

An
Coimisiún
Pleanála

Commission Order
ABP-322604-25

Planning and Development Act 2000, as amended

Planning Authority: Roscommon County Council

Planning Register Reference Number: 2360198

Appeal by Peter Gillooly against the decision made on the 3rd day of January, 2024 by Roscommon County Council to refuse permission for the proposed development.

Proposed Development: Permission for amendments to (i) extant planning permission PD18/313, which amended planning application PD/11/126, (ii) extant planning permission ABP-303677-19, which amended planning permissions PD11/126 and PD18/313 and (iii) extant planning permission ABP-307726-20, which amended planning permission PD18/313. The output from the development will be 4.9MW, similar to the extant planning permissions. The amendments will provide for (1) Erection of two bespoke Enercon E138 turbines models in lieu of the Vensys 121 turbine models agreed with the planning authority, under condition 4(a) of planning permission ABP-3037726-19. Turbine T1 will have a hub height of 99 metres, a blade diameter of 138 metres and a blade tip height of 168 metres. Turbine T2 will have a hub height of 81 metres, a blade diameter of 138 metres and a blade tip height of 150 metres. The maximum combined output from the turbines will be 4.9MW. (2) Relocation of the access road serving the development, as permitted under planning permissions PD11/126, PD18/313,

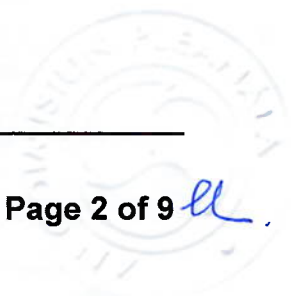
ABP-303677-19 and ABP-307726-20. (3) The relocation of underground electrical cabling to the relocated access road referred to under paragraph 2 above and additional underground electrical cabling to the proposed modular windfarm control room/switch room and ESB modular MV station referred to in paragraph 6 below. (4) Increase in the hub height of turbine T1 to 99 metres, increasing the blade tip height from 150 metres to 168 metres and micro-siting of turbine T1 by 12.75 metres. (5) Increase in the area of the hardstands associated with each turbine. (6) Amended substation structure to incorporate a proposed modular windfarm control/switch rooms and an ESB modular MV station and (7) Revised site boundaries at Derrane and Roxborough, Roscommon, County Roscommon.

Decision

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

Reasons and Considerations

The Commission performed its functions in relation to the making of its decision, in a manner consistent with Section 15(1) of the Climate Action and Low Carbon 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).



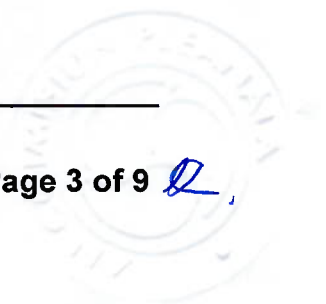
Having regard to the policies and objectives of the Roscommon County Development Plan 2022-2028 in particular in Chapter 8 of the plan and including the Renewable Energy Strategy and the Landscape Character Assessment of County Roscommon, the provisions of the Wind Energy Guidelines for Planning Authorities (2006) and the Draft Revised Wind Energy Development Guidelines (2019), the nature and scale of the proposed development, the distance to European sites, and the appeal made in connection with the planning application, it is considered that, subject to compliance with the conditions set out below, the proposed development would not cause adverse impacts on the residential or visual amenities of the area or of property in the vicinity, would not significantly impact on biodiversity, European sites, archaeological resources or cultural heritage and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening

The Commission considered that the proposed wind farm development and its associated grid connection development, either individually or in combination with other plans or projects would not be likely to have a significant effect on Lough Ree SPA (site code 004064), River Suck Callows SPA (site code 004097) or any of the European Sites identified in Table 1.1, in view of the sites conservation objectives and a Stage 2 Appropriate Assessment and the submission of an NIS for the proposed development is therefore not required.

This determination is based on:

- (a) the nature and scale of the proposed developments,
- (b) the distance from and weak indirect connections to the European sites,



- (c) No real likelihood of significant effects to arise from the proposed developments on the SCI of Lough Ree Special Protection Area (Site Code 004064) or the River Suck Callows Special Protection Area (Site Code 004097), or on the QI of Lough Ree Special Area of Conservation (Site Code 000440)
- (d) Possible impacts identified would not be significant in terms of site-specific conservation objectives for the above mentioned European Sites and would not undermine the maintenance of favourable conservation condition or delay or undermine the achievement of restoring favourable conservation status for those QI/SCI features of unfavourable conservation status.

