

## **Board Order PL 07.247582**

Planning and Development Acts 2000 to 2017

**Planning Authority: Galway County Council** 

Planning Register Reference Number: 15/1571

**Appeal** by Jarlath McEvoy and Group care of Peter Crossan Planning and Research Solutions of Cloneary, Bawnboy, County Cavan and by the Department of Arts, Heritage and the Gaeltacht of Newtown Road, Wexford against the decision made on the 20<sup>th</sup> day of October, 2016 by Galway County Council to grant subject to conditions a permission to Frank Ó Domhnaill and Richard Bourns care of McCarthy Keville O'Sullivan Limited of Block 1, G.F.S.C., Moneenageisha Road, Galway.

Proposed Development: A ten year planning permission to construct a wind farm on site in the townlands of Lisbeg, Muing, Coolcarta East, Annaghcorrib and Coolcarta West, County Galway. The proposed underground cable connection to the national grid will run under the existing road network through the townlands of Coolcarta West, Caltragh, Fynagh, Moneenaheeltia, Killevny, Ballyhoose, Oghil More, Laurencetown, Oghil Beg, Belview or Lissareaghaun, Crowsnest, Graveshill, Barnaboy, Somerset and Coolbeg, County Galway. The proposed wind farm will comprise the provision of a total of up to five number wind turbines with a maximum overall blade tip height of up to 169 metres, new internal access roads and upgrading of existing roads to facilitate delivery of abnormal loads, wind anemometry mast (up to 100 metres in height), one number borrow pit, one number electricity sub-station with control buildings and associated equipment, underground electricity connection cabling, one number temporary construction compound, upgrading of the existing site access junction and all ancillary site works, as amended by the further public notice received by the planning authority on the 26<sup>th</sup> day of August, 2016.

## **Decision**

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

The proposed development would be located within 15 kilometres from an extensive range of European sites (Special Areas of Conservation and Special Protection Areas). It would also be located in close proximity to the River Suck Callows Special Protection Area (Site Code 004097), the Middle Shannon Callows Special Protection Area (Site Code 004096) and the River Little Brosna Callows Special Protection Area (Site Code 004086), which are designated for their importance to wintering and migratory birds, wetland birds, and waterfowl. The wind farm site is potentially used and overflown by a range of bird species that are listed as conservation interests for these nearby Special Protection Areas, and the proposed development would cause a disturbance and pose a potential collision risk to these species, which include Whooper Swan, Lapwing and Golden Plover, arising from the construction and operation of the wind farm.

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On the basis of the information provided with the application and appeal, including the Natura impact statement and revised Natura impact statement, the Board is not satisfied that sufficient information has been submitted to enable the completion of an Appropriate assessment in so far as it cannot determine and rule out, beyond reasonable scientific doubt, the likelihood of significant adverse effects of the proposed development individually, or in combination with other plans or projects, on the integrity of these European sites, in view of their conservation objectives. Having regard to the provisions of Article 6(3) of the EU Habitats Directive, and of Section 177V (3) of the Planning and Development Act 2000, as amended, the Board is, therefore, precluded from granting permission for the proposed development.

Member of An Bord Pleanála duly authorised to authenticate the seal of the Board.

Dated this day of 2017

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