

An
Bord
Pleanála

Board Order
ABP-314062-22

Planning and Development Acts 2000 to 2022

Planning Authority: Donegal County Council

Application for Leave To Apply For Substitute Consent, by Planntree Limited care of MKO of Tuam Road, Galway.

Development: Alterations to the permitted Meenbog Wind Farm. Meenbog (and surrounding townlands), County Donegal.

Decision

GRANT leave to apply for substitute consent under section 177D of the Planning and Development Act 2000, as amended, based on the reasons and considerations set out below

Reasons and Considerations

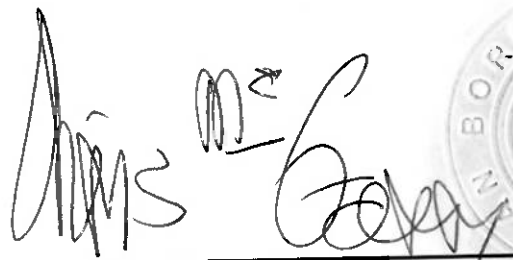
Having regard to section 177D of the Planning and Development Act, 2000, as amended, the Board is satisfied that: -

- (a) the development is one where an Environmental Impact Assessment, a determination as to whether Environmental Impact Assessment is required, and an Appropriate Assessment is required, and
- (b) exceptional circumstances do exist by reference, in particular, to the following:
 - (i) The fact that the regularisation of the development would not circumvent the purpose and objectives of the Habitats Directive,
 - (ii) The nature and scale of the subject development,
 - (iii) the ability to carry out an Environmental Impact Assessment and Appropriate Assessment and to provide for public participation has not been substantially impaired,
 - (iv) the submission of a remedial Environmental Impact Assessment and remedial Natura Impact Statement would facilitate an assessment of the potential for the remediation of any significant effects on the environment or adverse effects on the integrity of European sites,
 - (v) the limited nature of the actual/likely significant effects on the environment or adverse effects on the integrity of a European site resulting from the development,

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- (vi) the extent to which such significant effects, if any, on the environment can be remediated, and
- (vii) the applicant is making reasonable efforts to regularise the planning status of the development.

Having regard to the foregoing, it is considered that exceptional circumstances do exist such that it would be appropriate to permit the opportunity for regularisation of the development by permitting an application for substitute consent in relation to the site outlined in this application and as described in the documentation submitted.



Chris McGarry

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

Dated this 13th day of April 2023.

