



An
Bord
Pleanála

Inspector's Report ABP-312599-22

Development

Wind turbine (125M) & Substation building, associated hardstanding area and ancillary site development works. A Natura Impact Statement (NIS) has been prepared with this planning application.

Location

Knock South, Inverin, Co Galway

Planning Authority

Galway County Council

Planning Authority Reg. Ref.

211042

Applicant(s)

Natural Forces Renewable Energy Limited

Type of Application

Permission

Planning Authority Decision

Refusal

Type of Appeal

First Party

Appellant(s)

Natural Forces Renewable Energy Ltd. (Niall McCoy)

Observer(s)

Beartla & Máire Uí Eidhin

Gearóid Ó Fátharta,Cumann
Forbartha Chois Fharráige
Kevin O'Hara
Máirín Mhic Lochlainn.
Mairéad Ní Chiardha
Seán Ó hAodha
Máire Uí Ghabhnáin
Caroline Reaney
Eibhlín Uí Choisdealbha
Barry O Coisdealbha
Eithne Henry
Seasamh Ó Flatharta
Peigí, Seosamh, Roisin, Niamh Ní
Thuathail Chuinn
Siobhán Phinney
Gemma Breathnach
John Keady
Máirtín Ó Tuairisg
Bairbre Bn Ui Choisdealbha
Alec Costello
Josephine Ní Mhocháin
Martina & Eamonn Grieve
Oliver lee & Mairin Uí Laoí
Tom & Rose Costello
Máirín Ní Chonghaile
Patrick Costello
Marcus O'Toole and Mary O'Sullivan
Breda O'Toole

Tomás Ó Tuairisg
Deidre Stephens
Gearóid Ó Fátharta
Peter Sweetman
Mary Caulfied
Orla Ní Ghabhnáin
Emer Caulfield
Eoin O Driscoll
Aine Caulfield
Ruairc Ó Tuairisg
Ruairí Ó Coisdealbha
Anne (Bobby) O'Toole
Sarah Folan
Kate O'Toole
Aoife Ní Choisdealbha
Pádraic & Kathleen Ó Lochlainn
Seán Ó Ráighne
Bridie Ní Fhlatharta
Síle Ní Thuathail
Breandán Ó Mathúna
Kate Ní Fhlatharta
Cáit Ní Choisdealbha
Aindriu Ó Gabhnáin
Gearóid Ó Tuathail
Mairead Costello

Date of Site Inspection

11th August 2022

Inspector

Alaine Clarke

Contents

1.0 Site Location and Description	7
2.0 Proposed Development	8
3.0 Planning Authority Decision	10
3.1. Decision	10
3.2. Planning Authority Reports	10
3.3. Prescribed Bodies	11
3.4. Third Party Observations	12
4.0 Planning History.....	12
4.1. Appeal Site.....	12
4.2. Surrounding Area	12
5.0 Policy Context.....	12
5.1. National & Regional Policy & Guidance	12
5.2. Galway County Development Plan 2022-2028.....	15
5.3. Natural Heritage Designations	17
5.4. EIA Screening	18
6.0 The Appeal	22
6.1. Grounds of Appeal	22
6.2. Planning Authority Response	24
6.3. Observations	24
6.4. Further Responses.....	31
7.0 Assessment	32
7.3. Policy Context / Principle of Development	32
7.4. Landscape and Visual.....	34

7.5. Ecological.....	38
7.7. Shadow Flicker.....	42
7.8. Noise	43
7.9. Hydrology, Hydrogeology and Peat Stability	45
7.10. Traffic and Transport.....	47
7.11. EIA	48
7.12. Gaeltacht	48
8.0 Appropriate Assessment.....	49
8.1. Appropriate Assessment Screening	49
8.2. Compliance with Article 6(3) of the EU Habitats Directive.....	49
8.3. Screening for Appropriate Assessment- Test of likely significant effects	49
8.4. Background on the Application.....	50
8.5. The Natura Impact Statement (NIS).....	51
8.6. Brief description of the development	52
9.0 Recommendation.....	70
10.0 Reasons and Considerations	70

1.0 Site Location and Description

- 1.1. The site is located in the townland of Knock South, Inverin, Co. Galway, c. 2.7km north of regional road R336 and 7km north-east of Inverin and 20km west of Galway City, just over 3km inland from the coast. According to the application form, the site measures an area of 1.93ha, although the appeal information refers to a site area of 2.12ha.
- 1.2. There is an existing agricultural access to the site via the local road L52034 (An Bothar Buí). This local road connects to the R336 regional road c.2.6km to the south. The site of the proposed turbine is located c.200m from the adjoining local road. Inverin Windfarm, (also referred to Knock South windfarm), comprising 5 turbines with a permitted hub height of 50m and a rotor diameter of 43m are located c.500m south of the site. There are further groups of wind turbines in the far distance to the east and north.
- 1.3. The Connemara Bog Complex SAC is located to the north, east and west of the site and is c. 15m at its closest point. The Connemara Bog Complex SPA is also located to the north, east and west and is c.70m from the site at its closest point. The Connemara Bog Complex proposed Natural Heritage Area (NHA) is located to the north, east and west and is c.15m at its closest point.
- 1.4. The Owenriff River (also referred to as the Knock River in some application documentation) flows through the Connemara Bog Complex SPA and SAC (from the west) in an easterly direction along the northern and eastern field boundaries within which the site is located, where it is joined by a tributary from the north, re-enters the SAC and continues south to the coast, flowing into Galway Bay, c.3.1km to the south, at An Trá Mor, Coill Rua, a designated bathing water area.
- 1.5. The land use is low-intensity agriculture use, with occasional horse grazing. The site is carved from a larger field, and there is limited site boundary vegetation. The site is exposed and open and there are long-range views in every direction. Land in the area is generally flat, and within the site, the elevation is stated to lie at 60m ASL. The site is peaty with outcrops of rock throughout. According to the GSI data viewer the peat is described as blanket peat which is expected to be shallow depth due to underlying bedrock. There are some surface water channels on site, generally running from south to north towards the Owenriff River.

