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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Offaly County Council**

**Planning Register Reference Number: PL2/21/464**

**APPEAL** by Niall McCoy care of Rowan Engineering Consultants Limited of Unit 14, Scurluckstown Business Park, Trim, County Meath against the decision made on the 20<sup>th</sup> day of September, 2021 by Offaly County Council to refuse permission for the proposed development.

**Proposed Development:** The construction of one 4.2 megawatt wind turbine with an overall tip height of up to 150 metres; the construction of the wind turbine foundation, hardstanding and assembly area; provision of a site entrance and an access track within the site; construction of an on-site 20kV substation and underground electrical cable; and all associated site development and ancillary works at Clonminch, Tullamore, County Offaly.

**Decision**

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

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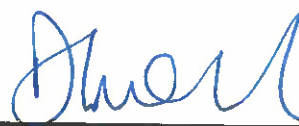
## **Matters Considered**

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**

1. Objective CAEO-04 of the Offaly County Development Plan 2021-2027 states that it is an objective of the Council to ensure the security of energy supply by supporting the potential of the wind energy (and other renewable) resources of the County in a manner that is consistent with the proper planning and sustainable development of the area. Objective CAEO-05 states that it is an objective of the Council to implement the Council's Wind Energy Strategy. Policy CAEP-38 and Objective CAEO-05 of the Plan outline that planning applications for wind energy developments outside of the identified wind energy development areas will not normally be permitted, except where deemed appropriate under relevant exemption provisions and for those other developments listed. The subject site is not located in an area identified for wind energy development and the exceptions listed do not apply. Therefore, the proposed development would materially contravene Policy CAEP-38 and Objective CAEO-05 of the Offaly County Development Plan 2021-2027 and would be contrary to the proper planning and sustainable development of the area.

2. The proposed development by virtue of the creation of a new access onto the N52, a national secondary road, would be contrary to both Policies SMAP-24 and SMAP-25 as set out in the Offaly County Development Plan 2021-2027 which states that new direct access onto a National Secondary Road where a speed limit greater than 60 km/h applies will be avoided in accordance with the provisions of Spatial Planning and National Roads Guidelines for Planning Authorities, published by the Department of Environment, Community and Local Government in January 2012. In addition, given that no Road Safety Audit was submitted with the application, the proposal would also be contrary to Policy SMAP-28 of the development plan which states that developments which have the potential to generate significant traffic movement are subject to a Traffic and Transportation Assessment, Quality Audit and Road Safety Audit as appropriate. The proposed development, by itself or by the precedent which the grant of permission for it would set for other relevant development, would adversely affect the use of a national secondary road or other major road by traffic and would, therefore, be contrary to the proper planning and sustainable development of the area.



**Dave Walsh**

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

Dated this 14<sup>th</sup> day of April 2022.