

---

**Planning and Development Act 2000, as amended**

**Planning Authority: Tipperary County Council**

**Application** for permission under section 37E of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, including an Environmental Impact Assessment Report and Natura Impact Statement, lodged with An Coimisiún Pleanála on the 12<sup>th</sup> day of December, 2024 by Brittas Wind Energy Limited care of Malachy Walsh and Partners, Reen Point, Blennerville, Tralee, County Kerry.

**Proposed development:** The proposed development is for a ten-year permission that comprises the following:

- 10 number Wind Turbines with a blade tip height of 180 metres, hub height range from 102.5 to 105.5 metres and a rotor diameter range from 149 metres to 155 metres;
- 10 number Wind Turbine foundations and Hardstand areas and associated drainage infrastructure;
- 1 number Permanent Lidar unit and associated foundation, hardstand area and compound for Meteorological Monitoring;
- 1 number 110kV Electrical Substation including 2 number control buildings, electrical plant and equipment, welfare facilities, carparking, water and wastewater holding tanks, security fencing, lightening protection and telecommunications masts, security cameras, external lighting and, all associated infrastructure;

- Installation of medium voltage underground electrical and communication cabling connecting the wind turbines to the proposed onsite substation and associated ancillary works;
- Installation of approximately 7 kilometres of underground electricity and communication cabling between the proposed onsite substation and the nearby existing Thurles 110kV substation in the townland of Ballygammane, County Tipperary. The cabling will be laid primarily within the public road and will connect the proposed wind farm to the national grid;
- 4 number site entrances from the public road and associated fencing and signage;
- Construction of new permanent site access tracks, turning heads and associated drainage infrastructure;
- The upgrading of existing access tracks and associated drainage infrastructure;
- 2 number temporary construction site compounds and mobile welfare facilities;
- 1 number Borrow pit and associated drainage infrastructure to be used as a source of stone material during construction;
- Spoil deposition areas;
- Associated surface water management systems;
- Tree felling and hedgerow removal to accommodate wind farm infrastructure;
- Temporary accommodation works at 2 number locations adjacent to the public road to facilitate delivery of turbine components to site within the townlands of Brittas and Brittasroad, County Tipperary. The works primarily relate to trimming and clearing of vegetation, temporary removal of street furniture and fencing, and installation of temporary stone hard standing; and
- All related site works and ancillary development

**All within the townlands of Brittas, Rossestown, Clobanna, Brownstown, Killeenleigh, Kilkillahara, Brittasroad, Coolgarrane, Athnid More, Cassestown, Laghtagalla, Farranreigh, Furze, Loughlahan, Ballygammane, Co. Tipperary.**

P.C

## Decision

**Grant permission under section 37G of the Planning and Development Act 2000, as amended, 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.**

**Determine under section 37H(2)(c) the sum to be paid by the developer in respect of costs associated with the application as set out in the Schedule of Costs below.**

## Reasons and Considerations

In performing its functions in relation to the making of its decision, the Commission had regard to:

- Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended, and the requirement to, in so far as practicable, perform its functions in a manner consistent with inter alia the Climate Action Plan 2025 and the furtherance of the national climate objective.
- Section 15(1) of the Climate Action and Low Carbon 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 national long term climate action strategy, national adaptation framework and approved sectoral adaptation plans set out in those Plans and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State).

Furthermore, in coming to its decision, the Commission had regard to the following:

- European legislation, including of particular relevance:
  - Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directive) which set the requirements for

P.C.

Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union.

- EU Renewable Energy Directive 2009/28/EC which aims to promote the use of renewable energy and amending Directive EU/2023/2413 which aims to speed up the EU's clean energy transition.
- Directive 2011/92/EU (The EIA Directive) as amended by Directive 2014/52/EU.
- National and regional planning and related policy, including:
  - National policy with regard to the development of alternative and indigenous energy sources and minimisation of emissions from greenhouse gases. Particularly the National Planning Framework First Revision 2025 and National Policy Objective 70.
  - Wind energy Guidelines: Guidelines for Planning Authorities 2006 and the draft guidelines published in 2019.
  - The objectives and targets of the National Biodiversity Action Plan 2023-2030.
- Regional and local planning policy, including:
  - Regional Spatial Economic Strategy for the Southern Region;
  - Tipperary County Development Plan 2022-2028.
- Other relevant national policy and guidance documents.
- The nature, scale and design of the proposed development as set out in the planning application and the pattern of development in the vicinity.
- 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.
- The submissions made on the planning application to An Coimisiún Pleanála and the applicant's responses to same.

