

An
Bord
Pleanála

Board Order ABP-320650-24

Planning and Development Acts, 2000 to 2022

Planning Authority: Tipperary County Council

(Associated application reference number: ABP-310171-21)

REQUEST received by An Bord Pleanála on the 20th day of August, 2024 from Ecopower Developments Limited of Zetec House, Purcellsinch IDA Business Park, Kilkenny under section 146B of the Planning and Development Act 2000, as amended, to alter the terms of a strategic infrastructure development described as amendments to the previously authorised Upperchurch Windfarm (An Bord Pleanála case reference PL22.243040) at townlands of Graniera, Shevry, Knockcurraghbola Commons, Knockmaroe, Grousehall, Cummer, Foilnahan, Gleninchaveigh, Coumnageeha, Coumbeg, Knocknamena Commons, Glenbeg and Seskin, County Tipperary, the subject of a permission under An Bord Pleanála reference number ABP-310171-21 and alterations under reference number ABP-318773-23.

WHEREAS the Board made a decision to grant permission, subject to conditions, for the above-mentioned development by Order dated the 12th day of May, 2022,

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

AND WHEREAS the proposed alterations is described as the amendment of Condition 3 of ABP-310171-21 as follows:

P.C.

The period during which the proposed development PL22.243040 and ABP-310171-21 hereby permitted may be carried out shall be 10 years from the date of this Order.

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

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

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

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


NOW THEREFORE in accordance with section 146B(3)(a) of the Planning and Development Act 2000, as amended, the Board hereby alters the above-mentioned decision so that the permitted development shall be altered in accordance with the plans and particulars received by An Bord Pleanála on the 20th day of August 2024, for the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

Having regard to:

- (i) the nature of the proposed alteration which seeks clarity in relation to the duration of permission granted under reference number ABP-310171-21 for this site,
- (ii) the examination of the environmental impact, including in relation European Sites, carried out in the course of that application;
- (iii) the limited nature and extent of the proposed alteration when considered in relation to the overall approved development,
- (iv) the absence of any significant new or additional environmental concerns (including in relation to European Sites) arising as a result of the proposed alteration, and
- (v) the report of the Board's Inspector, which is adopted,

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



Patricia Calleary

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 08 day of January 2025.