



---

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Tipperary County Council**

**Planning Register Reference Number: 2360763**

**Appeal** by Carrig Renewable Energy Limited care of MKO of Tuam Road, Galway against the decision made on the 16<sup>th</sup> day of November 2023 by Tipperary County Council to refuse permission for the proposed development.

**Proposed Development:** The proposed development consists of-

- (1) The construction of seven number wind turbines and associated hardstand areas with the following parameters :
  - (a) total tip height range of 179.5 metres – 185 metres,
  - (b) rotor diameter range of 149 metres – 163 metres,
  - (c) hub height range of 103.5 metres to 110.5 metres;
- (2) one number permanent 38kV electrical substation which will be constructed in the townland of Faddan Beg consisting of a single storey control building with welfare facilities, all associated electrical plant and equipment, battery energy storage system, security fencing, all associated underground cabling, wastewater holding tank and all ancillary works and equipment;

- (3) all works (within County Tipperary) associated with the connection of the proposed wind farm to the national electricity grid, via the provision of underground electrical cabling (38kV) to the existing Dallow 110kV substation in the townland of Clondallow, County Offaly;
- (4) provision of 10 number joint bays, communication chambers and earth sheath links along the underground electrical cabling route;
- (5) reinstatement of the road or track surface above the proposed cabling trench along existing roads and tracks;
- (6) all associated underground electrical and communications cabling connecting the turbines to the proposed wind farm substation;
- (7) one number meteorological mast with a height of 107 metres above ground and associated foundation and hard-standing area;
- (8) upgrade of existing tracks and roads and the provision of new site access roads;
- (9) all works associated with the provision of a new permanent site entrance off the L5040 local road;
- (10) provision of five number new access and egress points along the L5041 local road in the townlands of Cloncorrig, Faddan More and Coolderry;
- (11) provision of four number peat repository areas and three number spoil repository areas;

- (12) two number temporary construction compounds with temporary site offices and staff facilities;
- (13) accommodation works along the public road network along the N52 national secondary road in the townland of Ballyloughnane to facilitate the delivery of turbine components and other abnormal sized loads;
- (14) site drainage;
- (15) tree felling;
- (16) operational stage site signage; and,
- (17) all associated site development works, ancillary works and apparatus,

all in the townlands of Croghan, Clohaskin, Caherhoereigh, Ballykinash, Tinnakilly, Arragh More, Ballyloughnane, Faddan Beg, Coolderry,, Tinklough, Sharragh, Doughkill, Ballaghgar, Faddan More,, Cloncorrig, Killeen, and Cornhill, County Tipperary. Works are within the curtilage of Protected Structures Recorded Protected Structure (RPS) Reference TRPS336 (Ballyloughnane Bridge) and RPS Reference TRPS519 (Croghan Bridge).

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## Reasons and Considerations

The Commission performed its functions in relation to the making of its decision, in a manner consistent with Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, (consistent with Climate Action Plan 2024 and Climate Action Plan 2025 and the relevant provisions of Ireland's Long-term Strategy on Greenhouse Gas Emissions Reductions 2024, the National Adaptation Framework; Planning for a Climate Resilient Ireland 2024 and the relevant approved sectoral adaptation plans as they relate to Biodiversity and Energy and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.

In coming to its decision, the Commission had regard to;

European, National, Regional, County and other support for renewable energy development as follows:

- (a) RED III (European Renewable Energy Directive (EU/2023/2413));
- (b) European Wind Power Action Plan;
- (c) REPowerEU Plan 2022 and Directive EU 2018/2001, as amended May 2022;
- (d) European Green Deal 2020;
- (e) National Planning Framework 2018-2040 (NPF);
- (f) the National Development Plan 2021-2030 (NDP);