No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.

In overall conclusion, the Board was satisfied that the proposed development would not adversely affect the integrity of the European Sites in view of the sites' Conservation Objectives and that there is no reasonable scientific doubt as to the absence of such effects.

Environment Assessment

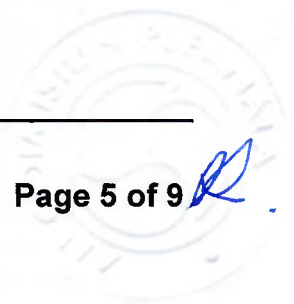
Having regard to the information provided under Schedule 7A, the criteria set out in Schedule 7, in particular

- (a) the nature and scale of the proposed wind energy development, in a rural area served by public infrastructure,
- (b) the location of the proposed development relative to recorded monuments, and

- (c) the location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended)

the results of other relevant assessments of the effects on the environment submitted by the applicant, including Appropriate Assessment screening reports, the features and measures proposed by applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment, the Commission concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.

In deciding not to accept the Inspector's recommendation to refuse permission, the Commission considered the planning history on the site including the extant permission for two turbines, the contractual agreement reached with ESB Networks for a grid connection of 4.95MW, the guidance from Commission for Regulation of Utilities (CRU) on the removal of generation capacity caps and the limitation to be placed by the manufacturer on the output of the two permitted Enercon 138 turbines and was satisfied that the limitation on the output of the turbines would not constitute an unsustainable use of resources in that the output generation from the turbines would displace the requirement for up to 4.95MW from the national grid. The Commission was satisfied that there was extensive policy support for the proposed development at national regional and local levels including in particular the Climate Action Plan 2025, Climate Action Energy and Environment Objectives 8.3, 8.4, 8.5 and 8.7 in Chapter 8 of the Roscommon County Development Plan 2022-2028 and the Strategic Aims in Section 2.5 of the Renewable Energy Strategy of the Roscommon County Development Plan 2022-2028.



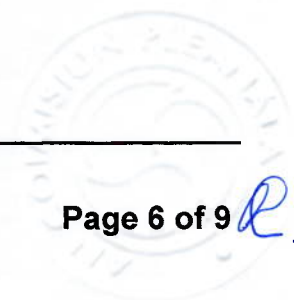
Conditions

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

Reason: In the interest of clarity.

2. 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 by the planning authority under planning register reference number PD/11/126, the permission granted on the under planning register reference number PD/18/313 , with further amendments under PD20/145 and extended in duration under PD21/3007 and the permission granted on the 12th day of July, 2019, under An Bord Pleanála reference ABP-303677-19 (planning register reference number PD/18/447) and any agreements entered into thereunder.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permissions.



3. This permission shall not be construed as any form of consent or agreement to a connection to the national grid or to the routing or nature of any such connection.

Reason: In the interest of clarity.

4. Cables within the site shall be laid underground. The wind turbines shall be geared to ensure that the blades rotate in the same direction. No advertising material shall be placed on or otherwise be affixed to any structure on the site without a prior grant of planning permission.

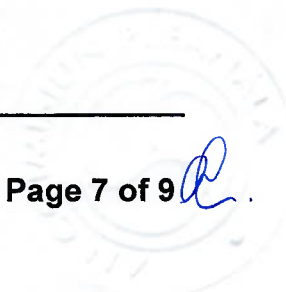
Reason: In the interest of visual amenity.

5. Details of aeronautical requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Prior to 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 masts.

Reason: In the interest of air traffic safety.

6. Details of the road network to be used by construction traffic and by the long-term maintenance traffic including detailed arrangements for the protection of bridges to be traversed shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of traffic safety.



7. The developer shall facilitate the preservation, recording and protection of architectural materials or features that may exist within the site. In this regard, the developer shall notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove. In default of agreement on any of these requirements, the matter shall be referred to An Coimisiún 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.

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

Reason: To ensure satisfactory reinstatement of the site.

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

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



Mick Long

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

Dated this *21st* day of *April* 2026.