

An
Bord
Pleanála

Ordú ón mBord
ABP-318723-23

Na hAchtanna um Pleanáil agus Forbairt, 2000 go 2022

Planning and Development Acts 2000 to 2022

Údarás Pleanála: Comhairle Contae na Gaillimhe

Planning Authority: Galway County Council

Uimhir Thagartha ar an gClár Pleanála: 23/225

Planning Register Reference Number: 23/225

Achomharc ó Knockranny Moycullen Wind Farm Action Group faoi chúram Dara Canavan, Pillagh, Maigh Cuilinn, Contae na Gaillimhe, agus Daoine Eile in aghaidh an chinnidh a rinne Comhairle Contae na Gaillimhe an 22^ú lá de mhí na Samhna 2023 cead a dheonú, faoi réir coinníollacha, do Western Power Developments Limited faoi chúram Conor Frehill, HW Planning, 5 Teach an tSeoighigh, Cearnóg na Beairice, Baile an Chollaigh, Contae Chorcaí, i gcomhréir le pleananna agus sonraí a taisceadh leis an gComhairle sin:

Forbairt Bheartaithe: (1) Athruithe ar Fheirm Ghaoithe Chnoc Raithní (Uimhir Thagartha Pleanála Chomhairle Contae na Gaillimhe: 13/829, agus Uimhir Thagartha an Bhoird Pleanála: 07.243094), a chuimsíonn 11 tuirbín gaoithe atá 150 méadar ar airde ón talamh chuig gob na lainne (cothrom le méadú 19.5 méadar agus 9.5 méadar i gcomparáid leis an airde 130.5 méadar agus 140.5 méadar a ceadaíodh roimhe sin), rótar atá 68 méadar nó

69 méadar ar airde, agus mol atá 81 mhéadar nó 82 mhéadar ar airde; méadú gaolmhar ar bhunsraitheanna na dtuirbíní; agus cábla ceadaithe fostáisiúin agus faoi thalamh 110 kV ar an láithreán a fhágáil ar lár; (2) Cábla leictreach agus cumarsáide faoi thalamh (33 kV) a sholáthar lena nascfar na 11 tuirbín gaoithe le fostáisiún Fheirm Ghaoithe na nArd-doiriú chun nascadh leis an eangach náisiúnta, lena n-áireofar rian nua seirbhíse cábla (ar a mbeidh trasrianta sruthchúrsa/lintéir), agus bóthar rochtana láithreach a leathnú; fostáisiún na nArd-doiriú a shíneadh laistigh den chompún fostáisiúin láithreach, lena n-áireofar an foirgneamh rialaithe a shíneadh, claochladán nua 110 kV, agus gléasra agus gaireas leictreach nua; (3) Na hoibreacha gaolmhara forbartha láithreáin agus coimhdeacha uile os cionn talún agus faoina bun chun tacú leis an méid thuas, lena n-áireofar draenáil láithreáin agus leagan crann; (4) Tá tréimhse oibriúcháin agus fad cead pleanála atá ag teacht leis an gcead láithreach (Uimhir Thagartha an Bhoird Pleanála: 07.243094) á lorg i mbailte fearainn Chnoc Raithní, na nArd-doiriú, agus Leitreach, Maigh Cuilinn, Contae na Gaillimhe. Tá an láithreán lonnaithe laistigh de limistéar Gaeltachta.

Cinneadh

Cead a DHEONÚ don fhorbairt bheartaithe thuas i gcomhréir leis na pleananna agus na sonraí luaite, bunaithe ar na cúiseanna agus na cúinsí faoi bhun agus faoi réir na gcoinníollacha atá leagtha amach thíos.

Cúiseanna agus Cúinsí

Ag féachaint do na nithe seo a leanas;

- (a) na beartais agus na cuspóirí atá leagtha amach i bPlean Forbartha Contae na Gaillimhe 2022-2028,
- (b) Straitéis Spáis agus Eacnamaíochta Réigiúnach an Tuaiscirt agus an Iarthair 2020-2032,
- (c) na forálacha den Phlean Gníomhaithe ar son na hAeráide 2024, agus aird á tabhairt ar fhorbairt foinsí fuinnimh malartacha agus dúchasacha agus ar íoslaghdú astaíochtaí ó gháis cheaptha teasa,
- (d) na forálacha de na Treoirlínte maidir le Fuinneamh Gaoithe a Fhorbairt – Treoirlínte d'Údaráis Phleanála arna n-eisiúint ag an Roinn Comhshaoil, Oidhreacht agus Rialtais Áitiúil (2006) (arna nuashonrú i mí na Samhna 2021),
- (e) na forálacha de na Dréacht-Treoirlínte Athbhreithnithe maidir le Fuinneamh Gaoithe a Fhorbairt (2019), arna n-ullmhú ag an Roinn Tithíochta, Pleanála agus Rialtais Áitiúil agus ag an Roinn Comhshaoil, Aeráide agus Cumarsáide (arna nuashonrú i mí Eanáir 2020),
- (f) an Beartas iomchuí Eorpach agus Náisiúnta agus na Treoirlínte iomchuí Eorpacha agus Náisiúnta,
- (g) cineál, scála, dearadh agus láthair na forbartha beartaithe,
- (h) stair phleanála an láithreáin agus an limistéir máguaird,
- (i) patrún na forbartha láithrí agus na forbartha ceadaithe sa limistéar,
- (j) an fad idir an fhorbairt bheartaithe agus teaghaisí agus gabhdóirí íogaire eile,

- (k) an Tuarascáil ar Mheasúnacht Tionchair Timpeallachta a cuireadh isteach,
- (l) Ráiteas Tionchair Natura a cuireadh isteach,
- (m) na haighneachtaí agus na tuairimí a fuarthas, agus
- (n) na hiarmhairtí is dóigh a bheidh ann don chomhshaol agus do phleanáil chuí agus forbairt inchothaithe an limistéir ina mbeartaítear an fhorbairt bheartaithe a dhéanamh, agus na héifeachtaí suntasacha is dóigh a bheidh ag an bhforbairt bheartaithe ar Láithreáin Eorpacha (lena n-áirítear láithreáin trasteorann),

meastar, faoi réir na coinníollacha atá leagtha amach thíos a chomhlíonadh, go mbeadh an fhorbairt bheartaithe inghlactha ag an láthair seo, go mbeadh sí inghlactha i ndáil leis an tionchar ar thaitneamhachtaí amhairc agus saintréith tírdhreacha an limistéir, nach ndéanadh sí díobháil thromchúiseach do thaitneamhachtaí maoinne sa chomharsanacht, go mbeadh sí inghlactha ó thaobh sábháilteacht coisithe agus tráchta de agus nach ndéanadh sí aon dochar don tsláinte phoiblí. Dá bhrí sin, bheadh an fhorbairt bheartaithe i gcomhréir le pleanáil chuí agus forbairt inchothaithe an limistéir.

Scagadh Measúnachta Cuí

Chomhaontaigh an Bord leis an measúnacht scagtha agus leis an gconclúid a rinneadh sa tuarascáil ón gCigire á rá gurb iad Limistéar Cosanta Speisialta Choimpléasc Phortach Chonamara (Cód láithreáin: 004181) agus Limistéar Cosanta Speisialta Loch Coirib (Cód láithreáin: 004042) na haon Láithreáin Eorpacha amháin a bhféadfadh an fhorbairt bheartaithe éifeacht shuntasach a bheith aici orthu, agus ghlac an Bord an mheasúnacht scagtha agus an chonclúid sin.

