

An
Coimisiún
Pleanála

Commission Order ACP-323579-25

Planning and Development Act 2000, as amended

Planning Authority: Offaly 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 5th day of September 2025, by Ballinla Wind Farm Limited care of MWP of The Elm Suite, Loughmore Centre, Raheen Business Park, Limerick.

Proposed development: The proposed development comprises the following:

- Seven wind turbine generators (blade tip height 185 metres);
- Seven wind turbine foundations and hardstand areas;
- One electrical substation (110 kilovolt) including independent power producer (IPP) substation and wind farm operations compound with associated ancillary buildings, security fencing and all associated works;
- One LiDAR station based on the ground;
- Two new site entrances from the L5010;
- New and upgraded internal site access tracks;
- All associated underground electrical and communications cabling connecting the proposed turbines to the proposed onsite substation;
- The Turbine Delivery Route including temporary works on sections of the public road network and private lands along the turbine delivery route on the L-5006 and the junction of the R-402 and R-420;

- One temporary construction site compound and additional mobile welfare unit,
- One spoil deposition area;
- Landscaping; and,
- Associated surface water management systems.

The applicant is seeking a ten-year permission and an operational period of no less than 35 years from the date of commissioning of the entire Wind Farm.

All located in the townlands of Leitrim, Ballyfore Big, Ballyleakin, and Ballina (Geashill By), County Offaly.

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 applicant in respect of costs associated with the application as set out in the Schedule of Costs below.

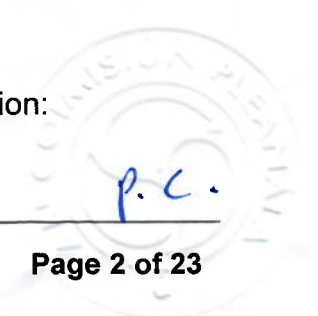
Reasons and Considerations

The Commission made its decision consistent with:

- (a) Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, and the requirement to, in so far as practicable, perform its functions in a manner 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.

The Commission also had regard to the following in coming to its decision:

- (a) European legislation, including of particular relevance:



- Directive 2011/92/EU (The EIA Directive) as amended by Directive 2014/52/EU as implemented by Article 94 and Schedule 6 (paragraphs 1 and 2) of the Planning and Development Regulations, 2001, as amended.
 - Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directive) which set the requirements for 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/2003/25 which aims to speed up the EU's clean energy transition as implemented by European Union (Planning and Development) (Renewable Energy) Regulations 2025 (S.I. 274 of 2025),
 - Directive 2000/60/EC, the Water Framework Directive and the requirement to exercise its functions in a manner which is consistent with the provisions of the Directive and which achieves or promotes compliance with the requirements of the Directive.
- (b) 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.
- (c) Regional and local planning policy, including:
- Regional Spatial Economic Strategy for the Eastern and Midland Region;
 - Offaly County Development Plan 2021 – 2027, as varied.
- (d) Other relevant national policy and guidance documents,
- (e) The nature, scale and design of the proposed development as set out in the planning application and the pattern of development in the vicinity,
- (f) 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,

- (g) The reports of the planning authority received in response to same,
- (h) The submissions made on the planning application to the Commission and the applicant's responses to the same, and
- (i) The report and the recommendation of the Inspector, including the examination, analysis and evaluation undertaken in relation to appropriate assessment and environmental impact assessment.

Appropriate Assessment: Stage 1:

The Commission considered the Screening Report for Appropriate Assessment and all other relevant submissions and carried out an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European Sites. The Commission noted that the proposed wind farm development is not directly connected with or necessary for the management of any European Site and considered the nature, scale, and location of the proposed development, as well as the report of the Inspector. The Commission agreed with the screening exercise carried out by the Inspector.

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 Sites for which there is potential for significant effects are the River Barrow and River Nore Special Area of Conservation (Site Code: 002162), River Boyne and River Blackwater Special Area of Conservation (Site Code: 002299) and River Boyne and River Blackwater Special Protection Area (Site Code: 004232).

The Commission considered that an Appropriate Assessment of the implications of the proposed development for the River Barrow and River Nore Special Area of Conservation (Site Code: 002162), River Boyne and River Blackwater Special Area of Conservation (Site Code: 002299) and River Boyne and River Blackwater Special Protection Area (Site Code: 004232) required further investigation.

