Board Order
ABP-300998-18

Planning and Development Acts 2000 to 2018

Planning Authority: Monaghan County Council

Planning Register Reference Number: 17/258

APPEAL by Coolberrin Wind Limited care of Galetech Energy Services of Clondargan, Stradone, County Cavan against the decision made on the 26th day of January, 2018 by Monaghan County Council to refuse permission for the proposed development.

Proposed Development: Technical amendments to the development permitted under Monaghan County Council planning register reference number 10/110 (An Bord Pleanála reference PL18.240760) to include the realignment of site access tracks and underground cabling; the redesign of turbine hardstand areas and realignment of turbines T4 and T7 hardstand areas; relocation and resizing of the substation, including the omission of external transformers, transformer foundations and palisade fencing; relocation and design changes to the meteorological mast from a free-standing mast to a guy-wired lattice structure; approximately 820 metres of underground cable from the meteorological mast to turbine T2; two number temporary storage compounds and minor road upgrade works along the L5151-0 and L11131-0 on lands at Greagh, Dernadarriff, Cornaheive, Aghamackalinn, Luppan, Derryrellan, Cavan (Moutray) and Drumbirn, County Monaghan, as amended by the further public notice received by the planning authority on the 21st day of December, 2017.

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.   Having regard to:

   (a)   the location of the appeal site in proximity to Slieve Beagh Special Protection Area and the Slieve Beagh – Mullaghfad - Lisnaskea Special Protection Area and within the foraging range of Hen Harrier, which is the bird species of special conservation interest for the Special Protection Areas,

   (b)   the potential for suitable foraging habitats on the site for Hen Harrier and use of the site by Curlew,

   (c)   the absence of up to date survey data regarding the use of the appeal site by these species,

   (d)   the limited information on the proposed route of the connection of the wind farm to the national grid and the potential for in-combination effects, and

(e) on the basis of the information provided with the application and the appeal, including the Natura Impact Statement submitted to the planning authority on the 5th day of December, 2017,

the Board cannot be satisfied that the proposed development will not impact adversely on the designated sites, individually or in combination with other plans or projects, in view of the sites' conservation objectives. In such circumstances, the Board is precluded from granting permission.

2. Having regard to:

(a) the absence of assessment of the likely visual and landscape effects of the proposed changes to finished floor levels, and

(b) the policies and objectives of the Monaghan County Development Plan 2013-2019, in respect of European sites, biodiversity and landscape protection,

the Board cannot be satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that the

proposed development will not detract from the visual and landscape amenity of the area. It is considered that the proposed development would, therefore, be contrary to the policies of the Monaghan County Development Plan 2013-2019 and to the proper planning and sustainable development of the area.

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

Dated this   day of   2019.