



Planning and Development Acts, 2000 to 2017

Planning Authority: Mayo County Council

(Associated application reference number: 16.PA0029)

REQUEST received by An Bord Pleanála on the 21st day of August, 2017 from Oweninny Power DAC care of ESB International of One Dublin Airport Central, Dublin Airport, Cloghran, County Dublin under section 146B of the Planning and Development Act, 2000, as amended, to alter the terms of a strategic infrastructure development described as the proposed Oweninny wind farm and associated works at Bellacorick, County Mayo.

WHEREAS the Board made a decision to grant permission, subject to conditions, for the above-mentioned development by order dated the 2nd day of June, 2016,

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

AND WHEREAS the proposed alteration is described as follows:

- Modification of a section of the N26 in the vicinity of Cloongullaun Bridge in order to facilitate the delivery of turbine components. The section of road is immediately west of Cloongullaun Bridge approximately 3.5 kilometres north west of Swinford Town.

AND WHEREAS having regard to the nature of the issues involved, the Board invoked the provisions of section 146B(8)(a) of the Planning and Development Act, 2000, as amended, to invite submissions or observations in relation to the matter from members of the public and prescribed bodies,

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

NOW THEREFORE in accordance with section 146B(3)(a) of the Planning and Development Act, 2000, as amended, the Board hereby alters the above-mentioned decision so that the permitted development shall be altered in accordance with the plans and particulars received by the Board on the 21st day of August, 2017.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard.

REASONS AND CONSIDERATIONS

In coming to its decision, the Board had regard to the following:

- (a) the nature and scale of the proposed alteration,
- (b) the documentation and submissions on file, including the submissions received in response to the public notice dated the 4th December 2017, and
- (c) the reports of the Inspector.

The Board was satisfied that the information before it was adequate to undertake a screening for appropriate assessment and a screening for environmental impact assessment in respect of the proposed alteration.

Appropriate Assessment Screening:

In conducting a screening exercise for appropriate assessment, the Board considered the nature, scale and context of the proposed alteration, the documentation on file, in particular the Appropriate Assessment screening report submitted with the application, the submissions on file – including those from the National Parks and Wildlife Service and from Inland Fisheries Ireland – and the assessment of the Inspector in relation to the potential for effects on European Sites. In undertaking the screening exercise, the Board accepted the analysis and conclusions of the Inspector. The Board concluded that, by itself and in combination with other development in the vicinity, the proposed alteration would not be likely to have significant effects on the River Moy Special Area of Conservation (site code 002298) or on any other European Site in view of their conservation objectives. A Stage 2 Appropriate Assessment (and submission of an NIS) is not, therefore, required.

Environmental Impact Assessment Screening:

The Board considered the potential environmental impacts that might arise due to the proposed alteration, both by itself and in cumulation with other development in the vicinity. Having regard to the characteristics of the receiving environment, the characteristics of the proposed alteration, and the submissions on file, the Board is satisfied that the proposed alteration would not be likely to have significant effects on the environment. The Board concurred with the analysis and conclusions of the Inspector in this matter. The Board, therefore, concluded that the preparation of an environmental impact statement is not required, either by means of any mandatory requirement or following sub-threshold analysis.

Conclusions on Proper Planning and Sustainable Development:

The Board concluded that, subject to compliance with the conditions set out below, the proposed alteration would be an acceptable, temporary development that would facilitate implementation of the permitted wind farm project without any unacceptable impacts on the natural heritage of the area or on the amenities of the area. The proposed alteration would be acceptable in terms of traffic safety and convenience of road users. The Board concluded that the making of the proposed alteration would be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. Excavation works, pouring of concrete, and reinstatement works, shall only be undertaken in dry weather.

Reason: In the interest of clarity.

2. The works at Cloongullane Bridge shall be included in the scope of Condition 5 – Environmental Management Plan (EMP). In this regard, a separate module of the EMP shall be prepared in accordance with the documentation received by An Bord Pleanála on the 21st August 2017. Once agreed with the planning authority, a copy of the EMP module shall be submitted to Inland Fisheries Ireland for information.

Reason: In the interest of environmental protection.

3. Following completion of delivery of turbine components/oversize loads, the site at Cloongullane Bridge shall be re-instated to the satisfaction of the planning authority within a period of six months.

Reason: To ensure the satisfactory reinstatement of the site in the interest of the amenities of the area.

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

Dated this day of 2018.