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 windfarm development for European Sites in view of the conservation objectives for the River Barrow and River Nore Special Area of Conservation (Site Code: 002162), River Boyne and River Blackwater Special Area of Conservation (Site Code: 002299) and River Boyne and River Blackwater Special Protection Area (Site Code: 004232).

The Commission considered that the information before it was adequate to allow the carrying out of an Appropriate Assessment as well as the report of the Inspector. In completing the assessment, the Commission considered, the likely direct and indirect impacts arising from the proposed development, both individually and in combination with the other plans and projects, the mitigation measures which were included as part of the current proposal and the conservation objectives for these European Sites. In completing the Appropriate Assessment, the Commission accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Sites, having regard to the sites conservation objectives. In overall conclusion, the Commission was satisfied that the proposed development, by itself or in combination with 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 sites' 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 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

The Commission considered that the Environmental Impact Assessment Report supported by the documentation submitted by the developer, 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 during the course of the application.

Reasoned Conclusions on the Significant Effects

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

- **Air Quality and Climate:** The proposed development, in conjunction with other renewable energy projects as cited in the Environmental Impact Assessment Report, would have a significant, positive, cumulative effect on air quality and climate due to the displacing of fossil fuel energy generation (with subsequent improvements in air quality) and the associated displacement of carbon dioxide and other greenhouse gas emissions.
- **Landscape and Visual Effects:** Visual effect during operation is summarised as follows: Of the 29 number viewpoint locations assessed, there is one viewpoint (VP11) where visual effects were judged to be 'Significant' and 'Adverse'. These effects are an inevitable consequence of the introduction of large-scale wind turbines into a lowland landscape. Noting the reversibility of

these effects in the decommissioning phase (in the absence of further planning supports) 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.

The Commission completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures proposed, and subject to compliance with the conditions set out below, the effects of the proposed development on the environment, by itself and in combination with other plans and projects in the vicinity would be acceptable. In doing so, the Commission adopted the report and conclusions of the Inspector.

Proper Planning and Sustainable Development

It is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the Climate Action and Low Carbon Development Act 2015 (as amended), the National Biodiversity Action Plan 2023-2030, the National Planning Framework, the Eastern and Midland Regional Spatial and Economic Strategy 2019-2031, and the provisions of the Offaly County Development Plan 2021 – 2027, as varied, the proposed development would comply with European, national, and regional renewable energy policies and with the provisions of local policy, would be consistent with the obligations of the Climate Action Plan 2025, would not have an unacceptable impact on the character of the landscape and visual amenities of the area, would not have a significant adverse impact on biodiversity, hydrology, hydrogeology, ecology, ornithology or archaeological and cultural heritage of the area, would be acceptable in terms of traffic safety and would make a positive contribution to Ireland's renewable energy and security of energy supply requirements. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

Material Contravention

Peatland and Nature Corridor

The Commission noted that Variation Number 1 of the Offaly County Development Plan 2021 was adopted on the 20th day of July 2026. A portion of the southern section of the site, encompassing four proposed turbines (T4, T5, T6 and T7), now appears to fall within an area designated as a 'Peatland and Nature Corridor' as shown indicatively on Figure 4.9(b) introduced as part of the Variation. While Figure 4.9(b) is not to scale, the indicative mapping appears to also show that the remainder of the site, encompassing three proposed turbines (T1, T2 and T3), located in the northern section of the site, lies outside the designated 'Peatland and Nature Corridor'.

The Commission had regard to the relevant provisions of Objective BLO-28 'Peatland and Nature Corridors' together with the provisions of Section 11 'Strategic Approach to Wind Energy Development' of the Wind Energy Strategy (WES) as part of the plan as varied. The WES identifies key areas within the County as 'Open for Consideration for Wind Energy Developments' while excluding lands falling within the 'Peatland and Nature Corridors' identified under Objective BLO-28.