- (g) Energy Security in Ireland to 2030, Energy Security Package, November 2023;
- (h) National Energy Security Framework, April 2022;
- (i) Policy Statement on Security of Electricity Supply, November 2021;
- (j) Long-Term Strategy on Greenhouse Gas Emissions Reductions (April 2023);
- (k) National Climate and Energy Plan 2021-2030 (NCEP);
- (l) National Biodiversity Action Plan 2023-2030 (NBAP);
- (m) National Landscape Strategy for Ireland 2015-2025 (NLS);
- (n) Regional Spatial Economic Strategy for the Southern Region 2020-32 (RSES);
- (o) National Landscape Strategy for Ireland, 2015-2025;
- (p) the National Peatlands Strategy 2015-2025 (DAHG, 2015),
- (q) the Wind Energy Development Guidelines, Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government (June 2006) (WEDG, 2006);
- (r) Draft Wind Energy Development Guidelines 2019
- (s) Tipperary County Development Plan 2022 – 2028 (the Plan);
- (t) the documentation submitted with the planning application including the Environmental Impact Assessment Report (EIAR), Appropriate

## Assessment Screening and Natura Impact Statement (NIS);

- (u) the submissions made in connection with the application;
- (v) the pattern of the existing and permitted development, the character of the landscape in the area and in the wider area of the site;
- (w) mitigation measures proposed for the construction and operation of the site;
- (x) the separation distances between the proposed development and dwellings or other sensitive receptors;
- (y) the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the absence of likely significant effects of the proposed development on European Sites, and
- (z) the report of the Planning Inspector informed by the technical report of the Inspectorate Ecologist.

### **Appropriate Assessment: Stage 1**

The Commission considered the screening report for Appropriate Assessment and all other relevant submissions and reports and carried out an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites. The Commission noted that the proposed development is not directly connected with or necessary for the management of any European Site and considered the nature, scale, and location of the proposed development, as well as the report of the Inspector and informed by the technical report of the Inspectorate Ecologist. The Commission agreed with the screening exercise carried out by the Inspector, and concluded that, having regard to the qualifying interests for which the

sites were designated, and in the absence of connections to and distance between the application site and the European sites, including Ridge Road, SW of Rapemills Special Area of Conservation (Site Code 000919); Sharavogue Bog Special Area of Conservation (Site Code 000585); Liskeenan Fen Special Area of Conservation (Site Code 001683); All Saints Bog and Esker Special Area of Conservation (Site Code 000566); Lisduff Fen Special Area of Conservation (Site Code 002147); Island Fen Special Area of Conservation (Site Code 002236); Scohaboy (Sopwell) Bog Special Area of Conservation (Site Code 002206); Redwood Bog Special Area of Conservation (Site Code 002353); Slieve Bloom Mountains Special Area of Conservation (Site Code 000412); Lower River Shannon Special Area of Conservation (Site Code 002165), All Saints Bog Special Protection Area (Site Code 004103); Slieve Bloom Mountains Special Protection Area (Site Code 004160) these sites could be screened out from further consideration and that the proposed development, individually or in combination with other plans or projects would not be likely to have significant effects on these European Sites.

Furthermore, the Commission considered that an Appropriate Assessment of the implications of the proposed development for the Ballyduff/Clonfinane Bog Special Area of Conservation (Site Code 000641), Arragh More (Derrybreen) Bog Special Area of Conservation (Site Code 002207), Kilcarren-Firville Bog Special Area of Conservation (Site Code 000647), Lough Derg, North-east Shore Special Area of Conservation (Site Code 002241), River Shannon Callows Special Area of Conservation (Site Code 000216), Dovegrove Callows Special Protection Area (Site Code 004137), River Little Brosna Callows Special Protection Area (Site Code 004086), Middle Shannon Callows Special Protection Area (Site Code 004096), Lough Derg (Shannon) Special Protection Area (Site Code 004058) required further investigation, as the proposed development has the potential to have a significant effect in view of the Conservation Objectives for these sites and that a Stage 2 Appropriate Assessment is, therefore, required.

## **Appropriate Assessment: Stage 2**

The Commission considered the Natura Impact Statement and all other relevant submissions and reports and carried out an Appropriate Assessment of the implications of the proposed development for the relevant sites in view of these sites Conservation Objectives.

