

Planning and Development Acts 2000 to 2022

Planning Authority: Leitrim County Council

Planning Register Reference Number: P.20/120

APPEAL by Wild Irish Defence CLG care of Peter Sweetman and Associates of 113 Lower Rathmines Road, Dublin and by Coillte CGA care of MKO of Tuam Road, Galway and by other against the decision made on the 15th day of June, 2021 by Leitrim County Council to grant subject to conditions a permission to the said Coillte CGA in accordance with plans and particulars lodged with the said Council.

Proposed Development: Ten-year planning permission for a renewable energy development with a 30-year operational life (from the date of commissioning) along with a recreational and amenity facility. The entirety of the renewable energy development constitutes the provision of a ten-turbine wind farm and all associated works on lands in both Counties Leitrim and Sligo. The development will consist of: (i) construction of eight number wind turbines with a maximum overall blade tip height of up to 170 metres and associated hard-stand areas, (ii) one number 38kV permanent electrical substation, including a control building with welfare facilities, all associated electrical plant and equipment, security fencing, all associated underground cabling, wastewater holding tank and all ancillary works, (iii) all associated underground electrical and communications cabling connecting the turbines to the proposed wind farm substation, (iv) all works associated with the connection of the proposed wind farm to the national electricity grid, via

underground cabling to the existing Garvagh substation, (v) upgrade of existing tracks and roads, provision of new site access roads and hardstand areas, (vi) the partial demolition and alteration of two agricultural buildings in the townlands of Sheena and associated junction access and road works to the existing yard, agricultural buildings and agricultural lands in the townlands of Sheena and Derrybofin to provide a link road primarily for construction traffic off the R280. This link road will be for the delivery of abnormal loads to the site during the construction period and may be used during the operational period if necessary or to facilitate the decommissioning of the wind farm. Following construction, access to the link road will be closed off and the yard/agricultural building will revert to its use for agricultural purposes except if and when required for delivery of abnormal loads during the operational period of the windfarm or to facilitate the decommissioning of the windfarm, (vii) one number borrow pit, (viii) two number peat and spoil repository areas, (ix) two number temporary construction compounds, (x) recreation and amenity works, including marked trails, boardwalk and viewing area, provision of a permanent amenity car park, and associated recreation and amenity signage, (xi) site drainage, (xii) permanent signage, (xiii) ancillary forestry felling to facilitate construction and operation of the proposed development and (xiv) all associated site development works, all in the townlands of Bargowla, Boleymaguire, Braudphark, Derreens, Derrybofin, Derrycullinan, Derrycullinan Beg, Drummanacappul, Garvagh, Garvagh Glebe, Glassalt, Lisfuitaghan, Seltan, Sheena and Tinnybeg, County Leitrim, as revised by the further public notices received by the planning authority on the 21st day of April, 2021.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.



Reasons and Considerations

1. Having regard to:
 - (a) the classification of the site by Geological Survey Ireland as being of low to moderately high landslide susceptibility,
 - (b) the high density of historical landslides in this area, including within the site itself,
 - (c) the numerous mapped faults in the area, including two within the site,
 - (d) the upland and sloping nature of the terrain,
 - (e) the high rainfall levels prevalent in this location,
 - (f) Blanket bog being the dominant soil type at the site and the importance of assessing any biodiversity impact on this natural resource,
 - (g) the low permeability of the limestone bedrock on the site, leading to a high water table,
 - (h) the high density of drainage channels throughout the site, both natural and man-made,
 - (i) the timing of construction works outside of the breeding season for birds coinciding with wetter periods,
 - (j) the expansive areas of trees to be clear felled, with peat soils and subsoils subsequently exposed,
 - (k) the extensive water crossings and crossing upgrades required,
 - (l) the deep peat at turbine locations and along existing and proposed access roads,
 - (m) the significant volumes of peat and other spoil material requiring excavation, handling, storage and management on the site,

A handwritten signature in black ink is located in the bottom right corner of the page. To its left, there is a faint, circular official stamp of An Bord Pleanála, which is partially obscured by the signature.

- (n) the instability associated with the works and movement of waste material, including the necessity for placement of vast volumes of waste peat and other spoil materials in three large repositories on bogland hilly terrain,
- (o) the construction of high retaining stone buttresses required to contain waste peat and other spoil,
- (p) the peat-dominated nature of the soils at the repository locations,
- (q) the lack of a clear understanding of the land and ground conditions associated with the development of the proposed peat repositories, including matters relating to the final construction of the primary repository, the drainage of the peat repositories, measures required for the control of groundwater, the type and condition of rock at the repository locations, and the hillside siting of the northernmost repository and the associated clear felling of forestry,
- (r) the construction works culminating in interference with the natural terrain by the development of the turbine bases and the hardstanding areas, the construction of access roads cutting across contours on bogland, the provision of preferential flow paths for surface waters, and road widening and improvement works along existing internal roads, and
- (s) the proposed highly complex system of drainage and the very precise nature of the application of many of the proposed measures required for their functionality,

on the basis of the information submitted with the application and appeal, the Board cannot be satisfied that the proposed development would adequately mitigate risk associated with a potential landslide as a consequence of the development of the proposed wind farm, with potential for causing pollution of waterbodies within and in the vicinity of the site. Furthermore, the Board is not satisfied on the basis of the information submitted with the application and appeal, that the proposed repositories would be effective in providing for the permanent retention of peat and other materials and that the mitigation measures, inclusive of the proposed drainage system, would be adequate to ensure the protection of the environment.

In view of the above, it is considered that the proposed development would present a significant risk of adverse environmental impact on the sensitive natural habitats of the site and of the wider area and would constitute an unacceptable risk of pollution of watercourses in the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. On the basis of the information submitted with the application and appeal, including the Natura Impact Statement, and in light of the assessment of the Board by reference to the issues set out under reason number 1 above, including the risk of pollution of watercourses in the area, the Board cannot be satisfied that the proposed development, individually, or in combination with other plans or projects would not adversely affect the integrity of European Sites, the Lough Gill Special Area of Conservation (Site Code: 001976), the Cummeen Strand/Drumcliff Bay (Sligo Bay) Special Area of Conservation (Site Code: 000627), and the Cummeen Strand Special Protection Area (Site Code: 004035), in view of the sites' conservation objectives. In such circumstances is precluded from granting permission.

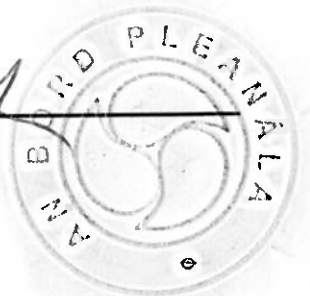


3. On the basis of the information submitted with the application and appeal, the Board noted the range of bird species of conservation value that have been observed on, over and in close proximity to the site indicating this to be an ecologically sensitive area of significant ornithological value. In the absence of data monitoring the impacts, if any, of existing wind farm developments in this area on these birds of conservation value and their habitats together with the particular sensitivity of some species such as Whooper Swan, Golden Plover and Hen Harrier to relatively low levels of mortality, the Board cannot be satisfied that the cumulative environmental assessment of the likely effects of the proposed development on avifauna can reasonably exclude the possibility of a significant impact. In this regard, it is considered that the proposed development would be contrary to the proper planning and sustainable development of the area.



Chris McGarry

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



Dated this 23rd day of October 2023.