The Commission noted that the purpose of the Variation of the plan was stated to give effect to and implement Objective BLO-28 'Wilderness Corridors' as identified in the Offaly County Development Plan 2021-2027 prior to its variation. The Commission further noted that the stated purpose of these corridors was to provide for rehabilitated peatlands linked to routes identified in Figure 6.13 'Midlands Cycling Destination, Offaly Network Map' of the Development Plan (prior to variation). The 'Wilderness Corridors' were intended to be implemented at two corridor locations encompassing bogs in Cavemount, Esker, Ballycon, Derrycricket, Clonsast North, Clonsast and Derryounce in East Offaly and West Offaly. However, the reference to specific locations is removed in the text of BLO-28 by Variation number 1 but was not removed from the Wind Energy Strategy. The application site does not lie within any of the townlands referenced in the original Development Plan, prior to the adoption of Variation number 1.

In considering the proposed development, the Commission also noted that none of the proposed turbines T4, T5, T6 and T7 now included in the eastern 'Peatland and Nature Corridor' would be located on 'rehabilitated peatlands' as previously

envisaged in the Development Plan prior to its variation. The four affected turbine sites would be located in an area of mixed broadleaved-conifer woodland and conifer plantation and degraded peat. The overall windfarm site otherwise lies within an area identified as 'Open for Consideration for Wind Energy Development' under Map number 10 'Wind Energy Strategy Designations' of the Offaly Wind Energy Strategy. The Commission also had regard to the Chief Executive's report on the Variation, which noted, in relation to the eastern 'Peatland and Nature Corridor' of relevance to the application site, that the corridor is surrounded by established windfarm developments and that there are other windfarm developments in the pipeline. The Commission is satisfied the specific windfarm before it was the public domain, including having completed the pre-application process, prior to the variation. Nonetheless, having regard to the spatial representation of the eastern corridor area on Figure 4.9(b) of the Offaly County Development Plan 2021-2027, as varied, the Commission concluded that, on the specific facts of the case, the proposal constitutes a material contravention of the Development Plan, specifically of Objective BLO-28, Section 11 'Strategic Approach to Wind Energy Development' of the Wind Energy Strategy and Figure 4.9(b) of the Offaly County Development Plan 2021-2027, as varied.

Under the provisions of Section 37G(6) of the Planning and Development Act 2000, as amended, it is open to the Commission, in determining an application to grant permission for development, or any part of a development, even if the proposed development contravenes materially the Development Plan.

In considering these provisions, the Commission was satisfied that the proposed windfarm is consistent with the strategic and national importance afforded to renewable energy development. In particular, the Commission had regard to the Climate Action Plans and associated policy objectives, and the need to achieve legally binding European and national renewable energy targets, including 9 gigawatts of installed onshore wind target and achieving 80% of electricity demand from renewable sources by 2030.

The Commission also noted that the Offaly County Development Plan 2021-2027, as varied, supports renewable energy development through a number of relevant policies. These include Policy CAEP-25 which encourages and facilitates renewable energy generation, including wind energy; Policy CAEP-37 which recognises the

important contribution of wind energy to national emissions-reduction and renewable-energy targets; Objective CAEO-03, which seeks to balance renewable-energy policy with the environmentally sustainable development of the county's wind resources; and Objective CAEO-04, which supports security of energy supply through the development of wind and other renewable-energy resources.

The Commission was satisfied that the proposed development that was in the public domain at the time of the plan variation process, would not undermine or impede the purpose, function or intended delivery of Objective BLO-28 or conflict with the protection of the County's Peatland and Nature Corridors. In arriving at this conclusion, the Commission agreed with the Inspector's assessment on this matter as set out in 5.4 of the Inspector's report including the finding that, in the absence of a windfarm development on this site, this particular site would not fit the vision of the local authority for a 'Peatland and Nature Corridor'.

Accordingly, the Commission was satisfied that it is appropriate to grant permission for the proposed windfarm development in its entirety, notwithstanding that part of the site contravenes materially the Development Plan.