- The report and the recommendation of the Inspector, including the examination, analysis and evaluation undertaken in relation to appropriate assessment and environmental impact assessment, as well as the specialist ecologist report for the Commission relating to same.

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

The Commission noted that the proposed wind farm development is not directly connected with or necessary for the management of a European Site. The Commission completed an appropriate assessment screening exercise in relation to the potential effects of the proposed development on designated European Sites, taking into account the Screening Report for Appropriate Assessment submitted and the report and screening assessment completed by the Inspector. The Commission agreed with the Inspector's assessment and conclusion that the European Site for which there is potential for significant effects is the Lower River Suir Special Area of Conservation (Site Code: 002137). The Commission concluded, in agreement with the Inspector, that Appropriate Assessment is required for that European Site.

### **Appropriate Assessment: Stage 2:**

The Commission considered the Natura Impact Statement and associated documentation submitted with the application, the mitigation measures contained therein, the submissions and observations on file, and carried out an Appropriate Assessment of the implications of the proposed wind farm development for European Sites in view of the conservation objectives for the Lower River Suir Special Area of Conservation (Site Code: 002137). The Commission considered that the information before it was adequate to allow the carrying out of an Appropriate Assessment and to allow it to reach complete, precise and definitive conclusions for Appropriate Assessment.

In completing the assessment, the Commission considered, in particular, the likely direct and indirect impacts arising from the proposed development, both individually and in combination with the other plans and projects, including all aspects of the

entire windfarm project, including the substation and grid connection, and taking into account any mitigation measures which are included as part of the current proposal, in view of the conservation objectives for the European Site.

The Commission accepted and adopted the Appropriate Assessment carried out in the Inspector's report with respect to the potential effects of the proposed development on the integrity of the aforementioned European Site, having regard to the site's conservation objectives.

In overall conclusion, the Commission was satisfied that the proposed development, by itself or in combination with the other plans or projects, including all aspects of the entire windfarm project as addressed in the Inspector's assessment, would not adversely affect the integrity of any European Site, in view of the site's conservation objectives and there is no reasonable scientific doubt as to the absence of such effects.

This conclusion is based on a complete assessment of all aspects of the proposed project, both alone and in combination with the other plans and projects of relevance, including all aspects of the entire windfarm project as addressed in the Inspector's assessment, and took into account all submissions received during the course of the application.

### **Environmental Impact Assessment**

The Commission completed an Environmental Impact Assessment of the proposed development together with the substation, taking into account:

- (a) The nature, scale, location and extent of the proposed development;
- (b) The Environmental Impact Assessment Report and associated documentation submitted;
- (c) The submissions received during the course of the application; and
- (d) The Inspector's report and the report of the Commission's Ecologist.

The Commission considered that the Environmental Impact Assessment Report supported by the documentation submitted by the applicant during the course of the

application, adequately considers alternatives to the proposed development and identifies and describes adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment. The Commission 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 developer and submissions made in the course of the planning application.

### **Reasoned Conclusions on the Significant Effects**

The Commission considered that the Environmental Impact Assessment Report and supporting documentation submitted by the applicant during the course of the application, provided information which is reasonable and sufficient to allow the Commission to reach a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account current knowledge and methods of assessment. The Commission is satisfied that the information contained in the Environmental Impact Assessment Report is up to date and complies with the provisions of Directive 2011/92/EU as amended by EU Directive 2014/52/EU amending. The Commission considered that the main significant direct and indirect effects of the proposed development, including the windfarm and substation, on the environment are those arising from the impacts listed below.

