

    (f) Measures to obviate queuing of construction traffic on the adjoining road network;

    (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;

    (h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;

(i) Details of a local community feedback mechanism, where feedback including complaints are received and acted upon by a designated Community Liaison Officer;

(j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;

(k) Details of all services and utilities along the grid connection route/construction haul route and methodology for crossing/diversions.

(l) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;

(m) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;

(n) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains;

(o) Works to be carried out in accordance with Inland Fisheries Ireland 'Guidelines on protection of fisheries during construction works in and adjacent to waters';

(p) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority, with monitoring on a daily basis of all watercourses in or adjacent to works areas;

(q) Measures to be implemented to minimise the potential for increased soil/peat stability and erosion of soils, with monitoring of the same.

Reason: In the interest of amenities, public health and safety and environmental protection.

15. Site development and building works shall be carried out between the hours of 0700 hours to 1900 hours Mondays to Fridays inclusive, between 0800 hours to 1400 hours on Saturdays 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 and in accordance with measures outlined in the Environmental Impact Assessment Report.

Reason: To safeguard the amenity of property in the vicinity.

16. Drainage arrangements including the attenuation and disposal of surface water shall comply with the requirements of the relevant Section of the County Council for such works and services.

    Reason: In the interest of public health and surface water management.

17. All development shall be carried out in compliance with Uisce Éireann's Standard Details and Codes of Practice. Note that Uisce Éireann does not permit Build Over of its assets. Where the developer proposes works or build over existing water or wastewater services, the developer shall have received a written Confirmation of Feasibility (COF) of Diversion(s) from Uisce Éireann prior to any works commencing.

    Reason: To protect the public water and wastewater facilities.

18. (a) Prior to commencement of development and following consultation with the Department of Defence and Irish Aviation Authority, the developer shall submit for written agreement of the planning authority, details of an obstacle warning light scheme which can be visible to night vision equipment.

    (b) The developer shall inform Shannon Airport Authority, Irish Aviation Authority and AirNav Ireland of its intention to commence crane operations with a minimum of 30 days prior notification of their erection.

    (c) Prior to commissioning of the turbines, the developer shall inform the planning authority and the Irish Aviation Authority of the co-ordinates of the as constructed positions of the turbines and the highest point of the turbines (to the top of the blade spin).

    Reason: In the interest of air traffic safety.

19. Archaeological Requirements:

(a) All mitigation measures in relation to archaeology and cultural heritage as set out in Chapter 15 of the Environmental Impact Assessment Report (John Cronin and Associates; dated August 2025) shall be implemented in full, except as may otherwise be required in order to comply with the conditions of this Order.

(b) The developer shall engage a suitably qualified licenced eligible archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological geophysical survey and pre-development archaeological test excavations in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/site clearance and/or construction works.

(i) The Archaeological Geophysical Survey must be carried out under licence or consent from the National Monuments Service and in accordance with an approved method statement. Having completed the work, the archaeologist shall submit a written report to the National Monuments Service and the lanning authority describing the results of the Archaeological Geophysical Survey.

(ii) The archaeologist shall liaise with the National Monuments Service to establish, based on the results the Archaeological Geophysical Survey, the appropriate scope of the Archaeological Test Excavation to adequately characterise the character and extent of any potential sub-surface archaeological material within the development site.

(iii) The report on the Archaeological Test Excavation shall include an archaeological impact statement and mitigation strategy. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record (archaeological excavation) and/or monitoring may be required.

(iv) Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer.

(v) No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the planning authority.

(c) In advance of the commencement of any construction works, the developer shall engage a suitably qualified archaeologist to carry out Full Archaeological Excavation (licensed under the National Monuments Acts) of newly identified archaeological sites at the sub-station, turbine T06 and spoil storage at turbine T09.

(i) The Full Archaeological Excavation shall be carried out to according to Best Archaeological Practice and in accordance with an approved Method Statement that shall incorporate a strategy for environmental sampling, finds retrieval and conservation and subsequent publication or other suitable dissemination of results.

(ii) If significant archaeological features are discovered during the course of the Full Archaeological Excavation, work on site shall stop pending a decision of the planning authority, in consultation with the National Monuments Service, regarding appropriate additional mitigation measures, which may include preservation in-situ or full archaeological excavation. Any additional archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer.

(iii) No construction works shall be carried out on site until a Preliminary Excavation Report on the Full Archaeological Excavation has been submitted to the National Monuments Service and the planning authority and approval to proceed is agreed in writing.

(iv) The developer shall ensure that any necessary Post-Excavation Analysis, as set out in the Preliminary Excavation Report including

(but not limited to) specialist analysis of finds and samples, scientific dating and conservation of artefacts is completed.

(d) A suitably qualified archaeologist shall be retained to advise on and establish appropriate Exclusion Zones (25 metres) around the Heritage Assets located within the development site (as identified in Chapter 15 of the Environmental Impact Assessment Report or by any subsequent investigations associated with the project).

(i) Exclusion Zones shall be fenced off or appropriately demarcated for the duration of construction works in the vicinity of the monuments. The location and extent of each Exclusion Zone and the appropriate methodology for fencing off or demarcating at each location shall be agreed in advance with the National Monuments Service and the planning authority.

(ii) No groundworks of any kind (including but not limited to advance geotechnical site investigations) and no machinery, storage of materials or any other activity related to construction will be permitted within Exclusion Zones.

(e) 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 15 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.

(f) The developer shall retain the services of a suitably qualified archaeologist to advise on an archaeological mitigation plan for decommissioning of the development, to include mitigation measures for the removal of the turbines and the protection of any archaeological sites and monuments that are in situ at the site. The Decommissioning Plan shall be updated to include the location of any archaeological or cultural heritage constraints as set out in

Chapter 15 of the EIAR and by any subsequent archaeological investigations associated with the project. It shall clearly describe all identified likely impacts from decommissioning, both direct and indirect and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during decommissioning works.

(g) The planning authority and the National Monuments Service 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 developer.

(h) Prior to the commencement of development, details of any mitigation measures proposed regarding existing architectural heritage constraints along the Turbine Delivery Route (including Ferry Bridge, Record of Protected Structures (Register Number: 6257) shall be submitted to the local authority for agreement.

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

20. The Community Benefit scheme shall be adhered to for the life of the windfarm. The scheme shall be administered in accordance with the RESS Community Benefit Fund Good Practice Principles, 2021, prepared by the Department of the Environment, Climate and Communications.

In the event that the developer does not utilise the government's Renewable Energy Support Scheme (RESS), prior to the commencement of development, a community gain proposal shall be submitted to the planning authority for written agreement. In default of agreement, the matter shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure that the community living in proximity to the wind farm, benefits from it.

21. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the reinstatement of public roads which may be damaged by the transport of materials to the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

    Reason: In the interest of traffic safety and the proper planning and sustainable development of the area.

22. Prior to commencement of development, the developer shall lodge with the relevant Planning Authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the relevant Planning Authority, to secure the satisfactory reinstatement of the site upon cessation of the project, coupled with an agreement empowering the relevant Planning Authority to apply such security or part thereof to such reinstatement. The form and amount of the security shall be as agreed between the relevant Planning Authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

    Reason: To ensure the satisfactory reinstatement of the site

23. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under Section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be

agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under Section 48 of the Act be applied to the permission.

Schedule of Costs

In accordance with the provisions of section 37H(2)(c) of the Planning and Development Act 2000, as amended, the amount due to be recouped **from** the developer is €81,430