

An
Bord
Pleanála

Board Order ABP-312876-22

Planning and Development Acts, 2000 to 2021

Planning Authority: Offaly County Council

(Associated application reference number: 19.PA0032)

REQUEST received by An Bord Pleanála on the 25th day of February, 2022 from Green Wind Energy (Wexford) Limited, care of AOS Planning, 1st Floor, 24-26 Ormond Quay Upper, Dublin 7 under section 146B of the Planning and Development Act 2000, as amended, to alter the terms of the permission for Yellow River Wind Farm, a strategic infrastructure development the subject of a permission granted under An Bord Pleanála Reference Number 16.PA0032 and alteration Reference Number ABP-307357-20.

WHEREAS the Board made a decision to grant permission, subject to conditions, for the above-mentioned development by Order dated the 3rd day of June, 2014,

AND WHEREAS the Board decided that the alteration to the above-mentioned decision, that was requested on the 15th June, 2020 would not result in material alteration to the terms of the development and so made the alteration to the development the subject of permission under An Bord Pleanála Reference Number PL16.PA0032.

AND WHEREAS the Board has received a further request to alter the terms of the development, the subject of the permission,

AND WHEREAS the proposed alteration is described as follows:

Identify specific turbine rotor diameter and hub height dimensions, while remaining within the previously permitted maximum tip height of between 156 and up to 166 metres,

AND WHEREAS the Board decided, in accordance with section 146B(2)(b) of the Planning and Development Act 2000, as amended, not to invite submissions or observations from the public in relation to whether the proposed alteration would constitute the making of a material alteration to the terms of the development concerned,

AND WHEREAS the Board decided, in accordance with section 146B(2)(a) of the Planning & Development Act 2000, as amended, that the proposed alteration would not result in a material alteration to the terms of the development, the subject of the permission,

AND WHEREAS, having considered all of the documents on file and the Inspector's report, the Board considered that the making of the proposed alterations would not be likely to have significant effects on the environment or on any European Site,

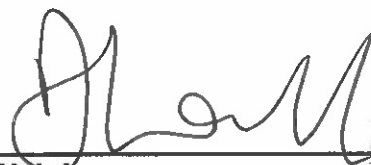
NOW THEREFORE in accordance with section 146B(3)(a) of the Planning & Development Act, 2000 as amended, the Board hereby alters the above-mentioned decision so that the permitted development shall be altered in accordance with the plans and particulars received by An Bord Pleanála on the 25th day of February 2022 for the reasons and considerations set out below

REASONS AND CONSIDERATIONS

In coming to its decision in relation to the proposed alteration, the Board had regard to the following:

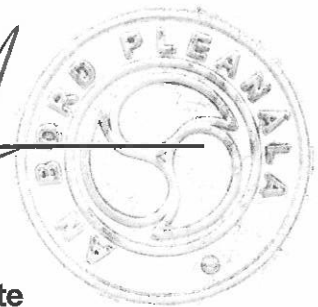
- (i) the nature and scale of the wind farm development permitted under An Bord Pleanála Reference Number 19.PA0032 for this site, which permitted 29 turbines with an overall tip height of between 156 – 166 metres,
- (ii) the examination of the environmental impact, including in relation to European Sites, carried out in the course of that application,
- (iii) the nature and scale of the previous section 146B alteration permitted for this site under An Bord Pleanála Reference Number ABP-307357-20,
- (iv) the limited nature and scale of the alteration when considered in relation to the overall permitted tip height of between 156 and 166 metres,
- (v) the absence of any significant new or additional environmental concerns (including in relation to European Sites) arising as a result of the proposed alteration,
- (vi) the absence of any requirement for additional conditions as a result of the proposed alteration, and,
- (vii) the report of the Board’s Inspector, which is adopted,

it is considered that the proposed alteration would not be material. In accordance with section 146B(3)(a) of the Planning & Development Act, 2000 as amended, the Board hereby makes the said alteration.



Dave Walsh

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



Dated this 9th day of May 2022