The Commission considered that the information and reports before it was adequate to allow the carrying out of an Appropriate Assessment. In completing the assessment, the Commission considered the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects, the mitigation measures which are included as part of the current proposal and the Conservation Objectives for these European Sites. In completing the Appropriate Assessment, the Commission accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Sites, having regard to the sites' Conservation Objectives. In overall conclusion, the Commission was satisfied that the proposed development would not adversely affect the integrity of the aforementioned sites or any other European Site in view of the sites Conservation Objectives.

## **Environmental Impact Assessment**

The Commission completed an Environmental Impact Assessment of the proposed development taking account of:

- (a) the nature, scale and extent of the proposed development,
- (b) the Environmental Impact Assessment Reports (EIAR's) and associated documentation submitted in support of the application,



- (c) the Screening for Appropriate Assessment and Natura Impact Statement (NIS) and associated documentation submitted in support of the application,
- (d) the planning authority reports, and the submissions received from the Observers and Prescribed Bodies, and
- (e) the Inspector's report and the technical report of the Inspectorate Ecologist.

The Commission considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately considers alternatives to the proposed development, and identifies and describes adequately the direct, indirect, residual and cumulative effects of the proposed development on the environment.

The Commission agreed with the examination, set out in the Inspector's report and informed by the technical report of the Inspectorate Ecologist, of the information contained in the Environmental Impact Assessment Report and associated documentation submitted by the applicant and submissions made in the course of the application.

#### **Reasoned Conclusion of the Significant Effects:**

The Commission considered, and agreed with the Inspectors' reasoned conclusions, that the main significant direct and indirect effects of the proposed development on the environment are and would be mitigated as follows:

- **Landscape and Visual Effects:** The introduction of the turbines will change the existing landscape. This will result in significant residual direct, indirect and cumulative landscape character and visual effects in the immediate area of the proposed wind farm site up to 800 metres.

There are no residual significant effects upon landscape and visual impact anticipated as part of the project.

- **Climate:** The proposed development would have a significant positive impact on climate due to the displacing of fossil fuel energy generation and the associated displacement of CO<sub>2</sub> and other greenhouse gas emissions. Over the proposed 35-year lifetime of the development, significant levels of carbon dioxide will be displaced from traditional carbon-based electricity generation, which is a significant positive, long-term impact on climate due to its contribution to renewable energy targets and the reduction of GHG emissions.
- **Traffic:** Negative impacts arise during the construction phase of the development. These impacts include additional traffic movements on the local road network, movement of abnormal loads resulting in potential delays and the provision of alternative diversion routes. Traffic impacts will be local, short-term and temporary and will be adequately mitigated during construction by the implementation of measures set out in the EIAR, including the final CEMP, Road Safety Audit and Construction Traffic Management Plan.
- **Population and Human Health:** Potential significant positive impacts on the socio-economic profile of the area due to community funding and investment and long-term impact on population due to its contribution to renewable energy targets. With the application of mitigation, largely comprising implementation of a Construction Environmental Management Plan, no significant residual effect upon human health / safety is expected. In addition, with the implementation of mitigation, a turbine control system, the project will not result in significant impacts upon population in relation to shadow flicker.

- **Biodiversity:** Moderate significant negative residual effect identified relating to the loss of cutover bog habitat at a local level. Mitigation measures include implementation of measures set out in the EIAR and NIS, the use of the Community Benefit Fund for local biodiversity projects and commitment to offering compensation to turbary rights holders.
- **Ornithology:** The introduction of the windfarm at this location will result in local level impacts for the local population of whooper swans and the ornithological ecological value of the site but will not result in any significant effects on any of the identified key ornithological receptors. Mitigation measures proposed include the use of the Community Benefit Fund for local biodiversity projects which would have a positive impact for the promotion and natural regeneration of the area.
- **Archaeology and Cultural Heritage:** The removal of peat and spoil during the construction phase has the potential to have a permanent, significant, negative effect on previously unrecorded sub-surface archaeological site and artefacts. With the implementation of mitigation measures outlined in the EIAR there will be no significant negative effects on unrecorded sites and artefacts during excavations.

