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**Planning and Development Acts 2000 to 2020**

**Amendment of Board Order**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 19/1323**

**Development Concerned:** A 10-year planning permission with a 30-year operational life for development on a site area of 3.23 hectares. The development will consist of up to 1 (one) number wind turbine with a tip height of up to 187 metres, and all associated foundations and hardstanding areas, 20 metres of new wind farm road, and all associated underground electrical and communications cabling. This single turbine application forms part of a larger wind farm development located within County Offaly and Kildare with a separate planning application being submitted to Offaly County Council concurrently. The overall development will consist of up to nine number turbines (eight number in Offaly and one number in Kildare) with a tip height of up to 187 metres, and all associated foundations and hardstanding areas, approximately 4,750 metres of new internal access roads, associated drainage and turning areas; upgrade of approximately 3,500 metres of the existing L50062 public road including upgrade of the existing bridge; a new bridge crossing of the Figile River to provide access between Turbine 3 and Turbine 4; a 2,950 metre recreation trail and all associated development to include gravel pathways, a footbridge across the Figile River, a parking area,

signage, information boards and outdoor fitness equipment; an off-site electrical substation and a battery energy storage facility; all associated underground electrical and communications cabling to connect the turbines to the substation including approximately 1,550 metres along the R401 Regional Road, a spoil storage area; a permanent meteorological mast up to 110.5 metres high; two number temporary construction compounds; two number temporary blade adapter set-down areas within the wind farm site and at the junction of the R402 and R401 at Rathmore, Edenderry, County Offaly; turbine delivery route works including widening of the junction of the R420 and R402 at Ballina, Geashill, County Offaly and all associated site development works, all in the townland of Ticknevin, Carbury, County Kildare.

**WHEREAS** the Board made a decision to grant permission, subject to conditions, in relation to the above-mentioned development by Order dated the 23<sup>rd</sup> day of September, 2020,

**AND WHEREAS** it has come to the attention of the Board that, due to clerical errors, conditions numbers 6 and 9 of the Board's Order should be amended,

**AND WHEREAS** the Board considered that the correction of the above-mentioned errors would not result in a material alteration of the terms of the development, the subject to the decision,

**AND WHEREAS** having regard to the nature of the issue involved, the Board decided not to invite submissions in relation to the matter from persons who had made submissions or observations in relation to the appeal the subject of this amendment,

**NOW THEREFORE** in accordance with section 146A(1) of the Planning and Development Act 2000, as amended, the Board hereby amends the above-mentioned decision so that conditions numbers 6 and 9 of its Order and the reasons therefor shall be as follows:

6. This permission shall be for a period of 30 years from the date of the first commissioning of the windfarm.

**Reason:** To enable the relevant authority to review the operation of the windfarm in the light of the circumstance then prevailing.

9. The operation of the proposed development, by itself or in combination with any other permitted wind energy development, shall not result in noise levels, when measured externally at nearby noise sensitive locations, which exceed

(a) between the hours of 0700 and 2300:

(i) the greater of 5 dB(A) L90,10min above background noise levels, or 45 dB(A) L90,10min, at standardised 10m height wind speeds of 4m/s or greater

(ii) 40 dB(A) L90,10min at all other wind speeds

(b) 43 dB(A) L90,10min at all other times.

Prior to commencement of development, the developer shall submit, and agree in writing with, the planning authority a noise compliance monitoring programme for the subject development, including any mitigation measures such as the de-rating of particular turbines. All noise measures shall be carried out in accordance with ISO Recommendations R 1996 “Assessment of Noise with Respect to Community Response,” as amended by ISO Recommendations R 1996-1. The results of the initial noise compliance monitoring shall be submitted to, and agreed in writing with, the planning authority within six months of commissioning of the windfarm.

**Reason:** In the interest of residential amenity.

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

**Dated this            day of            2021.**