Visual (Objective BLO-25)

In carrying out its Environmental Impact Assessment, the Commission agreed with the Inspector that the proposal would result in a significant adverse visual impact from the receptor located at viewpoint VP11a, and from the road in the immediate vicinity of the location of viewpoint VP11 and this is reflected in the Commission's reasoned conclusion on significant effects. However, the Commission did not share the view of the Inspector as set out in Section 5.5 of the Inspector's report that this would also represent a material contravention of Objective BLO-25 of the Offaly Development Plan 2021-2027, as varied, which seeks to protect skylines and ridgelines from development where such developments will create significant visual intrusion. In considering this objective, the Commission noted that, notwithstanding the findings in respect of its Environmental Impact Assessment, the significant adverse visual effect identified at viewpoint VP11a (receptor) and at viewpoint VP11 (road in immediate vicinity) is localised arising from the proximity and visibility of the proposed development from the receptor at this location and in its immediate vicinity. While acknowledging the significant adverse localised visual effect at the viewpoints at this location, in considering the specific matter of material contravention of the

Development Plan, the Commission determined that there is no identifiable skyline or ridgeline at this location which would be materially interrupted by the proposed development to such an extent as to constitute a significant visual intrusion on a skyline or ridgeline of the nature envisaged by Objective BLO-25. The Commission was satisfied that the proposed development would not materially contravene Objective BLO-25 of the Offaly Development Plan 2021-2027, as varied.

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 development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interests of clarity.

2. The following design requirements shall be adhered to:
 - (a) The wind turbines shall be designed as follows, in accordance with the turbine option assessed in the Environmental Impact Assessment Report and Natura Impact Statement, together with application documentation;
 - Turbine Tip Height – 185 metres
 - Hub Height – 104 metres
 - Rotor Diameter – 162 metres
 - (b) The wind turbines, including masts and blades, shall be finished externally in a light grey colour to be agreed in writing with the planning authority prior to commencement of development.
 - (c) Cables within the site shall be laid underground.
 - (d) The wind turbines shall be geared to ensure that the blades rotate in the same direction.
 - (e) Transformers associated with each individual turbine and mast shall be located either within the turbine mast structure or at ground level beside the mast.

Reason: In the interest of visual amenity.

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

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

4. 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.

5. (a) The permission shall be for a period of 35 years from the date of the first commissioning of the windfarm, save for the 110 kilovolt substation and underground cable connecting to the National Grid. All structures, including foundations, shall then be removed and the site reinstated unless, prior to the end of that period, planning permission shall have been granted for their retention for a further period.
- (b) Prior to the commencement of development, a detailed Site Restoration Plan providing for the removal of the turbines and all ancillary structures, and a timescale for its implementation, shall be submitted to and agreed in writing with the planning authority.
- (c) On full or partial decommissioning or if the wind farm ceases operation for a period of more than one year, the wind farm, the turbines and all ancillary structures shall be dismantled and removed permanently from the site. The site shall be restored in accordance with the agreed Site Restoration Plan and all decommissioned structures shall be removed from the site within 12 months of decommissioning.

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

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

Reason: To protect the environment.

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

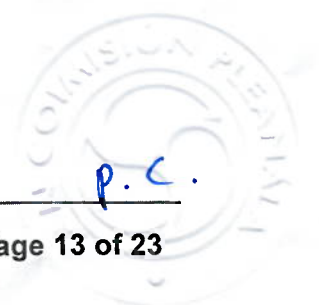
Reason: To protect the integrity of European Sites.

8. Prior to commencement of development, the developer shall submit to the planning authority a complete schedule of all mitigation, monitoring and enhancement measures. This shall identify who is responsible for the implementation and monitoring of these measures and timescales for implementation and monitoring (where applicable).

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

9. Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a Construction Traffic Management Plan (CTMP) for the construction phase of the development for the written agreement of the planning authority. The CTMP shall incorporate details of the road network to be used by construction traffic, including oversized loads, detailed proposals for the protection of bridges, culverts and other structures to be traversed, as may be required. The agreed CTMP shall be implemented in full during the course of construction of the development. The plan shall also contain details of how the developer intends to engage with relevant parties (County Councils, public-private partnership companies) and notify the local community in advance of the delivery of oversized loads. Any proposed works to the national road network to facilitate turbine delivery shall comply with the requirements of Transport Infrastructure Ireland (TII).

Reason: In the interest of traffic safety and convenience.