Measúnacht Chuí

Rinne an Bord breithniú ar an Scagadh Measúnachta Cuí agus ar Ráiteas Tionchair Natura, agus ar dhoiciméid ghaolmhara a cuireadh isteach in éineacht leis an iarratas pleanála agus leis an achomharc, ar na bearta maolaithe atá iontu, ar na haighneachtaí atá ar comhad, agus ar an measúnacht ón gCigire. Chuir an Bord measúnacht chuí i gcrích ar impleachtaí na forbartha beartaithe do na láithreáin Eorpacha lena mbaineann, eadhon Limistéar Cosanta Speisialta Choimpléasc Phortach Chonamara (Cód láithreáin: 004181) agus Limistéar Cosanta Speisialta Loch Coirib (Cód láithreáin: 004042), i bhfianaise chuspóirí caomhantais an láithreáin. Mheas an Bord gur leor an fhaisnéis a bhí os a chomhair chun measúnacht chuí a dhéanamh. Agus an mheasúnacht chuí á cur i gcrích aige, rinne an Bord breithniú ar leith ar na nithe seo a leanas:

- (i) na tionchair dhíreacha agus indíreacha ar dóigh dóibh teacht as an bhforbairt bheartaithe, aisti féin nó in éineacht le pleananna nó tionscadail eile,
- (ii) na bearta maolaithe atá ar áireamh sa togra reatha, agus
- (iii) na cuspóirí caomhantais don láithreán Eorpach.

Agus an mheasúnacht chuí á cur i gcrích aige, ghlac an Bord leis an measúnacht chuí a rinneadh sa tuarascáil ón gCigire maidir leis na héifeachtaí a d'fhéadfadh a bheith ag an bhforbairt bheartaithe ar shláine na láithreán Eorpach réamhluaite, agus ghlac sé an mheasúnacht sin, agus aird á tabhairt ar chuspóirí caomhantais an láithreáin.

Sa chonclúid fhoriomlán uaidh, ba dheimhin leis an mBord nach ndéanadh an fhorbairt bheartaithe, aisti féin nó in éineacht le pleananna nó tionscadail eile, dochar do shláine na láithreán Eorpach, i bhfianaise chuspóirí caomhantais an láithreáin, agus nach bhfuil aon amhras eolaíoch réasúnach ann maidir le héifeachtaí den sórt sin a bheith in easnamh.

Measúnacht Tionchair Timpeallachta

Chuir an Bord Measúnacht Tionchair Timpeallachta i gcrích ar an bhforbairt bheartaithe, agus aird á tabhairt aige ar na nithe seo a leanas:

- (a) cineál, scála, láthair agus méid na forbartha beartaithe,
- (b) an Tuarascáil ar Mheasúnacht Tionchair Timpeallachta agus na doiciméid ghaolmhara a cuireadh isteach chun tacú leis an iarratas,
- (c) na haighneachtaí a fuarthas ón iarratasóir, ón údarás áitiúil, ó chomhlachtaí forordaithe, agus ó bhreathnóirí le linn an iarratais, agus,
- (d) an tuarascáil ón gCigire Pleanála.

Maidir leis an Tuarascáil ar Mheasúnacht Tionchair Timpeallachta agus na doiciméid tacaíochta a chuir an t-iarratasóir isteach, mheas an Bord go sainaithnítear go himleor iontu na héifeachtaí díreacha, indíreacha, tánaisteacha agus carnacha a bheadh ag an bhforbairt bheartaithe ar an gcomhshaol agus go dtugtar tuairisc imleor ar na héifeachtaí sin iontu. Chomhaontaigh an Bord leis an scrúdú, mar atá leagtha amach sa tuarascáil ón gCigire, ar an bhfaisnéis atá sa Tuarascáil ar Mheasúnacht Tionchair Timpeallachta agus sna doiciméid ghaolmhara a chuir an t-iarratasóir isteach agus sna haighneachtaí a rinneadh le linn an iarratais.

Conclúid réasúnaithe ar na héifeachtaí suntasacha

Mheas an Bord gurb iad seo a leanas na príomhéifeachtaí suntasacha díreacha agus indíreacha a bheadh ag an bhforbairt bheartaithe ar an gcomhshaol agus go maolófaí iad mar a leanas, nuair is iomchuí:

- Tionchar Tírdhreacha agus Amhairc: meastar an méadú ar airde tuirbíní a bheith réasúnta beag agus nach ndéanfaidh sé aon difear don chomhleanúnachas amhairc le forbairtí cóngaracha amhail Feirm Ghaoithe na nArd-doiriú. Áirítear leis na bearta maolaithe suíomh tuirbíní agus comhtháthú na forbartha le Feirm Ghaoithe láithreach na nArd-doiriú.
- Trácht agus Iompar: ní bheadh tionchar suntasach ag an bhforbairt bheartaithe ar thrácht ná ar iompar. Mhaolófaí aon tionchair trí phrótacail feithiclí earraí troma, trí bhealaí ainmnithe tarlaithe, trí réamhrabhadh a thabhairt do chónaitheoirí, trí luasteorainneacha, agus trí fhaireachán tráthrialta a dhéanamh ar riocht na mbóithre.
- Talamh agus Ithir: Deimhníodh sa Mheasúnacht ar Chobhsaíocht Gheoiteicniúil agus Móna go bhfuil ísealriosca teipe móna ann ar an láithreán. Deimhníodh an méid sin freisin trí réamhshuirbhé mionsonraithe a dhéanamh ar an láithreán, trí dhoimhneacht na móna a fhiosrú, agus trí anailísí cobhsaíochta. Moladh bearta sonracha maolaithe chun aghaidh a thabhairt ar rioscaí féideartha, lena n-áirítear bunsraitheanna leata, criosanna maolánacha tógála, agus córais chuí draenála a úsáid. Maidir le truailliú ithreach a d'fhéadfadh a bheith ann de dheasca doirteadh agus creimeadh de thaisme, mhaolófaí é trí bhearta amhail athbhreoslú íosta a dhéanamh ar an láithreán, limistéir stórála a bhundú, feistis doirte a úsáid, agus córais shealadacha draenála a úsáid.