The main significant effects, both positive and negative, are:

1. **Population and human health** – Implementation of a Construction Environmental Management Plan forms the main mitigation during construction phase. During the operation phase the shutdown of turbines to prevent shadow flicker will be implemented. No significant negative effects envisaged during all phases with mitigation in place. Localised positive economic impact, and significant positive effect during operation with respect to community health and safety.
2. **Biodiversity** – The proposed development will result in the loss of habitat on the site and generates potential for risk of collision and injury to bats and birds. With the implementation of mitigation, including hedgerow re-instatement,

protection of watercourses, pre-clearance and pre-construction surveys, measures to reduce collision risk, including curtailment, and monitoring, there will be no significant negative residual effects upon biodiversity.

3. **Land, soils, geology, water, air quality or climate** - Mitigation is formed of measures to reduce and manage impact upon land, soils, geology, water, air quality and climate, including implementation of a Construction Environmental Management Plan and Traffic Management Plan, as well as water quality monitoring. With the implantation of mitigation, no significant residual negative impacts. During operation, residual impact will be moderate positive upon air quality and climate due to the avoidance of emissions from fossil fuel generators.
4. **Noise and vibration** – For construction and decommissioning phases, with the application of mitigation, no significant effects. During operation, residual noise from wind turbines is expected to remain between imperceptible to very significant depending on the distance to the noise sensitive location. Two noise sensitive location's will experience a very significant or profound impact and will benefit financially from the project. 84 noise sensitive location's will experience a significant adverse impact with respect to the level of noise increase, however overall noise levels will comply with The Wind Energy Development Guidelines 2006 limits in all cases. While the degree of change experienced to these noise sensitive location's is significant, actual noise levels are within guideline limits. In consideration of the overarching policy support for renewable energy, and noting that the proposal will operate within The Wind Energy Development Guidelines 2006 limits, this effect is acceptable.
5. **Material assets (land use, telecommunications, electricity networks, air navigation, quarries, and utilities)** – Mitigation measures include the consultation with utility bodies to ensure their requirements and standards for works are met during construction. Use of an aeronautical obstacle warning light scheme during construction and notification of Irish Aviation Authority prior to the erection of the turbines. Coordination with telecoms providers to remedy any issues of interference to network links, with a signed protocol to be in place with RTE. Implementation of measures in the Construction Environmental

P.C.

Management Plan. With the implementation of mitigation, no significant residual negative impacts.

6. **Material assets – traffic and transportation** – Primary potential effects arise during the construction phase. With the implementation of mitigation, particularly through the Traffic Management Plan, effects will be slight to moderate. Effects associated with the proposed grid route will be moderate to significant with the implementation of a stop-and-go traffic management system and temporary diversions, generating disruption to users of the road network. This will be localised and temporary. During operation the effects will be imperceptible and not significant, and the effects during decommissioning will be imperceptible to slight.
7. **Archaeology and cultural heritage** – During construction, through the application of mitigation measures in the form of archaeological monitoring, effects will be reduced to ‘not significant’. During operation, the locating of the proposed wind turbines will have significant negative effect upon the setting of two recorded monuments, a church and graveyard in Clobanna (TN035-078 and TN035-0780001), as well as upon the setting of Brittas Castle (Registration number TRPS99 and registration number TRPS830) a Registered Protected Structure of Regional Importance, and associated Demesne. Moderate effect also occurs two monuments situated circa .3.7 kilometres away, a tower house (registration number TN035-030005) and church (registration number TN035-03002). Other effects can be classified as slight or not significant. Noting the reversibility of these effects in the decommissioning phase in the absence of any further planning consent and in light of the national, regional and local planning policy context, which support renewable energy projects as needed to urgently respond to the climate crisis, these significant negative effects are justified and acceptable.
8. **Landscape and visual impacts** – During construction, moderate significant adverse effect upon landscape character and visual effect over a short-term period. During operation, moderate significant effect upon landscape character. Visual effects during operation is summarised as follows: of the 25 number viewpoint locations assessed, there is one viewpoint judged to be ‘significant’

P.C.

and 'adverse,' while there are three viewpoints judged to be 'moderate significant' and 'adverse.' The majority (21 of the 25 viewpoints) are not likely to experience 'significant' visual impacts. Visual effects from the most sensitive areas will not be significant. Noting the reversibility of these effects in the decommissioning phase in the absence of any further planning consent and in light of the national, regional and local planning policy context, which support renewable energy projects as needed to urgently respond to the climate crisis, these significant negative effects are justified and therefore acceptable.