Having regard to the above, the Commission is satisfied that the proposed development would not have any unacceptable direct or indirect effects on the environment. The Commission completed an Environmental Impact Assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures proposed, and subject to compliance with the conditions set out below, the effects of the proposed development on the environment, by itself and in combination with other plans and projects in the vicinity would be acceptable. In doing so, the Commission adopted the report and conclusions of the Inspector.

## **Conclusions on Proper Planning and Sustainable Development**

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the Climate Action and Low Carbon Development Act 2015 (as amended), the National Biodiversity Action Plan 2023-2030, the National Planning Framework, the Regional Spatial Economic Strategy for the Southern Region 2020-32 (RSES) and the provisions of the Tipperary County Development Plan 2022-2028.

The proposed development would comply with European, National, and Regional renewable energy policies and with the provisions of local policy, would be consistent with the obligations of the Climate Action Plan 2024 and 2025, would make a positive contribution to Ireland's renewable energy and security of energy supply requirements, would not have an unacceptable impact on the character of the landscape, would not have a significant adverse impact on biodiversity, ecology or ornithology and would be acceptable in terms of traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Commission noted the proposed wind farm is located on lands deemed 'Unsuitable' for wind farm development. Objective TWIND 4.13 of the Tipperary County Development Plan 2022-2028 which refers to 'Areas Unsuitable for New Development', where new wind energy projects will not normally be considered. The proposed development is not located in an "Area Open for Consideration" nor does it comply with policy TWIND 4.14, where wind farm development relating to existing windfarms may be considered on a case-by-case basis, as set out in the statutory plan.

However, the Commission also noted that Tipperary County Council strongly supports the development of renewable energy in the County, including under Wind energy policy 'TWIND 1: It is the policy of the Council to support, in principle and in appropriate locations, the development of wind energy resources in County Tipperary. The Council recognises that there is a need to promote the development of 'green electricity' resources and to reduce fossil fuel dependency and greenhouse gas emissions in order to address the global issue of climate change, and to comply with European and International policies with regards to renewable and sustainable energy resources.'

Although the proposed development can be considered as being a material contravention of the Tipperary County Development Plan 2022-2028, the Commission noted the provisions of Section 37(2)(a) of the Planning and Development Act 2000, as amended, where the Commission may 'decide to grant a permission even if the proposed development contravenes materially the Development Plan.' Subject to the provisions of Section 37(2)(b)(1), the proposed wind farm development complies with these provisions based on the proposed wind farm development being of strategic and national importance, based on the Climate Plans and Policy Objectives, National and Regional Objectives and on achieving Europe and Irelands legally binding renewable energy targets including the 9 GW onshore wind target and achieving 80% of electricity demand from renewable sources by 2030.

On the basis of the above, and noting the obligations placed on the Commission under Section 15 of the Climate Action and Low Carbon Development Act 2015, as amended, the conclusions reached in the Inspectors report that the proposed development accords with proper planning and sustainable development and that the environmental effects would be acceptable, the Commission was satisfied that, notwithstanding the provisions of TWIND 4.13, it is appropriate for the Commission to grant permission, taking into account the wider support for wind energy set out in the Tipperary County Development Plan 2022-2028, in TWIND 1, as well as national and

regional policy support for onshore wind energy. In conclusion on this matter, the Commission was satisfied that the proposed wind farm will make a valuable strategic contribution to the legally binding renewable energy targets including for onshore windfarms, albeit located in an 'Area Unsuitable for New Development' in County Tipperary and is acceptable and in accordance with the proper planning and sustainable development for the area.