10. All works shall be supervised by an on-site Ecological Clerk of Works who will report on compliance with the relevant mitigation measures. The Ecological Clerk of Works shall be empowered to halt works where they consider that the continuation of the works is likely to result in a significant pollution or siltation incident or impact on protected habitats or species, and on-site works will cease until authorised to continue by the planning authority. A compliance monitoring report shall be prepared by the Ecological Clerk of Works and shall be submitted to the planning authority at the end of the main construction period.

Reason: To protect biodiversity.

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

Reason: In the interest of amenity and orderly development.

12. 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

- i. For the daytime period 0700 hours to 2300 hours, in quiet environments, where background noise is less than 30dB(A)L90 T10, a maximum noise level of 40dB(A)L90 T10,
- ii. For the daytime period 0700 hours to 2300 hours, where the background noise level exceeds 30dB(A)L90 T10, the greater of 45dB(A)L90 T10, or 5dB(A) above background levels,
- iii. For the nighttime period 2300 hours to 0700 hours, for all noise environments, 43dB(A)L90 T10.

Prior to the commissioning of the windfarm, the developer shall submit and agree in writing with the planning authority a Noise Compliance Monitoring Programme (NCMP) for the operational windfarm. The NCMP shall include a Complaints Protocol which outlines procedures to be followed in the event of a justified* complaint relating to noise from the windfarm. The NCMP shall include a detailed methodology for all sound measurements including analysis for Tonal and Amplitude Modulation (AM) characteristics.

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

(Note - *A justified complaint would typically relate to a noise that, on their review, the relevant planning authority considers likely to be sufficiently audible or significant, and attributable to the specific wind farm under consideration - ARWTN, 2026).

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

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

14. The construction of the development shall be managed in accordance with a Construction Management Plan (CEMP), which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:
- (a) 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) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
 - (f) Measures to obviate queuing of construction traffic on the adjoining road network;
 - (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
 - (h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;

- (i) Details of a local community feedback mechanism, where feedback including complaints are received and acted upon by a designated Community Liaison Officer;
- (j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (k) Details of all services and utilities along the grid connection route/construction haul route and methodology for crossing/diversions.
- (l) 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;
- (m) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (n) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains;
- (o) Works to be carried out in accordance with Inland Fisheries Ireland 'Guidelines on protection of fisheries during construction works in and adjacent to waters';
- (p) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority, with monitoring on a daily basis of all watercourses in or adjacent to works areas; and
- (q) Measures to be implemented to minimise the potential for increased soil/peat stability and erosion of soils, with monitoring of the same.

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

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

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

16. All development shall be carried out in compliance with Uisce Éireann's Standard Details and Codes of Practice. Note that Uisce Éireann does not permit Build Over of its assets. Where the developer proposes works or build over existing water or wastewater services, the developer shall have received a written Confirmation of Feasibility (COF) of Diversion(s) from Uisce Éireann prior to any works commencing.

Reason: To protect the public water and wastewater facilities.

17. (a) Prior to commencement of 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) In the event negative impacts on future military radar systems, the owner will engage with the Department of Defence and will provide suitable mitigations as soon as practical.
- (c) The developer shall inform the Irish Aviation Authority and AirNav Ireland of its intention to commence crane operations with a minimum of 30 days prior notification of their erection.
- (d) Prior to commissioning of the turbines, the developer shall inform the planning authority and the Irish Aviation Authority of the co-ordinates of the as constructed positions of the turbines and the highest point of the turbines (to the top of the blade spin).

Reason: In the interest of air traffic safety.

18. Archaeological Requirements:

- (a) All mitigation measures in relation to archaeology and cultural heritage as set out in Chapter 12 of the Environmental Impact Assessment Report (date July 2025) shall be implemented in full, except as may otherwise be required in order to comply with the conditions of this Order.
- (b) The developer shall engage a suitably qualified Archaeologist (licensed under the National Monuments Acts) to carry out a pre-development Archaeological Geophysical Survey and a pre-development

Archaeological Test Excavation 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 National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/site clearance and/or construction works.