- Uisce (Hidreolaíocht agus Hidrigeolaíocht): Áirítear leis na héifeachtaí dochracha a d'fhéadfadh a bheith ann rith chun srutha agus creimeadh ó dhromchlaí láithreáin le linn na tógála, arbh é an toradh a d'fhéadfadh a bheith orthu dríodró i sruthchúrsaí áitiúla agus éilliú ó dhoirteadh féideartha breosla agus ceimiceach. Áirítear leis na bearta maolaithe dianrialuithe dríodair agus creimthe, amhail fáлта siolta agus locháin shealadacha mhaolaithe, chun rith uisce dromchla chun srutha a bhainistiú. Chuirfí chun feidhme bearta um rialú ar thruailliú le haghaidh doirteadh coincréite agus stóráil breosla, mar aon le faireachán leanúnach ar cháilíocht an uisce a bheadh faoi fhormhaoirseacht ag Cléireach Comhshaoil Oibreacha. Ina theannta sin, bheadh compúin tógála agus limistéir stórála lonnaithe ar shiúl ó shruthchúrsaí, agus gheofaí réidh láithreach le haon ábhar farasbairr.
- Éaneolaíocht: Áirítear leis na héifeachtaí dochracha a d'fhéadfadh a bheith ag an bhfeirm ghaoithe bheartaithe ar an éaneolaíocht caillteanas gnáthóige, cur isteach le linn na tógála, agus rioscaí imbhuailte le linn an fheirm ghaoithe a oibriú, rud a dhéanfadh difear ar leith do speicis amhail an Fheadóg Bhuí, Cromán na gCearc, agus an Pocaire Gaoithe. Moltar sa Tuarascáil ar Mheasúnacht Tionchair Timpeallachta bearta maolaithe cuí amhail athchóiriú gnáthóg, tógáil lasmuigh de shéasúr an ghoir, Plean Bainistíochta Cearc Fraoigh, líniú teorann limistéar íogair, agus coigeartuithe ar dhearadh tuirbíní chun an riosca imbhuailte a laghdú.



- Oidhreacht Seandálaíochta agus Chultúrtha: Bheadh tionchair dhíreacha íosta ag tógáil na forbartha beartaithe ar shainghnéithe seandálaíochta atá ar eolas. Áirítear leis na bearta maolaithe faireachán seandálaíochta le linn oibreacha talún, tochailt chúramach ballaí páirce cloiche, agus maoirseacht leanúnach ag seandálaithe cáilithe.
- Torann agus Tonnchrith: Bheadh tionchair shuntasacha íosta ag an bhforbairt bheartaithe ar thorann agus ar thonnchrith le linn na tógála agus le linn an fheirm ghaoithe a oibriú araon. Áirítear leis na bearta maolaithe gníomhaíochtaí torannacha a theorannú d'uaireanta sonracha, trealamh ísealtorainn a úsáid, agus faireachán a dhéanamh ar leibhéil torainn chun an cur isteach ar chónaitheoirí in aice láimhe a íoslaghdú. Tugtar le fios i réamhaisnéisí torainn go gcomhlíonfar na Treoirínte maidir le Fuinneamh Gaoithe a Fhorbairt (2006) agus ETSU-R-97 le linn an fheirm ghaoithe a oibriú, agus leibhéil torainn á gcoinneáil faoi bhun 45 dB(A) le linn an lae agus faoi bhun 43 dB(A) san oíche, agus fad 500 méadar ar a laghad ann ó ghabhdóirí atá íogair ó thaobh torainn de.
- Aercháilíocht agus Aeráid: Bheadh tionchair shuntasacha íosta ag an bhforbairt bheartaithe feirme gaoithe ar aercháilíocht le linn na tógála agus le linn an fheirm ghaoithe a oibriú araon. Áirítear leis na bearta maolaithe cleachtais bhainistíochta deannaigh agus prótacail le haghaidh oibriú feithiclí, agus iad ceaptha chun deannach agus astaíochtaí ábhair cháithnínigh a íoslaghdú le linn na tógála.
- Sláinte an Phobail agus Sláinte an Duine: Bheadh tionchair shuntasacha íosta ag an bhforbairt bheartaithe ar shláinte an phobail agus ar shláinte an duine.



Chuir an Bord Measúnacht Tionchair Timpeallachta i gcrích i ndáil leis an bhforbairt bheartaithe, agus tháinig sé ar an gconclúid gurbh inghlactha a bheadh éifeachtaí na forbartha beartaithe ar an gcomhshaol, aisti féin agus in éineacht le pleananna agus tionscadail eile sa chomharsanacht, faoi réir na bearta molta maolaithe atá leagtha amach sa Tuarascáil ar Mheasúnacht Tionchair Timpeallachta a chur chun feidhme agus faoi réir na coinníollacha atá leagtha amach thíos a chomhlíonadh. Agus an méid sin á dhéanamh aige, ghlac an Bord an tuarascáil agus na conclúidí ón gcigire. Ar an iomlán, is deimhin leis an mBord nach mbeadh aon éifeachtaí do-ghlactha ag an bhforbairt bheartaithe ar an gcomhshaol.

Coinníollacha

1. Déanfar an fhorbairt agus críochnófar í i gcomhréir leis na pleananna agus na sonraí a taisceadh in éineacht leis an iarratas, mar a leasaíodh leis na pleananna agus na sonraí breise a cuireadh faoi bhráid an údaráis pleanála an 26^ú lá de mhí Dheireadh Fómhair 2023, agus leis na pleananna agus na sonraí breise a fuair an Bord Pleanála an 29^ú lá de mhí Eanáir 2024, seachas de réir mar is gá ar shlí eile chun na coinníollacha seo a leanas a chomhlíonadh. I gcás go gceanglófar leis na coinníollacha sin go gcomhaontófaí mionsonraí leis an údarás pleanála, comhaontóidh an forbróir le mionsonraí den sórt sin i scríbhinn leis an údarás pleanála sula dtosófar an fhorbairt, agus déanfar an fhorbairt agus críochnófar í i gcomhréir leis na sonraí comhaontaithe.

Cúis: Ar mhaithe le soiléire.

2. Seachas aon imeacht a údaraítear go sonrach leis an gcead seo, déanfar an fhorbairt agus críochnófar í i gcomhréir le téarmaí agus coinníollacha an cheada a deonaíodh an 19^ú lá de mhí Feabhra 2016 faoi uimhir thagartha PL07.243094 (uimhir thagartha an Bhoird Pleanála), faoi uimhir thagartha 13/829 (uimhir thagartha ar an gclár pleanála), agus faoi aon chomhaontuithe a dhéanfar faoina bhun.

Cúis: Ar mhaithe le soiléire.

3. Rachaidh an cead seo in éag ar dháta éaga uimhir thagartha chead PL07.243094 (uimhir thagartha an Bhoird Pleanála), ach amháin i gcás go mbeidh na tuirbíní agus an bonneagar gaolmhar tógtha roimh an dáta sin.

Cúis: Ar mhaithe le soiléire.

4. Cuirfear chun feidhme na bearta maolaithe atá i Ráiteas Tionchair Natura a cuireadh isteach.

Cúis: Chun sláine Láithreán Eorpach a chosaint.

5. Cuirfear chun feidhme na bearta maolaithe atá sa Tuarascáil ar Mheasúnacht Tionchair Timpeallachta a cuireadh isteach.

Cúis: Chun an comhshaol a chosaint.