The Commission considered traffic issues relating to the proposed development, specifically in relation to the impact on capacity and operation of the road network, and is satisfied that the concerns of the planning authority have been appropriately addressed in terms of the application and the appeal documents and that no significant adverse effect is likely to arise, on a permanent or temporary basis, subject to compliance with relevant legislation and guidance, implementation of the mitigation measures outlined in the Environmental Impact Assessment Report, the Road Safety Audit recommendations and final Construction Traffic Management Plan mitigation measures and monitoring and compliance with recommended conditions. The proposed development would, therefore, be in accordance with the proper planning and sustainable development for the area.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The period during which the development hereby permitted may be carried out shall be ten years from the date of this Order.

**Reason:** Having regard to the nature and extent of the proposed development, the Commission considered it appropriate to specify a period of validity of this permission in excess of five years.

3. (a) The permission shall be for a period of 35 years from the date of the first commissioning of the windfarm. All structures, including foundations, shall then be removed and the site reinstated unless, prior to the end of that period, planning permission shall have been granted for their retention for a further period.
- (b) Prior to the commencement of development, a detailed Site Restoration Plan providing for the removal of the turbines and all ancillary structures, and a timescale for its implementation, shall be submitted to, and agreed in writing with, the planning authority.

- (c) On full or partial decommissioning or if the wind farm ceases operation for a period of more than one year the windfarm, the turbines and all ancillary structures shall be dismantled and removed permanently from the site. The site shall be restored in accordance with the agreed Site Restoration Plan and all decommissioned structures shall be removed from the site within 12 months of decommissioning.

**Reason:** To enable the planning authority to review the operation of the windfarm over the stated time period, having regard to the circumstances then prevailing, and in the interest of landscape restoration upon cessation of the project.

4. The mitigation measures contained in the submitted Environmental Impact Assessment Report (EIAR) shall be implemented.

**Reason:** To protect the environment.

5. The mitigation measures contained in the submitted Natura Impact Statement (NIS) shall be implemented.

**Reason:** To protect the environment and the integrity of European sites.

6. The developer shall appoint a Community Liaison Officer for all stages of the development who shall be the first point of contact for residents and be responsible for monitoring and reporting of complaints, maintaining a complaints register, addressing complaints and for discharging information in relation to the development to residents.

**Reason:** In the interest of amenity and orderly development.



7. Prior to the commencement of development, details of the following shall be submitted to the planning authority for written agreement and the following design requirements shall be adhered to:

(a) The wind turbines shall be designed as follows, in accordance with the turbine options assessed in the Environmental Impact Assessment Report and Natura Impact Statement, together with application documentation;

(i) Turbine Tip Height – Maximum Height 185 metres, Minimum Height 179.5 metres.

(ii) Hub Height – Maximum height 110.5 metres, Minimum height 105 metres.

(iii) Rotor Diameter – Maximum length 163 metres, Minimum length 149 metres.

(b) The wind turbines, including masts and blades, shall be finished externally in a light grey colour to be agreed in writing with the planning authority prior to commencement of development.

(c) Cables within the site shall be laid underground.

(d) The wind turbines shall be geared to ensure that the blades rotate in the same direction.

(e) Transformers associated with each individual turbine and mast shall be located either within the turbine mast structure or at ground level beside the mast.

- (f) Details of external finishes to substation buildings and structures, and for provision of CCTV to the sub-station compound.

**Reason:** In the interest of clarity and visual amenity.

8. The Biodiversity Management and Enhancement Plan (BMEP) shall be implemented in accordance with the commitments outlined therein.

**Reason:** In the interest of biodiversity.

9. The developer shall retain the services of a suitably qualified and experienced bat and bird specialists to undertake appropriate bat and bird surveys of the site, in accordance with the mitigation and monitoring arrangements.

**Reason:** To ensure appropriate monitoring of the impact of the development on the avifauna and bat species of the area.

10. The developer shall retain the services of a suitably qualified and experienced Ecologist (to perform the role of Ecological Clerk of Works) to undertake pre-construction surveys at the various project elements, immediately prior to commencing work to check for the presence of protected species in the vicinity, and to oversee and ensure the implementation of all environmental mitigation and monitoring measures during construction and operation of the wind farm.