- (i) The Archaeological Geophysical Survey must be carried out under licence from the National Monuments Service or Ministerial Consent (as applies) and in accordance with an approved Method Statement. Having completed the work, the Archaeologist shall submit a written report to the Department of Housing, Local Government and Heritage and to the planning authority describing the results of the Archaeological Geophysical Survey.
 - (ii) The archaeologist shall liaise with the National Monuments Service (NMS) to establish, based on the results the Archaeological Geophysical Survey, the appropriate scope of the Archaeological Test Excavation to adequately characterise the character and extent of any potential subsurface archaeological material within the development site.
 - (iii) The report on the Archaeological Test Excavation shall include an Archaeological Impact Statement and Mitigation Strategy. Where archaeological material is shown to be present, avoidance, preservation insitu, preservation by record (archaeological excavation) and/or monitoring may be required.
 - (iv) Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer.
 - (v) 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.
- (c) The Construction Environmental Management Plan (CEMP) shall include the location of any and all archaeological or cultural heritage constraints relevant to the proposed development as set out in Chapter 12 of the

Environmental Impact Assessment Report and by any subsequent archaeological investigations associated with the project. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during all phases of site preparation and construction activity.

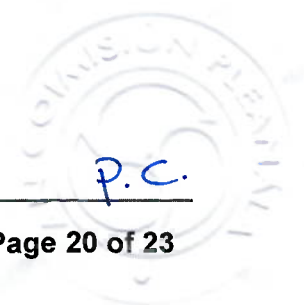
- (d) The planning authority and the Department of Housing, Local Government and Heritage shall be furnished with a final archaeological report describing the results of all archaeological monitoring and any archaeological investigative work/excavation required, following the completion of all archaeological 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.

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

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

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



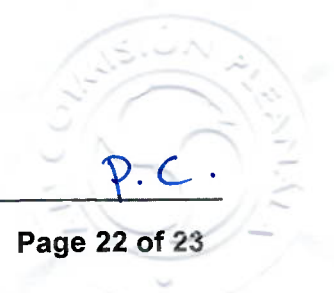
20. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the reinstatement of public roads which may be damaged by the transport of materials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

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

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

Reason: To ensure the satisfactory reinstatement of the site.

22. 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.



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 recouped from the applicant is **€54,623**

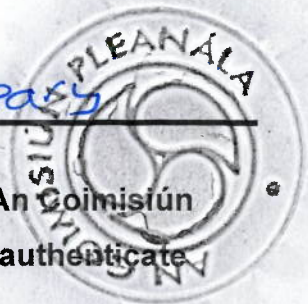
A breakdown of the Commission's costs is set out in the attached Appendix 1.

Patricia Calleary

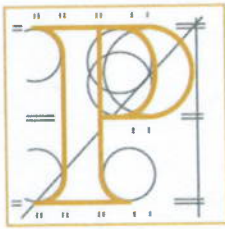
Patricia Calleary

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this *12* day of *October* 2026



An
Coimisiún
Pleanála

**Commission Order –
Appendix 1**

ACP-323579-25

Strategic Infrastructure Development

Costs of determining the Application

Case Number: ACP-323579-25

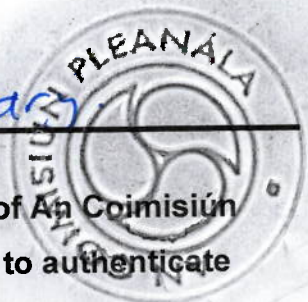
Proposed Development: Proposed Windfarm development of 7 Turbines, 110kV substation and associated works. within the townlands of Leitrim, Lumville, Ballinla, Clarkeville, Ballyfore Big, Ballyfore Little, Ballyeakin and Ballykilleen, in (Coolestown By) County Offaly

Commission Costs		
(1)	Cost (calculated based on Inspector's time) Inspector 1 (pre-application consultation) €4,063 Inspector 2 (application) €127,746 Inspector 3 (application) €30,114	€161,923
(2)	Costs invoiced to Commission	N/A
	Total chargeable costs	€161,923
Commission Fees		
(3)	Application Fee - €100,000 Pre-application Consultation Fee- €4,500	€104,500
(4)	Observer fees paid	€2,900
	Total	€107,400
	Net amount due to be recouped from the applicant	€54,523

Patricia Calleary

Patricia Calleary

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



Dated this *12* day of *October* 2026