

## Board Order PL 05E.248796

Planning and Development Acts 2000 to 2017 Planning Authority: Donegal County Council Planning Register Reference Number: 17/50543

**Appeal** by Cufgaze Limited care McCarthy Keville O'Sullivan of Block 1, G.F.S.C., Moneenageisha Road, Galway against the decision made on the 2<sup>nd</sup> day of June, 2017 by Donegal County Council to refuse permission.

**Proposed Development:** (1) A 110 kV electricity substation which includes two number control buildings, associated electrical plant and equipment, underground electricity cabling, fencing and ancillary works in the townland of Cark to replace two substations previously permitted as part of the Drumnahough wind farm (planning register reference number 08/50687 and extended under planning register reference number 13/51609) and the Lenalea wind farm (planning register reference number 09/50116); (2) 33 kV underground electricity cabling and ancillary works from the permitted Lenalea wind farm to the proposed substation in the townland of Cark; (3) 110 kV underground electricity cabling and ancillary works from the proposed substation at Cark through the townlands of Culliagh, Meenbog (ED Cloghan), Lettershanbo, Corlacky, Kinnaderry, Welchtown, Aghaveagh, Meenagrauv, Altnapaste, Ballykergan, Carrickmahon, Magheracloigh, Loughsallagh, Cashelnavean, Croaghonagh, Tawnawully Mountains, Keadew Upper, Friarbush, Ardinawark, Keadew Lower, to the existing Clogher substation in the townland of Cullionboy, County Donegal; (4) demolition of an existing shed and its replacement

with a new shed, both in the townland of Cullionboy, relocated to facilitate the proposed underground cabling works.

## 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**

- 1. The Board had regard to the following;
  - Substantial excavation proposed for the substation was not accompanied by an adequate peat stability assessment.
  - Over reliance on general design methodologies, in particular, on extensive local service roads and in areas of peat soils.

The Board agreed with the screening assessment and conclusion carried out in the Inspector's report that the River Finn Special Area of Conservation (Site Code number 002301) and Lough Eske and Ardnamona Wood Special Area of Conservation (Site Code number 000163) are the European sites for which there is a likelihood of significant effects. The Board considered the Natura Impact Statement and all other relevant submissions and in light of the assessment carried out, the Board is not satisfied that the proposed development individually, or in combination with other plans or projects would not adversely affect the integrity of the European site the River Finn Special Area of Conservation (Site Code number 002301), in view of the sites' conservation objectives. In such circumstances the development would be contrary to the proper planning and sustainable development of the area.

2. The proposed cable route extends for a significant length along public roads of varying widths and conditions, and involves numerous crossings of culverts and watercourses. It is considered that existing ground conditions, the condition of the roads and the condition of the bridges have not been adequately documented, and that insufficient design details have been provided to demonstrate how the works would be carried out and roads reinstated, in particular with regard to sections of road traversing ramparts and adjacent to bogland. Given the overall length of the route, the Board is not satisfied that the proposed development would not adversely impact, to a significant extent, on the future development and long term maintenance of these roads for their use as roads. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2018