6. (a) Beidh gob na dtuirbíní ceadaithe 150 méadar ar airde ar a mhéad. Cuirfear mionsonraí faoi dhearadh, airde agus dath na dtuirbíní faoi bhráid an údaráis pleanála, agus comhaontófar iad i scríbhinn leis, sula dtosófar an fhorbairt.
- (b) Beidh na cáblaí ó na tuirbíní chuig fostáisiún fheirm ghaoithe na nArd-doiriú leagtha faoi thalamh.
- (c) Beidh na tuirbíní gaoithe socraithe chun a chinntiú go rothlóidh na lanna sa treo céanna.
- (d) Beidh na claochladáin a bheidh bainteach le gach tuirbín agus crann aonair lonnaithe laistigh den struchtúr crann tuirbín nó ar leibhéal na talún in aice leis an gcrann.
- (e) Ní chuirfear aon ábhar fógraíochta ar aon struchtúr ar an láithreán, agus ní ghreamófar aon ábhar den sórt sin d'aon struchtúr ar shlí eile, gan cead pleanála a fháil roimh ré.
- (f) Beidh dromchla na rianta rochtana laistigh den láithreán déanta as ábhar oiriúnach a bheidh inghlactha ag an údarás pleanála, agus ní chuirfear aon tarramhacadam ná aon choincréit ar bharr an dromchla.
- (g) Críochnófar bóithre, limistéir chrua-sheasta agus limistéir eile dhromchla chrua chun sástacht scríofa an údaráis pleanála laistigh de thrí mhí ó dháta choimisiúnú na feirme gaoithe.

- (h) Aon ithir, aon charraig nó aon ábhar eile a thochlófar le linn na tógála, ní bheidh siad stoc-charntha ar an láithreán tar éis an obair a chríochnú. Déanfar limistéir thochailte, lena n-áireofar poill charta agus limistéir mhóna, a athchóiriú go cuí laistigh de thrí mhí ó dháta choimisiúnú na feirme gaoithe, i gcomhréir le mionsonraí a chuirfear faoi bhráid an údaráis pleanála agus a chomhaontófar i scríbhinn leis.

Cúis: Ar mhaithe le taitneamhachtaí an limistéir.

7. Bainfear fásra den láithreán lasmuigh de shéasúr an ghoir don Fhritileán Réisc (*Euphydryas Aurinia*).

Cúis: Mar bheart réamhchúraim ar mhaithe leis an speiceas a chosaint.

8. Tar éis dul i gcomhairle le hÚdarás Eitlíochta na hÉireann, cuirfear mionsonraí faoi cheanglais aerloingseoireachta faoi bhráid an údaráis pleanála, agus comhaontófar iad i scríbhinn leis, sula dtosófar an fhorbairt. Sula gcoimisiúnófar na tuirbíní, cuirfidh an forbróir an t-údarás pleanála agus Údarás Eitlíochta na hÉireann ar an eolas faoi chomhordanáidí na n-airdí goib, mar a bheidh tógtha, agus faoi chomhordanáidí na dtuirbíní agus an chrainn faireacháin gaoithe.

Cúis: Ar mhaithe le sábháilteacht aerthrachta.

9. Déanfar ina n-iomláine na bearta maolaithe torainn atá leagtha amach sa Ráiteas Tionchair Timpeallachta agus san fhaisnéis bhreise a cuireadh faoi bhráid an údaráis pleanála. Comhlíonfar na coinníollacha seo a leanas:

- (a) Maidir le torann tuirbín gaoithe a thiocfaidh as an bhforbairt bheartaithe, aisti féin nó in éineacht le forbairt láithreach eile fuinnimh gaoithe nó forbairt cheadaithe eile fuinnimh gaoithe sa chomharsanacht, ní mó í ná

- 5 dB(A) os cionn leibhéil torainn cúlra nó
- 43 dB(A) L90, 10^{nóiméad},

cibé acu is airde, nuair a thomhaistear go seachtrach é ag teaghaisí nó ag gabhdóirí fogaire eile.

- (b) Sula dtosófar an fhorbairt, cuirfidh an forbróir clár um fhaireachán ar chomhlíonadh torainn don fhorbairt lena mbaineann faoi bhráid an údaráis pleanála, agus comhaontóidh sé an plean sin i scríbhinn leis, lena n-áireofar aon bhearta maolaithe amhail tuirbíní ar leith a dhírátáil. Déanfar an tomhas torainn ar fad i gcomhréir le Moladh R 1996 ó Eagraíocht Idirnáisiúnta na gCaighdeán (ISO) dar teideal “Measúnacht ar Thorann i nDáil leis an bhFreagairt Pobail”, arna leasú le Moladh R 1996-1 ó ISO. Cuirfear torthaí tosaigh an fhaireacháin ar chomhlíonadh torainn faoi bhráid an údaráis pleanála, agus comhaontófar iad i scríbhinn leis, laistigh de shé mhí ó choimisiúnú na feirme gaoithe.

Cúis: Ar mhaithe le taitneamhacht cónaithe.



10. (a) Maidir le preabadh scátha a thiocfaidh as an bhforbairt bheartaithe, aisti féin nó in éineacht le forbairt láithreach eile fuinnimh gaoithe nó forbairt cheadaithe eile fuinnimh gaoithe sa chomharsanacht, mairfidh sé tréimhse nach mó ná 30 uair an chloig in aghaidh na bliana nó 30 nóiméad in aghaidh an lae ag teaghaisí láithreacha nó cheadaithe nó ag gabhdóirí íogaire eile.
- (b) Ullmhóidh duine atá cáilithe go cuí tuarascáil ina léireofar comhlíonadh na gceanglas thuasluaite um preabadh scátha ag teaghaisí, ar tuarascáil í a bheidh i gcomhréir le ceanglais an údaráis pleanála. Cuirfear an tuarascáil sin faoi bhráid an údaráis pleanála, agus comhaontófar í i scríbhinn leis, laistigh de 12 mhí ó choimisiúnú na feirme gaoithe beartaithe.

Cúis: Ar mhaithe le taitneamhacht cónaithe.

11. Sula dtosófar an fhorbairt, comhaontóidh an forbróir leis an údarás pleanála prótacal le haghaidh measúnacht a dhéanamh ar aon tionchar ar ghlacadh raidió, glacadh teilifíse nó glacadh aon teileachumarsáide eile sa limistéar. I gcás go mbeidh trasnaíocht ann, déanfaidh an forbróir an trasnaíocht sin a leigheas i gcomhréir le modheolaíocht a chomhaontófar i scríbhinn leis an údarás pleanála, tar éis dul i gcomhairle le húdaráis iomchuí eile, agus sula gcoimisiúnófar na tuirbíní.

Cúis: Ar mhaithe le taitneamhacht cónaithe.



12. (a) Sula dtosófar an fhorbairt, cuirfear mionsonraí faoi na nithe seo a leanas faoi bhráid an údaráis pleanála, agus comhaontófar iad i scríbhinn leis:
- (i) Plean Bainistíochta Iompair, lena n-áireofar mionsonraí faoin ngréasán bóithre nó faoi bhealaí tarlaithe, mionsonraí faoi na cineálacha feithiclí a úsáidfear chun ábhair a iompar ar an láithreán agus lasmuigh den láithreán, agus sceideal de bhearta rialaithe le haghaidh ualaí eisceachtúla seachadta atá leathan agus trom.
 - (ii) Suirbhé ar riocht na mbóithre agus na ndroichead feadh na mbealaí tarlaithe, ar suirbhé é a dhéanfaidh duine atá cáilithe go cuí ar chostas an fhorbróra sula dtosófar ar an bhforbairt feirme gaoithe a thógáil agus le linn an fhorbairt a thógáil araon. Áireofar leis an suirbhé sin sceideal den obair is gá chun go mbeidh na bealaí tarlaithe in ann freastal ar thrácht a bhaineann leis an tógáil. Comhaontófar méid agus raon feidhme an tsuirbhé agus an sceideal d'oibreacha leis an údarás pleanála sula dtosófar an fhorbairt.
 - (iii) Socruithe mionsonraithe le haghaidh aon damáiste tógála a thiocfaidh chun cinn a leigheas chun sástacht an údaráis pleanála.
 - (iv) Socruithe mionsonraithe le haghaidh socruithe/rialuithe sealadacha tráchta ar bhóithre.
 - (v) Clár ina léireofar an scála ama ar laistigh de atá sé beartaithe gach bealach poiblí a úsáid chun tógáil na forbartha a éascú.