**Reason:** To protect biodiversity.

11. Noise levels generated by the windfarm, following commissioning, by itself or in combination with other existing or permitted wind energy development in the vicinity, when measured externally at noise sensitive location the windfarm following commissioning by itself or in combination with other existing or permitted wind energy development in the vicinity, when measured externally at noise sensitive locations, shall not exceed:
- (a) For the daytime period 0700 to 2300, in quiet environments, where background noise is less than 30dB(A)L90 T10, a maximum noise level of 40dB(A)L90 T10.
  - (b) For daytime periods, 0700 to 2300, where the background noise level exceeds 30dB(A)L90 T10, the greater of 45dB(A)L90 T10, or 5dB(A) above background levels.
  - (c) For the nighttime period 2300 to 0700, for all noise environments, 43dB(A)L90 T10.

Prior to the commissioning of the windfarm, the developer shall submit and agree in writing with the planning authority a Noise Compliance Monitoring Programme (NCMP) for the operational windfarm. The NCMP shall include a detailed methodology for all sound measurements, including frequency of monitoring and recording of results, which shall be made publicly available. The results of the initial noise compliance monitoring to be submitted to and agreed in writing with the planning authority within 12 months of commissioning of the wind farm. The NCMP shall be fully implemented during the operation of the windfarm.

**Reason:** In order to protect the amenities of noise sensitive properties in the vicinity of the development.

12. (a) Appropriate software shall be employed on each of the turbines to ensure that there will be no shadow flicker at any existing nearby dwelling. Turbine shutdown shall be undertaken by the wind energy developer or operator in order to eliminate the potential for shadow flicker.
- (b) A report shall be prepared by a suitably qualified person in accordance with the requirements of the planning authority indicating compliance with the above shadow flicker requirements at dwellings. Within 12 months of the commissioning of the wind farm, this report shall be prepared and submitted to, and agreed in writing with, the planning authority. The developer shall outline proposed measures to address any recorded non-compliances, controlling turbine rotation if necessary. A similar report may be requested by the planning authority at reasonable intervals thereafter.

**Reason:** In the interest of residential amenity.

13. Prior to the commissioning of the windfarm, the developer shall submit for the written agreement of the planning authority details of actions to be taken by the developer in the event of the proposed development causing interference with telecommunication signals. Such actions shall be completed to minimise interference with telecommunication signals and shall be carried out to the written satisfaction of the planning authority at the developer's expense.

**Reason:** In the interest of protecting telecommunication signals and residential amenity.

14. The construction of the development shall be managed in accordance with a final Construction and Environment Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:
- (a) the location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
  - (b) the location of areas for construction site offices and staff facilities;
  - (c) the details of site security fencing and hoardings;
  - (d) the details of on-site car parking facilities for site workers during the course of construction;
  - (e) the details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
  - (f) measures to obviate queuing of construction traffic on the adjoining road network;
  - (g) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
  - (h) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;

- (i) the details of a local community feedback mechanism, where feedback including complaints are received and acted upon by a designated Community Liaison Officer;
- (j) the details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (k) the containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- (l) the off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (m) the means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains;
- (n) works to be carried out in accordance with Inland Fisheries Ireland 'Guidelines on protection of fisheries during construction works in and adjacent to waters';
- (o) a record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority, with monitoring on a daily basis of all watercourses in or adjacent to works areas; and
- (p) measures to be implemented to minimise the potential for increased soil/peat stability and erosion of soils, with monitoring of the same.

**Reason:** In the interest of amenities, public health and safety and environmental protection.

15. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority and in accordance with measures outlined in the Environmental Impact Assessment Report.

**Reason:** To safeguard the amenity of property in the vicinity.

16. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the relevant Section of the Council for such works and services.

**Reason:** In the interest of public health and surface water management.

17. The developer shall comply with the requirements of Uisce Éireann with regard to diversion of infrastructure within the site and connections to the public network.

