



Planning and Development Acts 2000 to 2019

Planning Authority: Monaghan County Council

Planning Register Reference Number: 18/562

APPEAL by An Taisce of Tailors' Hall, Back Lane, Dublin against the decision made on the 4th day of September, 2020 by Monaghan County Council to grant subject to conditions a permission to Coolberrin Wind Limited care of Galetch Energy Services of Clondargan, Stradone, County Cavan.

Proposed Development: The development will consist of: (1) the construction of a 38kV electricity substation, switchroom and equipment compound with palisade fence; the construction of approximately 400 metres of site access track and the upgrading of approximately 150 metres of existing agricultural track and an existing agricultural site entrance; approximately 200 metres of underground cabling and all associated site development and reinstatement works in the townland of Luppan, County Monaghan; and (ii) the installation of approximately 22 kilometres of 38kV electricity cables from the proposed substation to the existing electricity substation in the townland of Lisdrumdoagh, County Monaghan. The electricity cables will comprise approximately 17 kilometres of overhead line and approximately 5 kilometres of underground line. Overhead lines will consist of three number cables suspended from wooden poles with a maximum height of 16 metres, and all associated site development and reinstatement works. Underground cables

will be located within private lands and within the public roads numbered L5171, L1400 and L1171; will be installed in excavated trenches of approximately 1.2 metres in depth and will include associated underground ducting, joint bays, communication chamber bays, sheath link boxes and inspection chambers; directional drilling beneath the N12 and Ulster Canal, and all associated site development and reinstatement works. A vehicle access track of up to four metres in width will be provided immediately adjacent to underground cables within private lands. This planning application is accompanied by an Environmental Impact Assessment Report which includes an assessment of the likely impacts of the proposed development, as a whole and in combination with the relevant off-site or secondary developments which will occur as a direct result of the proposed development, including the wind farm development permitted pursuant to planning authority's planning register reference number 10/110 and An Bord Pleanála appeal reference number PL 18.240760 and proposed to be amended by planning authority's planning register reference number 17/258 and An Bord Pleanála appeal reference number PL 18.300998 (currently under consideration). A Natura Impact Statement will also be submitted to the planning authority with the planning application, all within the townland of Luppan, County Monaghan and across the townlands of Shanmullagh, Coraghbrack, Drumlester, Knockabeany, Drumbristan, Tonintlieve, Cloghfin, Derrykinnigh More, Killybreen, Killycarran, Derrygola, Tamlat, Derrilla, Tonyfinnigan, Knockcor, Drumdart, Aghaclogha, Drumcoo Woods, Drumlish, Aghagally, Doogarty, Killygavna, Sheetrim, Drumshanny, Drumgeeny, Legacurry, Mullabrack (Scott), Enagh, Griggy, Straghan or Cornasore, Eden Island, Crumlin, Drumrutagh, Aghnasedagh, Coolmain, Feebane, and Lisdrumdoagh, County Monaghan. Public notices of Further Information were received by the planning authority on the 11th day of July, 2019.

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.

Environmental Impact Assessment

The Board agreed with the Inspector's conclusion with regard to the Environmental Impact Assessment (EIA) and considered that sufficient information is not provided to demonstrate the absence of significant environmental effects and, hence, to complete an EIA.

Reasons and Considerations

1. Having regard to:
 - (a) the location of the appeal site in proximity to Slieve Beagh Special Protection Area (Site Code: 004167) and the Slieve Beagh – Mullaghfad -Lisnaskea Special Protection Area (Site Code: UK9020302) and within the foraging range of the Hen Harrier, which is the bird species of special conservation interest for the Special Protection Areas;
 - (b) the lack of comprehensive surveys on the hen harrier beyond the boundaries of the development site and, notwithstanding the sub-optimal nature of such foraging habitats within the development site, it is considered that insufficient information has been provided in the planning application and the appeal documentation regarding foraging patterns and current

population trends, and the failure to demonstrate a comprehensive up to date understanding of activity by the hen harrier in the wider development area;

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. North Monaghan is identified as a nationally important area for breeding Curlew, a priority conservation species. The proposed development traverses an area which supports breeding Curlew and the associated wind energy development includes identified nesting sites. The Board is not satisfied that the proposed development, when taken in combination with the wind energy development, would not negatively impact on the achievement and maintenance of a stable breeding population of Curlew in North Monaghan by reason of disturbance and displacement effects on the species. The proposed development would, therefore, be contrary to the proper planning and development of the area.

Stephen Bohan

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2020