(vi) Ba cheart mionsonraí a bheith sa phlean sin faoin dóigh a mbeartaíonn an forbróir caidreamh a dhéanamh leis an bpobal áitiúil, agus fógra a thabhairt dó, roimh sheachadadh ualaí ollmhóra.

(b) Criochnófar na hoibreacha uile a thiocfaidh as na socruithe réamhluaite ar chostas an fhorbróra laistigh de 12 mhí ó scor de gach bóthar a úsáid mar bhealach tarlaithe don fhorbairt bheartaithe.

Cheal comhaontú ar aon cheann de na ceanglais sin, tarchuirfear an ní chuig an mBord Pleanála lena chinneadh.

Cúis: Chun an gréasán bóithre poiblí a chosaint agus chun méid an cheada a shoiléiriú ar mhaithe le sábháilteacht tráchta agus forbairt rianúil.

13. A luaithe a dhíchoimisiúnófar an fheirm ghaoithe go hiomlán nó go páirteach, nó más rud é go scoirfidh an fheirm ghaoithe de bheith ag oibriú ar feadh tréimhse is faide ná bliain amháin, bainfear na crainn agus na tuirbíní lena mbaineann, bainfear gach struchtúr díchoimisiúnaithe, agus bainfear na bunsraitheanna, nó cumhdófar le hithir iad, chun athfhásrú a éascú, laistigh de thrí mhí ón díchoimisiúnú.

Cúis: Chun athshuí sásúil an láithreáin a chinntiú tráth scor den tionscadal.

14. Bainisteofar tógáil na forbartha i gcomhréir le Plean Bainistíochta Tógála, rud a chuirfear faoi bhráid an údaráis pleanála, agus a chomhaontófar i scríbhinn leis, sula dtosófar an fhorbairt. Soláthrófar sa phlean sin mionsonraí faoin gcleachtas beartaithe tógála don fhorbairt, lena n-áireofar na nithe seo a leanas:
- (a) Láthair an láithreáin agus an chompúin/na gcompún ábhar, lena n-áireofar an limistéar/na limistéir atá sainaitheanta le haghaidh dramhaíl tógála a stóráil;
 - (b) Láthair na limistéar le haghaidh oifigí láithreáin tógála agus saoráidí foirne;
 - (c) Mionsonraí faoi fhálta agus ballaí clár slándála ar an láithreán;
 - (d) Mionsonraí faoi shaoráidí páirceála carranna ar an láithreán d'oibrithe láithreáin le linn na tógála;
 - (e) Bearta chun teacht roimh chiúáil tráchta tógála ar an ngréasán tadhlaigh bóithre;
 - (f) Bearta chun doirteadh nó sil-leagan cré, spallaí nó smionagair eile a chosc ar an ngréasán bóithre poiblí;
 - (g) Na socruithe malartacha a chuirfear i bhfeidhm do choisithe agus feithiclí i gcás go ndúnfar aon bhóthar nó cosán poiblí le linn na n-oibreacha forbartha láithreáin;
 - (h) Uaireanta tógála, lena n-áireofar seachadtaí ábhar chuig an láithreán;

- (i) Mionsonraí faoi bhearta cuí le haghaidh torann, deannach agus tonnchrith a mhaolú agus le haghaidh faireachán a dhéanamh ar leibhéil torainn, deannaigh agus tonnchreatha;
- (j) An dóigh a ndéanfar an breosla agus an ola ar fad a bhaineann leis an tógáil a shrianadh laistigh de bhundaí saintógtha chun a chinntiú gur lánsrianta a bheidh aon doirteadh breosla. Beidh díon ar bhundaí den sórt sin chun uisce báistí a choinneáil amach;
- (k) An dóigh a ndiúscrófar dramhaíl tógála/scartála lasmuigh den láithreán.

Coinneofar taifead á léiriú go mbíonn seiceálacha laethúla á ndéanamh i gcomhréir leis an bPlean Bainistíochta Tógála lena iniúchadh ag an údarás pleanála.

Cúis: Ar mhaithe le taitneamhachtaí agus sábháilteacht.

15. Áiritheoidh an forbróir seirbhísí Éiceolaí atá cáilithe go cuí agus a bhfuil taithí chuí aige/aici (chun an ról mar Chléireach Éiceolaíoch Oibreacha a chomhlíonadh) chun suirbhéanna réamhthógála a dhéanamh ag na heilimintí éagsúla tionscadail, lena n-áireofar aon trasrianta abhann, díreach sula dtosófar aon obair, chun a sheiceáil an bhfuil aon speicis chosanta sa chomharsanacht.

Cúis: Ar mhaithe le héiceolaíocht agus fiadhúlra sa limistéar a chosaint.

16. Áiritheoidh an forbróir seirbhísí saineolaí éan atá cáilithe go cuí agus a bhfuil taithí chuí aige/aici chun suirbhéanna cuí éan a dhéanamh ar an láithreán seo gach bliain. Forbrófar mionsonraí na suirbhéanna a dhéanfar agus na ceanglais ghaolmhara tuairiscithe tar éis dul i gcomhairle leis an údarás pleanála, agus comhaontófar iad i scríbhinn leis, sula dtosófar an fhorbairt. Cuirfear na tuarascálacha sin isteach ar dháta comhaontaithe gach bliain ar feadh tréimhse cúig bliana, le comhaontú roimh ré i scríbhinn ón údarás pleanála. Seolfar cóipeanna de na tuarascálacha chuig an Roinn Ealaíon, Oidhreacht agus Gaeltachta.

Cúis: Chun a chinntiú go ndéanfar faireachán cuí ar thionchar na forbartha ar fhána éanúil an limistéir.

17. Cinnteoidh an forbróir go ndéanfar an gléasra agus an t-innealra ar fad a úsáidfear le linn na n-oibreacha a ghlanadh agus a ní go críochnúil sula seachadfar chuig an láithreán iad ar mhaithe le leathadh speiceas ionrach guaiseach agus pataiginí a chosc.

Cúis: Ar mhaithe le pleanáil chuí agus forbairt inchothaithe an limistéir.

18. Éascóidh an forbróir caomhnú, taifeadadh agus cosaint ábhar seandálaíochta nó sainghnéithe seandálaíochta atá ann laistigh den láithreán. I ndáil leis sin, déanfaidh an forbróir na nithe seo a leanas:

- (a) Fógra i scríbhinn a thabhairt don údarás pleanála faoin bhforbairt bheartaithe ceithre seachtaine ar a laghad sula dtosófar aon oibríocht ar an láithreán (lena n-áireofar imscrúduithe hidreolaíocha agus geoiteicniúla),



- (b) Seandálaí atá cáilithe go cuí a fhostú, a dhéanfaidh faireachán ar na himscrúduithe láithreáin eile agus na hoibreacha tochailte uile eile, agus
- (c) Socruithe a sholáthar a bheidh inghlactha ag an údarás pleanála le haghaidh aon ábhar seandálaíochta is cuí leis an údarás a thaifeadadh agus a bhaint.

