

An  
Bord  
Pleanála

## Board Order ABP-309770-21

### Planning and Development Acts 2000 to 2022

### Planning Authority: Westmeath County Council

**Application** for permission under section 37E of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, including an Environmental Impact Assessment Report and Natura Impact Statement, lodged with An Bord Pleanála on the 22<sup>nd</sup> day of March 2021 by Coole Wind Farm Limited at Unit C, Building 4200, Cork Airport Business Park, Cork care of MKO, Tuam Road Galway, as amended by the further information received by An Bord Pleanála on the 1<sup>st</sup> day of November 2022.

#### The development comprises of the following:

A ten-year permission in relation to the following:

- Up to 15 number wind turbines with a tip height of up to 175 metres and all associated foundations and hardstanding areas;
- 1 number onsite electrical substation including a control building, associated electrical plant and equipment, welfare facilities and a wastewater holding tank;
- 1 number temporary construction compound;
- provision of new site access roads, upgrading of existing access roads and hardstanding areas;
- excavation of 1 number burrow pit

- all associated underground electrical and communication cabling connecting the turbines to the proposed onsite substation;
- laying of approximately 26 kilometres of underground electricity cabling to facilitate the connection to the national grid from the proposed onsite substation located in the townland of Camagh to the existing 110 kilovolt Mullingar substation located in the townland of Irishtown;
- upgrade works to the existing 110 kilovolt Mullingar substation consisting of the construction of an additional dedicated bay to facilitate connection of the cable;
- construction of a link road between R395 and R396 Regional Roads in the townland of Coole to facilitate turbine delivery;
- junction improvement works to facilitate turbine delivery, at the N4 junction with the L1927 in the townland of Joanstown, on lands along the L1927 in the townland of Culvin, the L1927 and L5828 junction in the townland of Boherquill and the L5828 and R395 junction in the townland of Corralanna;
- site drainage;
- forestry felling;
- signage, and;
- all associated site development works.
- This application is seeking a ten year permission and 30 year operational life from the date of commissioning of the entire windfarm.

The proposed underground electricity cable route works are located within the public road corridor with the following Protected Structures located within five metres of the road: Record of Protected Structure Number: 019-239 (Levington Railway Crossing Gates), Record of Protected Structure Number: 019-237 (Gate lodges, Levington Park), Record of Protected Structure Number: 019-236 (Gateway, Levington Park).

All located within the townlands of Camagh, Carlanstown, Coole, Clonrobert, Clonsura, Doon, Monktown, Mullagh, Newcastle, Boherquill, Corralanna, Culvin, Joanstown, Mayne, Fearmore (Fore by), Newtown (Fore by), Simonstown (Fore by), Ballinealoe, Shrubbywood, Clonava, Lackan (Corkaree by), Soho, Ballynaclogh, Abbeyland, Rathganny, Ballindurrow, Cullendarragh, Culleenabohoge, Ballynafid, Knightswood, Portnashangan, Culleen More, Farranistick, and Irishtown (Moyashel by), County Westmeath.

### **Decision**

**Refuse permission under section 37G of the Planning and Development Act 2000, as amended, for the above proposed development based on the reasons and considerations set out below.**

**Determine under section 37H(2)(c) the sum to be paid by the applicant in respect of costs associated with the application as set out in the Schedule of Costs below.**

### **Reasons and Considerations**

Having regard to:

- (a) The nature of the proposed windfarm drainage, which utilises the existing peatlands drainage system within and outside of the site boundary, which has not been authorised by a grant of permission;
- (b) the continuance of peat harvesting as the baseline scenario for the Environmental Impact Assessment Report, including bird collision risk assessment and the assumed continuance of this land use;
- (c) the uncertainty as to the effectiveness of the proposed mitigation measures in dealing with the combined issues of construction works on exposed peat and

the wider exploited peat basins;

- (d) if, hand peat harvesting is to cease permanently, there has been no assessment of the implications of a peatland rehabilitation plan on the local biodiversity as part of the Environmental Impact Assessment or in the Natura Impact Statement;
- (e) the uncertainty relating to future land use at the 'optioned lands';
- (f) the absence of evidence of sufficient legal control to support the management proposals for the 'optioned lands';
- (g) the information presented in relation to peat depth.

The Board considered that there is significant uncertainty relating to the effect on soils, water and ecology which precludes assessment of the full environmental effects in accordance with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU. The proposed development is, therefore, premature.

Furthermore, on the basis of the information provided by the applicant in relation to site drainage proposals and collision risk modelling for birds, and in the absence of an assessment of the future land use together with the proposed development, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on European Site Lough Derravaragh Special Protection Area (Site Code: 004043), or any other European Site, in view of the site's Conservation Objectives.

Having regard to the above, the Board was not satisfied that the proposed development would not adversely affect the integrity of the above-mentioned European Site in view of the site's conservation objectives.

In such circumstances the Board is precluded from granting permission.

## Schedule of Costs

In accordance with the provisions of section 37H(2)(c) of the Planning and Development Act 2000, as amended, the amount due to be recouped from the applicant is €19,883.

**A breakdown of the Board's costs is set out in the attached Appendix 1.**



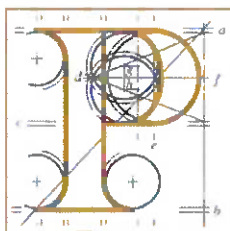
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**Peter Mullan**

**Member of An Bord Pleanála**

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

**Dated this 20<sup>th</sup> day of March 2024**



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## Board Order – Appendix 1 ABP-309770-21

### Strategic Infrastructure Development

#### Cost of determining the Application

File Number: ABP-309770-21

**Proposed Development:** Proposed development of up to 15 no. wind turbines and all associated site development works at Townlands of Camagh, Carlanstown, Coole, Clonrobert, Clonsura, Doon, Monkstown, Mullagh, Newcastle and other townlands, Co. Westmeath.

#### Costs incurred by An Bord Pleanála in determining the application.

	An Bord Pleanála's Costs	€
(1)	Cost (calculated based on Inspector's time) Inspector (application) - €116,620 Ecologist (application) - €3,713 Inspector (pre-application) - €2,450	€122,783
(2)	Total chargeable costs	N/A
(3)	Application Fee - €100,000 Pre-application Consultation Fee - €1,000	€101,000
(4)	Observer fees paid	€1,900
(5)	Costs to be paid to the Planning Authority	Nil
(6)	Net amount due to be recouped from the applicant	€19,883



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

Dated this 20<sup>th</sup> day of March 2024