



Planning and Development Acts 2000 to 2018

Planning Authority: Roscommon County Council

Planning Register Reference Number: PD/18/447

Appeal by Peter Gillooly care of Windconnect Limited of Katallen, Creeny, Belturbet, County Cavan against the decision made on the 15th day of January, 2019 by Roscommon County Council to refuse permission for the proposed development.

Proposed Development: Minor amendments to the development permitted under Roscommon County Council Planning Register Reference Numbers 11/126 and 18/313 to provide for the relocation of the permitted wind turbines and associated infrastructure (site roads and crane hardstandings); amendments to the turbine dimensions to allow for a maximum overall tip height of up to 150 metres and all associated site development and reinstatement works. The maximum total combined output of the wind turbines will not exceed 4.9 megawatts at Derrane and Roxborough, County Roscommon.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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

Having regard to the following:

- (a) the national policy with regard to the development of alternative and indigenous energy sources and the minimisation of emissions from greenhouse gases,
- (b) the provisions of the Wind Energy Development Guidelines – Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in June, 2006,

- (c) the policies of the planning authority as set out in the Roscommon County Development Plan 2014-2020, including the Renewable Energy Strategy and the Landscape Character Assessment of County Roscommon,
- (d) the character of the landscape in the area and the absence of any ecological designation on or in the immediate environs of the windfarm site,
- (e) the characteristics of the site and of the general vicinity,
- (f) the pattern of existing and permitted development in the area, including overhead powerlines and wind farms,
- (g) the distance to dwellings and other sensitive receptors from the proposed development,
- (h) the Appropriate Assessment Stage 1 Screening Report submitted, and
- (i) the appeal made in connection with the planning application,

it is considered that, subject to compliance with the conditions set out below, the proposed amendments would not have an unacceptable impact on the landscape or the residential amenities of the area and would not adversely affect the archaeological or natural heritage of the area and would be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 19th day of December 2018, 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. Apart from any departure specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted on the 24th day of November, 2011 under planning register reference number 11/126, and permission granted on the 17th day of August, 2018 under planning register reference number PD/18/313 and any agreements entered into thereunder.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permissions.

3. This permission shall not be construed as any form of consent or agreement to a connection to the national grid or to the routing or nature of any such connection.

Reason: In the interest of clarity.

4. (a) Details of the wind turbines including blade lengths shall be agreed in writing with the planning authority prior to commencement of development.
- (b) Cables within the site shall be laid underground.
- (c) The wind turbines shall be geared to ensure that the blades rotate in the same direction.
- (d) No advertising material shall be placed on or otherwise be affixed to any structure on the site without a prior grant of planning permission.

Reason: In the interest of visual amenity.

5. Details of aeronautical requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Prior to commissioning of the turbines, the developer shall inform the planning authority and the Irish Aviation Authority of the as constructed tip heights and co-ordinates of the turbines and wind monitoring masts.

Reason: In the interest of air traffic safety.

6. Details of the road network to be used by construction traffic and by the long-term maintenance traffic including detailed arrangements for the protection of bridges to be traversed shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of traffic safety.

7. The developer shall facilitate the preservation, recording and protection of architectural materials or features that may exist within the site. In this regard, the developer shall –
- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
 - (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
 - (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

8. 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 satisfactory reinstatement of the site upon cessation of the project coupled with an agreement empowering the 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 planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure satisfactory reinstatement of the site.

9. 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 Bord 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.

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

Dated this day of 2019.