Cheal comhaontú ar aon cheann de na ceanglais sin, tarchuirfear an ní chuig an mBord Pleanála lena chinneadh.

Cúis: Chun oidhreacht seandálaíochta an láithreáin a chaomhnú agus chun a áirithiú go ndéanfar aon iarsmaí atá ann laistigh den láithreán a chaomhnú agus a chosaint.

- 19. Maidir le socruithe soláthair agus draenála uisce, lena n-áireofar uisce dromchla a mhaolú agus a dhiúscairt, comhlíonfaidh siad ceanglais an údaráis pleanála le haghaidh oibreacha agus seirbhísí den sórt sin.

Cúis: Ar mhaithe leis an tsláinte phoiblí.

- 20. Sula dtosófar an fhorbairt, cuirfear tograí gnóthachain pobail faoi bhráid an údaráis pleanála, agus comhaontófar iad i scríbhinn leis.

Cúis: Ar mhaithe le pleanáil chuí agus forbairt inchothaithe an limistéir.

21. Laistigh de bhliain amháin ó choimisiúnú na feirme gaoithe, cuirfear mionsonraí faoi shocruithe taitneamhachta agus rochtana poiblí agus an scála ama lena gcur i bhfeidhm faoi bhráid an údaráis pleanála lena gcomhaontú i scríbhinn aige.

Cúis: Ar mhaithe le taitneamhachtaí áineasa an limistéir a chur ar aghaidh.

22. Sula dtosófar an fhorbairt, taiscfidh an forbróir leis an údarás pleanála taisce airgid, banna de chuid cuideachta árachais, nó cibé urrús eile is inghlactha ag an údarás pleanála, chun a áirithiú go ndéanfar bóithre poiblí a athshuí a bhféadfadh go ndéanfaí damáiste dóibh de dheasca ábhair a iompar chuig an láithreán, mar aon le comhaontú lena dtabharfar de chumhacht don údarás pleanála urrús den sórt sin nó cuid de a úsáid d'athshuí sásúil na mbóithre poiblí. Comhaontófar foirm agus méid an urrúis idir an t-údarás pleanála agus an forbróir nó, cheal comhaontú, tarchuirfear an ní chuig an mBord Pleanála lena chinneadh.

Cúis: Ar mhaithe le sábháilteacht tráchta agus pleanáil chuí agus forbairt inchothaithe an limistéir.

23. Sula dtosófar an fhorbairt, taiscfidh an forbróir leis an údarás pleanála taisce airgid, banna de chuid cuideachta árachais, nó cibé urrús eile is inghlactha ag an údarás pleanála, chun a áirithiú go ndéanfar an láithreán a athshuí go sásúil tráth scor den tionscadal, mar aon le comhaontú lena dtabharfar de chumhacht don údarás pleanála urrús den sórt sin nó cuid de a úsáid don athshuí sin. Comhaontófar foirm agus méid an urrúis idir an t-údarás pleanála agus an forbróir nó, cheal comhaontú, tarchuirfear an ní chuig an mBord Pleanála lena chinneadh.

Cúis: Ar mhaithe le forbairt rianúil agus taitneamhacht amhairc agus chun athshuí sásúil an láithreáin a chinntiú.



24. Íocfaidh an forbróir leis an údarás pleanála ranníocaíocht airgeadais i leith bonneagar agus saoráidí poiblí a rachaidh chun tairbhe d'fhorbairt i limistéir an údaráis pleanála, ar nithe iad a sholáthróidh an t-údarás nó a sholáthrófar thar a cheann, nó a bhfuil sé beartaithe ag an údarás iad a sholáthar nó a bhfuil sé beartaithe iad a sholáthar thar a cheann, i gcomhréir le téarmaí na Scéime Ranníocaí Forbartha arna déanamh faoi alt 48 den Acht um Pleanáil agus Forbairt, 2000, arna leasú. Déanfar an ranníocaíocht sula dtosófar an fhorbairt nó trí cibé íocaíochtaí céimnithe a éascóidh an t-údarás pleanála, agus beidh sí faoi réir aon fhorálacha innéacsaithe is infheidhme den Scéim tráth na híocaíochta. Comhaontófar mionsonraí chur i bhfeidhm na Scéime idir an t-údarás pleanála agus an forbróir nó, cheal comhaontú, tarchuirfear an ní chuig an mBord Pleanála chun cur i bhfeidhm cuí téarmaí na Scéime a chinneadh.

Cúis: Ceanglaítear leis an Acht um Pleanáil agus Forbairt, 2000, arna leasú, go ndéanfaí coinníoll lena gceanglaítear ranníocaíocht i gcomhréir leis an Scéim Ranníocaí Forbartha arna déanamh faoi alt 48 den Acht a chur i bhfeidhm i leith an cheada.

Appeal by Knockranny Moycullen Wind Farm Action Group care of Dara Canavan, Pillagh, Moycullen, County Galway and by Others against the decision made on the 22nd day of November, 2023 by Galway County Council to grant subject to conditions a permission to Western Power Developments Limited care of Conor Frehill, HW Planning of 5 Joyce House, Barrack Square, Ballincollig, County Cork in accordance with plans and particulars lodged with the said Council:

Proposed Development: (1) Alterations to the Cnoc Raithní (Knockranny) Wind Farm (Galway County Council Planning Reference Number 13/829 and An Bord Pleanála Reference: 07.243094 comprising 11 number wind turbines with an overall ground to blade tip height of 150 metres (an increase of 19.5 metres and 9.5 metres from 130.5 metres and 140.5 metres, as previously permitted), a rotor blade length of 68 metres or 69 metres and a hub height of 81 metres or 82 metres; associated increase in turbine foundations; and omission of permitted on-site 110kV substation and underground cabling; (2) Provision of underground electrical (33kV) and communications cabling connecting the 11 number wind turbines to the Ardderroo Wind Farm substation for the purposes of connection to the national grid, including a new cable service track (with watercourse/culvert crossings) and widening of an existing access road; extension of the Ardderroo substation within the existing substation compound, including control building extension, new 110kV transformer and electrical plant and apparatus; (3) All associated site development and ancillary works above and below ground in support of the above, including site drainage and tree felling; (4) An operational period and planning permission duration to align with the existing permission (An Bord Pleanála Reference: 07.243094) is sought in the townlands of Cnoc Raithní (Knockranny), Na hArd-Doiriú (Ardderroo) and Leitir (Letter), Moycullen, County Galway. The site is located within a Gaeltacht Area.