9. 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 is satisfied that the reasoned conclusion is up to date at the time of making the decision. 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 herein, the effects on the environment of the proposed development by itself, and, cumulatively with other development in the vicinity, would be acceptable. In doing so, the Commission adopted the report and conclusions of the reporting Inspector.

### **Proper Planning and Sustainable Development**

It is considered that the proposed development would accord with European, national, regional and local planning policy provision. The Commission was satisfied that an approval for the proposed development would be consistent with the national climate ambitions and with the relevant provisions of the Climate Action Plan 2025. Furthermore, the Commission has 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 Act 2015. The Commission considered that by reason of scale, form and extent, that, subject to compliance with the following conditions, the proposed development would be in accordance with the relevant provisions of the Tipperary County Development Plan 2022-2028. The proposed development would be delivered on lands in the county that are in an area 'open for consideration', which is

the highest ranked area among two area types (open for consideration and unsuitable for further development) within the wind energy strategy maps that inform policy for wind energy under TWIND 4 of the plan. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### CONDITIONS

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the planning 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 the proposed development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interests of clarity and of proper planning and sustainable development of the area.

2. The final selected dimensions of the turbines, which formed the subject of an opinion under section 37CD(2), shall fall within one of the specified options below:

Turbine Type	Rotor Diameter	Tip Height	Blade Length	Hub Height
A(1)	150m	180m	73.7m	105m
B(2)	155m	180m	76m	102.5m
C(3)	149m	180m	73m	105m

The developer shall notify the relevant planning authority of the selected turbine type in writing at least 12 weeks prior to the commencement of the proposed development.

**Reason:** To clarify the details of what is being developed is in accordance with the Commission's opinion.

3. The mitigation measures contained in the submitted Environmental Impact Assessment Report shall be implemented.

Details of a time schedule for implementation of mitigation measures and associated monitoring shall be submitted to the planning authority.

In addition to the mitigation measures contained in the Environmental Impact Assessment Report, the following shall apply:

- (a) With respect to shadow flicker, mitigation will not be in the form of blinds to neighbouring properties;
- (b) During operation of turbines, it is required that the Shadow Flicker Control Modules (SFCM) be implemented to eliminate shadow flicker effect upon surrounding properties;
- (c) Monitoring of access roads to the site during construction, with defects identified and repaired, in order to minimise dust.

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

4. The mitigation measures contained in the submitted Natura Impact Statement, shall be implemented. Details of a time schedule for the implementation of mitigation measures and associated monitoring shall be submitted to the planning authority.

**Reason:** To protect the integrity of European Sites.

5. (a) The permission shall be for a period of 35 years from the date of the first commissioning of the windfarm. All structures, 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 the proposed development, a detailed Site

P.C.

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 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 6 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.

6. Prior to the commencement of any works associated with the proposed development hereby permitted, the developer shall submit a detailed final Construction Environmental Management Plan (CEMP) for the written agreement of the planning authority. The final CEMP shall reflect measures included in the Environmental Impact Assessment Report and as accepted by the applicant in their response to submissions by prescribed bodies. A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The CEMP shall include details of the appointment of a Community Liaison Officer for all stages of the proposed development who shall be the first point of contact for residents and be responsible for monitoring and reporting of complaints, maintaining complaints register, addressing complaints and for discharging information in relation to the proposed development to residents. The agreed CEMP shall be implemented in full in the carrying out of the proposed development.

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

7. 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. Blasting activities to be undertaken after 1000 and before 1600.

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

8. 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 existing noise sensitive locations, shall not exceed:

- For daytime periods, between the hours of 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,
- For daytime periods, between the hours of 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,
- For the nighttime period between the hours of 2300 to 0700, for all noise environments, 43dB(A)L90 T10.