**Reason:** In the interest of public health and surface water management.

18. (a) The developer shall engage a suitably qualified (licensed eligible) archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, peat removal / topsoil stripping, groundworks, dredging, tree removal, and/or the implementation of agreed preservation in-situ measures associated with the development. Prior to the commencement of such works the archaeologist shall consult with and forward to the Local Authority archaeologist or the NMS as appropriate a method statement for written agreement. The use of appropriate tools and/or machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary. Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National Monuments Service, regarding appropriate mitigation (that is, preservation in-situ or by record/excavation.
- (b) The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer.
- (c) Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring, and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.



**Reason:** To ensure the continued preservation, either in situ or by record, of places, caves, sites, features or other objects of archaeological interest.

19. (a) Prior to commencement of development and following consultation with the Department of Defence and Irish Aviation Authority (IAA), the developer shall submit for written agreement of the planning authority, details of an obstacle warning light scheme which can be visible to night vision equipment.
- (b) The developer shall inform IAA of its intention to commence crane operations with a minimum of 30 days prior notification of their erection.
- (c) Prior to commissioning of the turbines, the developer shall inform the planning authority and the Irish Aviation Authority of the co-ordinates of the as constructed positions of the turbines and the highest point of the turbines (to the top of the blade spin).

**Reason:** In the interest of air traffic safety.

20. Prior to the commencement of development, the following shall be submitted to the planning authority for written agreement:
- (a) Detailed design and location of the underground electricity cable within the road corridor, including joint bays, and details of cabling crossing culverts and streams, which shall be in accordance with the requirements of Transport Infrastructure Ireland (TII).
  - (b) A Level 1 Falling weight deflectometer survey and Level 2 analysis design in accordance with TII document Design Manual for Roads and Bridges of the public roads along the grid connection route.
  - (c) Details of pre-construction condition survey of proposed haul routes, bridges/structures along the route, weight of abnormal loads, and arrangements for maintenance of routes/structures during construction and repair of any damage.
  - (d) Details and programme for strengthening works, as necessary, required on the L-5040 Local Road.
  - (e) A survey of the entire L-5041 and resurveyed on a six month cycle during the construction phase.
  - (f) A Traffic and Transport Assessment carried out in accordance with TII document PE-PDV-02045 with regard to the traffic regime at the junction of the N52 / L-5040.

**Reason:** In the interest of visual amenity and traffic safety.

21. The delivery of large-scale turbine components for the construction of the wind farm shall be managed in accordance with a Construction Traffic Management Plan (CTMP), which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of the road network to be used by construction traffic, including over-sized loads, detailed proposals for sightlines and detailed arrangements for the protection of bridges, culverts or other structures to be traversed, as may be required. The plan shall also contain details of how the developer intends to engage with relevant parties (including County Councils, PPP companies) and notify the local community in advance of the delivery of oversized loads. Any proposed works to the national road network to facilitate turbine delivery shall comply with the requirements of Transport Infrastructure Ireland.

**Reason:** In the interest of public safety and residential amenity.

22. The Community Benefit scheme shall be adhered to for the life of the wind farm. The scheme shall be administered in accordance with the Renewable Energy Support Scheme Community Benefit Fund Good Practice Principles, 2021, prepared by the Department of the Environment, Climate and Communications.

In the event that the developer does not utilise the government's RESS, prior to the commencement of development, a community gain proposal shall be submitted to the planning authority for written agreement. In default of agreement, the matter shall be referred to An Coimisiún Pleanála for determination.

**Reason:** To ensure that the community living in proximity to the wind farm, benefits from it.

23. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the reinstatement of public roads which may be damaged by the transport of materials to the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

**Reason:** In the interest of traffic safety and the proper planning and sustainable development of the area.

24. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site upon cessation of the project coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

**Reason:** To ensure satisfactory reinstatement of the site.



25. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



**Mick Long**

**Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.**



Dated this 30<sup>th</sup> day of June 2025.