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

Having regard to;

- (a) the policies and objectives set out in the Galway County Development Plan 2022-2028,
- (b) the Northern and Western Regional Spatial and Economic Strategy 2020-2032,
- (c) the provisions of the Climate Action Plan 2024, with regard to the development of alternative and indigenous energy sources and the minimisation of emissions from greenhouse gases,
- (d) the provisions of the Wind Energy Development Guidelines – Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government, (2006), (updated in November 2021),
- (e) the provisions of the Draft Revised Wind Energy Development Guidelines (2019), prepared by the Department of Housing, Planning and Local Government and the Department of Communications, Climate and the Environment (updated January 2020),
- (f) relevant European and National Policy and Guidelines,
- (g) the nature, scale, design and location of the proposed development,
- (h) the planning history of the site and the surrounding area,

- (i) the pattern of existing and permitted development in the area,
- (j) the distance to dwellings and other sensitive receptors from the proposed development,
- (k) the Environmental Impact Assessment Report submitted,
- (l) the Natura Impact Statement submitted,
- (m) the submissions and observations received, and
- (n) 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 likely significant effects of the proposed development on European Sites (including transboundary sites),

it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable at this location, would be acceptable in terms of impact on the visual amenities and landscape character of the area, would not seriously injure the amenities of property in the vicinity, would be acceptable in terms of pedestrian and traffic safety and would not be prejudicial to public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening

The Board agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report in which the Connemara Bog Complex Special Protection Area (Site code: 004181) and the Lough Corrib Special Protection Area (Site code: 004042) are the only European Sites in respect of which the proposed development has the potential to have a significant effect.

Appropriate Assessment

The Board considered the Appropriate Assessment Screening and Natura Impact Statement, and associated documentation submitted with the planning application and appeal, the mitigation measures contained therein, the submissions on file, and the Inspector's assessment. The Board completed an appropriate assessment of the implications of the proposed development for the affected European sites, namely Connemara Bog Complex Special Protection Area (Site code: 004181) and the Lough Corrib Special Protection Area (Site code: 004042), in view of the site's conservation objectives. The Board considered that the information before it was adequate to allow the carrying out of an appropriate assessment. In completing the appropriate assessment, the Board considered, in particular, the following:

- (i) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- (ii) the mitigation measures which are included as part of the current proposal, and
- (iii) the conservation objectives for the European site.

In completing the appropriate assessment, the Board 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 integrity of the aforementioned European sites, having regard to the site's conservation objectives.

In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European sites, in view of the site's conservation objectives and there is no reasonable scientific doubt as to the absence of such effects.



Environmental Impact Assessment

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

- (a) the nature, scale, location, and extent of the proposed development,
- (b) the Environmental Impact Assessment Report and associated documentation submitted in support of the application,
- (c) the submissions received from the applicant, local authority, prescribed bodies, and observers in the course of the application, and,
- (d) the Planning Inspector's report.

The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately identifies and describes the direct, indirect, secondary and cumulative effects of the proposed development on the environment. The Board agreed with the examination, set out in the Inspector's report, 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 on the significant effects

The Board considered that the main significant direct and indirect effects of the proposed development on the environment are, and would be mitigated where relevant, as follows:

- **Landscape and Visual Impact:** the increase in turbine height is considered relatively minor and would maintain visual coherence with adjacent developments like Ardderroo Wind Farm. Mitigation measures include turbine placement and integration of the development with the existing Wind Farm Ardderroo.
- **Traffic and Transport:** the proposed development would not significantly impact traffic and transport. The impacts would be mitigated by HGV protocols, designated haulage routes, advance warning to residents, speed limits and regular road condition monitoring.
- **Land and Soil:** The Geotechnical and Peat Stability Assessment confirms that the site has a low risk of peat failure, supported by detailed site reconnaissance, peat depth probing, and stability analyses. Specific mitigation measures, such as the use of spread foundations, construction buffer zones, and proper drainage systems, have been proposed to address potential risks. Potential soil pollution from accidental spillages and erosion, would be mitigated by measures such as minimal on-site refuelling, bunding of storage areas, use of spill kits, and temporary drainage systems.

- **Water (Hydrology and Hydrogeology):** Potential adverse effects include runoff and erosion from site surfaces during construction, which could lead to sedimentation in local watercourses and contamination from potential fuel and chemical spills. Mitigation measures include strict sediment and erosion controls, such as silt fences and temporary attenuation ponds, to manage surface water runoff. Pollution control measures for concrete pouring and fuel storage would be implemented, alongside continuous water quality monitoring overseen by an Environmental Clerk of Works (ECoW). Additionally, construction compounds and storage areas would be located away from watercourses, and surplus material would be promptly removed.
- **Ornithology:** Potential adverse effects of the proposed wind farm on ornithology include habitat loss, disturbance during construction, and collision risks during operation, particularly affecting species like Golden Plover, Hen Harrier, and Kestrel. The EIAR proposes appropriate mitigation measures such as habitat restoration, non-breeding season construction, a Red Grouse Management Plan, sensitive area demarcation, and turbine design adjustments to reduce collision risk.
- **Archaeology and Cultural Heritage:** The proposed development would have minimal direct construction impacts on known archaeological features. The mitigation measures include archaeological monitoring during groundworks, careful excavation of stone field walls, and continuous supervision by qualified archaeologists.



Noise and Vibration: The proposed development would have minimal significant impacts on noise and vibration, both during construction and operation. Mitigation measures include limiting noisy activities to specific hours, using low-noise equipment, and monitoring noise levels to minimise disruption to nearby residents. During operation, noise predictions indicate compliance with the Wind Energy Development Guidelines (2006) and ETSU-R-97, maintaining noise levels below 45 dB(A) during the day and 43 dB(A) at night, with a minimum 500 metres separation from noise-sensitive receptors.

- Air Quality and Climate: The proposed wind farm development would have minimal significant impacts on air quality during construction and operation. Mitigation measures include dust management practices and vehicle operation protocols, to minimise dust and particulate matter emissions during construction.
- Population and Human Health: The proposed development would have minimal significant impacts on population and human health.

The Board completed an Environmental Impact Assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures proposed as set out in the Environmental Impact Assessment Report, 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 Board adopted the report and conclusions of the inspector. Overall the Board is satisfied that the proposed development would not have any unacceptable effects on the environment.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted to the planning authority on the 26th day of October 2023 and by the further plans and particulars received by An Bord Pleanála on the 29th day of January 2024 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 to such details in writing with the planning authority prior to the 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. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted on the 19th day of February, 2016 under An Bord Pleanála reference PL07.243094, planning register reference number 13/829, and any agreements entered into thereunder.

Reason: In the interest of clarity.

3. This permission shall expire on the expiry date of the An Bord Pleanála reference: PL07.243094 permission, unless before that date the turbines and associated infrastructure has been erected.

Reason: In the interest of clarity.



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

Reason: To protect the integrity of European Sites.

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

Reason: To protect the environment.

6. (a) The permitted turbines shall have a maximum tip height of 150 metres. Details of the turbine design, height, and colour shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.
- (b) Cables from the turbines to the Ardderroo wind farm substation shall be run underground.
- (c) The wind turbines shall be geared to ensure that the blades rotate in the same direction.
- (d) Transformers associated with each individual turbine and mast shall be located either within the turbine mast structure or at ground level beside the mast.
- (e) No advertising material shall be placed on or otherwise affixed to any structure on the site without a prior grant of planning permission.
- (f) The access tracks within the site shall be surfaced in a suitable material acceptable to the planning authority and shall not be hard-topped with tarmacadam or concrete.

- (g) Roads, hard-standing areas and other hard-surfaced areas shall be completed to the written satisfaction of the planning authority within three months of the date of commissioning of the wind farm.
- (h) Soil, rock, and other materials excavated during construction shall not be left stockpiled on site after the completion of the work. Excavated areas, including the borrow pits and areas of peat placement, shall be appropriately restored within three months of the date of commissioning of the wind farm, in accordance with details to be submitted to and agreed in writing with the planning authority.