Prior to the commissioning of the windfarm, the applicant 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 Amplitude Modulation (AM) and tonal noises, including frequency of monitoring (initially six months, with confirmatory monitoring in the third-year post commissioning) 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 existing noise sensitive properties in the vicinity of the development.

9. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of the proposed development, the developer shall submit and obtain written agreement from the planning authority for a Stage 2 - Detailed Design Stage Storm Water Audit. Upon completion of the proposed development a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.

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

10. All mitigation measures in relation to archaeology and cultural heritage as set out in the Environmental Impact Assessment Report for the application shall be implemented in full. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any archaeological investigative work/ excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. 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.

11. The developer shall engage a suitably qualified licence-eligible archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the planning authority and the National Monuments Service, in advance of any site preparation works or

groundworks, including site investigation works/topsoil stripping/site clearance/dredging/underwater works and/or construction works.

The report shall include an archaeological impact statement and mitigation strategy. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record and/or monitoring may be required.

Exclusion zones shall be established around elements of vulnerable heritage within the site as identified in Chapter 11 of the Environmental Impact Assessment Report or during subsequent site investigations. Exclusions zones shall be fenced and demarcated, with no groundworks of any kind permitted within the zone.

Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer.

No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the planning authority.

The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. 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.

12. 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 the proposed development.

The plan shall include a pre-construction survey of haul routes; a survey of all structures forming part of the haul route, including the Rossetown Bridge, to

confirm delivery weights can be accommodated; detailed proposals for 'Access Point' sightlines, including those to be retained after the construction phase; and detailed arrangements for the protection of bridges, culverts or other structures to be traversed, as may be required.

The plan should also contain details of how the developer intends to engage with road operators and notify the local community in advance of the delivery of oversized loads.

Temporary works to the N62/L8017 junction associated with turbine delivery, shall be removed and lands reinstated following completion of the construction phase. Any temporary access arrangements should be closed and lands reinstated following completion of the construction phase. Temporary safety barriers to be used over temporary accesses when not in use for turbine component delivery. Any damage to the pavement of the N62 due to the deliveries to the site, shall be rectified in accordance with Transport Infrastructure Ireland Pavement Standards.

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

13. Prior to the commencement of development a Road Safety Audit shall be submitted to the planning authority for agreement in writing, with any recommendations arising being incorporated into the proposed development as constructed. Detailed design for any temporary or permanent access onto the National Road shall be in accordance with Transport Infrastructure Ireland (TII) requirements.

**Reason:** In the interest of the safe operation of the road network.

14. Following consultation with road operators and utility providers, details of the final route of cables for the grid connection shall be submitted to the planning authority for approval in writing, prior to the commencement of works associated with the grid connection. Any deviation from the approved detailed design under this condition, will require subsequent approval from the planning authority following demonstration of agreement of road operators and impacted

utility providers. Following the laying of cables in the public road, the exact location is to be recorded in the form of as constructed surveys of all infrastructure altered, added, removed or relocated, and the record lodged with the local authority, ESB Networks and any impacted utility provider, within 6 months of completing the grid connection.

**Reason:** In the interest of clarity and to minimise impact on the public road.

15. The developer shall comply with all appropriate standards and, inter alia the Guidelines for Managing Openings in Public Roads 2017. Works in or over the public road shall meet the requirements of the Department of Transport as outlined in their submission on the application and comply with Transport Infrastructure Ireland Publications technical design standards for national roads.

**Reason:** In the interest of orderly development and to minimise impact on the public road.

16. Detailed plans and particulars of sightlines to accesses for the site, informed by speed surveys of adjacent roads, to be submitted for agreement in writing by the planning authority prior to commencement of the proposed development.

**Reason:** In the interest of the safe operation of the road network.

17. (a) The developer shall engage with Tipperary County Council with respect to the Thurles Bypass Scheme as identified in section 12.5.1 of the Tipperary County Development Plan. Any impact upon this national road scheme will require resolution to the satisfaction of the road authority.
- (b) The developer shall engage with the relevant departments of Tipperary County Council with respect to any Greenway or Active Travel proposals in the vicinity of the proposed works.