Reason: In the interest of the amenities of the area.

- 7. Removal of site vegetation shall be carried out outside of the breeding season for the Marsh Fritillary Butterfly (*Euphydryas Aurinia*).

Reason: As a precautionary measure in the interest of protecting the species.

- 8. Details of aeronautical requirements shall be submitted to and agreed in writing with the planning authority prior to the commencement of development, following consultation with the Irish Aviation Authority. Prior to the commissioning of the turbines, the developer shall inform the planning authority and the Irish Aviation Authority of the coordinates of the as-constructed tip heights and coordinates of the turbines and wind monitoring mast.

Reason: In the interest of air traffic safety.

9. Noise mitigation measures outlined in the Environmental Impact Statement and in the further information submitted to the planning authority shall be carried out in full. The following conditions shall be complied with:
- (a) Wind turbine noise arising from the proposed development, by itself or in combination with other existing or permitted wind energy development in the vicinity, shall not exceed the greater of:
- 5 dB(A) above background noise levels or
 - 43 dB(A) L90,10min
- when measured externally at dwellings or other sensitive receptors.
- (b) Prior to the commencement of development, the developer shall submit to and agree in writing with the planning authority to a noise compliance monitoring programme for the subject development, including any mitigation measures such as the de-rating of particular turbines. All noise measurements shall be carried out in accordance with ISO Recommendation R 1996, "Assessment of Noise with Respect to Community Response," as amended by ISO Recommendations R 1996-1. The initial noise compliance monitoring results shall be submitted to and agreed in writing with the planning authority within six months of commissioning the wind farm.

Reason: In the interest of residential amenity.

10. (a) Shadow flicker arising from the proposed development, by itself or in combination with other existing or permitted wind energy development in the vicinity, shall not exceed 30 hours per year or 30 minutes per day at existing or permitted dwellings or other sensitive receptors.
- (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 proposed wind farm, this report shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of residential amenity.

11. Prior to the commencement of development, the developer shall agree with the planning authority on a protocol for assessing any impact on radio, television or other telecommunications reception in the area. In the event of interference occurring, the developer shall remedy such interference according to a methodology to be agreed in writing with the planning authority, following consultation with other relevant authorities and prior to commissioning the turbines.

Reason: In the interest of residential amenity.

12. (a) Prior to the commencement of development, details of the following shall be submitted to and agreed in writing with the planning authority:

- (i) A Transport Management Plan, including details of the road network/haulage routes, the vehicle types to be used to transport materials on and off-site, and a schedule of control measures for exceptional wide and heavy delivery loads.
- (ii) A condition survey of the roads and bridges along the haul routes is to be carried out at the developer's expense by a suitably qualified person both before and after the construction of the wind farm development. This survey shall include a schedule of required work to enable the haul routes to cater to construction-related traffic. The extent and scope of the survey and the schedule of works shall be agreed upon with the planning authority prior to the commencement of development.
- (iii) Detailed arrangements whereby the rectification of any construction damage which arises shall be completed to the satisfaction of the planning authority.
- (iv) Detailed arrangements for temporary traffic arrangements/controls on roads.
- (v) A programme indicating the timescale within which it is intended to use each public route to facilitate the construction of the development.
- (vi) The plan should contain details of how the developer intends to engage with and notify the local community in advance of the delivery of oversized loads.

- (b) All works arising from the aforementioned arrangements shall be completed at the developer's expense within 12 months of the cessation of each road's use as a haul route for the proposed development.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: To protect the public road network and to clarify the extent of the permission in the interest of traffic safety and orderly development.

- 13. On full or partial decommissioning of the wind farm or if the wind farm ceases operation for a period of more than one year, the masts and the turbines concerned shall be removed, and all decommissioned structures shall be removed, and foundations removed or covered with soil to facilitate re-vegetation, within three months of decommissioning.

Reason: To ensure satisfactory reinstatement of the site upon cessation of the project.

- 14. The construction of the development shall be managed in accordance with a Construction 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 the intended construction practice for the development, including:

- (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- (b) Location of areas for construction site offices and staff facilities;
- (c) Details of site security fencing and hoardings;

- (d) Details of on-site car parking facilities for site workers during the course of construction;
- (e) Measures to obviate queuing of construction traffic on the adjoining road network;
- (f) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (g) 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;
- (h) Provision of construction hours, including deliveries of materials to the site;
- (i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (j) 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;
- (k) Off-site disposal of construction/demolition waste.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of amenities and safety.

15. 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, including any river crossings, immediately prior to commencing work in order to check for the presence of protected species in the vicinity.

Reason: In the interest of protecting ecology and wildlife in the area.

16. The developer shall retain the services of a suitably qualified and experienced bird specialist to undertake appropriate annual bird surveys of this site. Details of the surveys to be undertaken and associated reporting requirements shall be developed following consultation with, and agreed in writing with, the planning authority prior to the commencement of development. These reports shall be submitted on an agreed date annually for five years, with the prior written agreement of the planning authority. Copies of the reports shall be sent to the Department of Arts, Heritage and the Gaeltacht.

Reason: To ensure appropriate monitoring of the impact of the development on the avifauna of the area.

17. The developer shall ensure that all plant and machinery used during the works are thoroughly cleaned and washed before delivery to the site to prevent the spread of hazardous invasive species and pathogens.

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

18. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall:

- (a) Notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) regarding the proposed development,
- (b) Employ a suitably qualified archaeologist who shall monitor all site investigations and other excavation works, and
- (c) Provide arrangements acceptable to the planning authority for the recording and removal of any archaeological material that the authority considers appropriate.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

19. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.



20. Prior to the commencement of development, the community gain proposals shall be submitted to and agreed in writing with the planning authority.

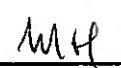
Reason: In the interest of the proper planning and sustainable development of the area.

21. Within one year of the commissioning of the wind farm details of amenity and public access arrangements and the timescale for their realisation shall be submitted to the planning authority for its written agreement.

Reason: In the interest of advancing the recreational amenities of the area.

22. Prior to the 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 Bord Pleanála for determination.

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

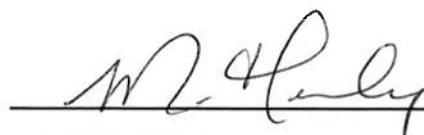


23. Prior to the commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site upon cessation of the project, 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 Bord Pleanála for determination.

Reason: In the interest of orderly development and visual amenity and to ensure satisfactory reinstatement of the site.

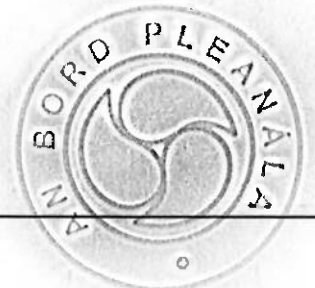
24. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the 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 the An Bord 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.



Mary Henchy

**Comhalta den Bhord
Pleanála atá údaraithe go cuí
chun séala an Bhord a
fhíordheimhniú**



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

Dátaithe ar an *30th* lá seo de *Meán Fómhair* 2024