- (c) The developer shall engage with the planning authority regarding unhindered access to its structures.

Confirmation of this engagement with respect to parts (a) (b) & (c) above, and related outcomes, shall be submitted to the planning authority for agreement prior to commencement of the proposed development.

**Reason:** In order to protect this Strategic Road Investment Project.

18. (a) Prior to commencement of the proposed development and following consultation with the Department of Defence and Irish Aviation Authority, 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) Prior to the commissioning of the turbines, the developer shall inform the planning authority and the Irish Aviation Authority of the as-constructed tip heights and co-ordinates of the turbines and wind monitoring mast.
- (c) The developer shall notify the Irish Aviation Authority of the intention to commence crane operations at least 30 days prior to their erection.

**Reason:** in the interest of aviation safety.

19. In the event that the proposed development causes interference with telecommunications signals including wireless internet, effective measures shall be introduced to minimise interference with telecommunications signals in the area. Details of these measures, which shall be at the developer's expense, shall be submitted to, and agreed in writing with, the planning authority prior to commissioning of the turbines and following consultation with the relevant authorities.

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

20. 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.

21. Prior to commencement of the proposed development, a detailed habitat compensation plan be submitted to the planning authority for agreement in writing. Details to include the setting out of hedgerow replanting locations with no net loss as committed to in the Environmental Impact Assessment Report and the area and location of forestry replanting. In addition, details of suitable adaptive monitoring, and measures to be employed, should any deterioration in Molinia meadow habitat occur and how this will be remedied.

**Reason:** To protect biodiversity.

22. The pre-construction survey for mammals will identify any badger setts within the footprint of work areas required for turbines with particular focus on T4, T9 and T10. Where destruction of a sett or its immediate surroundings is unavoidable, this will be done in accordance with best practice with reference to the badger exclusion protocol set out in the 'TII/NRA Guidelines for the Treatment of Badgers Prior to the Construction of National Road Schemes'.

**Reason:** To protect biodiversity.

23. Prior to commencement of the proposed 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 the proposed 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.

25. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting the proposed 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 the proposed 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

P.C.

Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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

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

### Schedule of Costs

In accordance with the provisions of section 37H(2)(c) of the Planning and Development Act 2000, as amended, the amount due to be refunded to the applicant is **€1,655**.

**A breakdown of the Commission's costs is set out in the attached Appendix 1.**

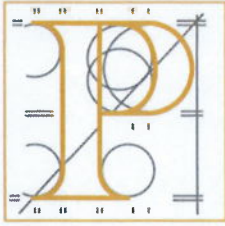
*Patricia Calleary*

**Patricia Calleary**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate  
the seal of the Commission.**

Dated this *2<sup>nd</sup>* day of *April* 2026



An  
Coimisiún  
Pleanála

Commission Order –  
Appendix 1

ABP-321454-24

## Strategic Infrastructure Development

### Costs of determining the Application

Case Number: ABP-321454-24

**Proposed Development:** Proposed development of 10 Wind Turbines, 110kV Electrical Substation and ancillary development within the townlands of Brittas, Rossestown, Clobanna, Brownstown, Killeenleigh, Kilkillahara, Brittasroad, Coolgarrane, Athinid More, Cassestown, Laghtagalla, Farranreigh, Furze, Loughlahan, Ballygammane, County Tipperary.

Commission Costs		
(1)	Cost (calculated based on Inspector's time) Inspector 1 (pre-application consultation) – €7,887 Inspector 2 (application) – €92,374 Ecologist (application) – €2,784	€103,045
(2)	Costs invoiced to Board	N/A
	<b>Total chargeable costs</b>	<b>€103,045</b>
Commission Fees		
(3)	Application Fee – €100,000 Pre-application Consultation Fee – €1,000	€101,000
(4)	Observer fees paid	€3,700
	<b>Total</b>	<b>€104,700</b>
	Net amount due to be refunded to the applicant	€1,655

*Patricia Calleary*

Patricia Calleary

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

Dated this 2nd day of April 2026