- 1.6. There are a number of dwellings within c.1km of the site, generally along the road frontage of the L-52031 (Baile na mBramhach) to the southeast, the nearest dwelling is located c.500m northeast of the site.
- 1.7. I note the letter of consent from the landowner submitted with the application.

2.0 Proposed Development

- 2.1. Planning permission is sought for a wind energy development comprising:
- One 4.2MW wind turbine with an overall tip height of up to 125 metres,
 - Blade diameter is 115.7m,
 - Wind turbine foundation c.19.5m in diameter with an excavated depth of c. 3.5m,
 - Hardstanding and assembly area, c.7,000sqm,
 - Site entrance and access track of 4.5m wide,
 - On-site 20kV substation, (c.53sqm and c.5m in height) and underground electrical cable connecting the turbine to the substation, and,
 - All associated site works, including a silt fence do be installed around the boundary of the site access track for duration of construction period,
 - Temporary stockpiles of excavated material, to include peat and rock. Surplus excavated material and other waste twill be removed to a licensed facility.
- 2.2. It is proposed to access the site to the west, via an improved agricultural entrance off the L52034. Details submitted with the application indicate that all construction personnel and equipment will access the site from the regional road R336, turning onto the local road at An Bothar Bui, directly west of Inverin Village
- 2.3. The application is accompanied by the following documents:
- Drawings
 - Environmental and Planning Report, prepared by Rowan Engineering Consultants Ltd.
 - Appendix 1 – Community Leaflet
 - Appendix 2 – Community Engagement Report

- Appendix 3 – Decommissioning and Reinstatement Report
- Appendix 4 - Ecological Impact Assessment, prepared by EirEco, Environmental Consultants
- Appendix 5 – Landscape and Visual Assessment, prepared by Macroworks
- Appendix 6 – Shadow Flick Assessment
- Appendix 7 – Noise Assessment
- Appropriate Assessment Screening Report and Natura Impact Statement, prepared by EirEco, Environmental Consultants

2.4. Connection to the grid does not form part of the planning application however, three grid connection options are presented. It is stated that the project has been selected by ESB to be processed for a grid connection offer under the community category of the Enduring Connection Process programme, though the ESB will only enter into a formal grid connection agreement once there is a grant of planning permission. The exact grid connection detail would only become clear when ESB are undertaking their design review of the grid connection works.

2.5. A request for further information (RFI), generally in accordance with the planner's report, issued on 29th March 2021. A response to the further information request (FI) was received on 18th June 2021 and included:

- Traffic Survey and Construction Traffic Management Plan;
- Peat Stability Analysis;
- Updated drawings;
- Otter Statement;
- Ornithological Statement;
- Additional Imagery – Landscape and Visual Assessment;
- Shadow Flicker Technical Specification;
- Updated Noise Impact Assessment Report.

2.6. The FI was considered to be significant, and revised notices were subsequently received by Galway County Council on 3rd December 2021.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. By Order dated 8th January 2022 Galway County Council issued a Notification of Decision to refuse planning permission for two reasons, summarised as follows:

1. Significant effects on the receiving environment and ecology of the area arising from the proposed development cannot be ruled out owing to a lack of detail in relation to the grid connection and analysis thereof in the Natura Impact Statement; the absence of an otter survey; potential impact on the golden plover, and the associated ambiguity pertaining to the (cumulative) environmental and ecological implications;
2. Citing deficiencies in planning application documentation, in particular the Landscape and Visual Impact Assessment, the Planning Authority is not satisfied that the proposed development would not have an undue impact on the visual and general amenities of the area. The proposed development would accordingly be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

There are two planning reports on the file, the first recommending further information on the following points:

- Address concerns of the Roads and Transportation Department including the submission of a Traffic and Transport Assessment; swept path analysis of critical locations along the haulage route; report on potential impacts on culverts/bridges and structural integrity of road along the haul route; outline construction traffic management plan;
- Geological and hydrogeological survey of the site including a peat stability analysis;
- A site-specific CEMP to augment the NIS to include details of stockpile material; details of stilling pond/sediment trap; determination of a specific grid

connection route and include same in the NIS; submission of the otter survey referred to in documentation; an ornithologist's report supporting decision to screen out the Connemara Bog Complex SPA;

- Querying the accuracy of visual perspective VP 2; analysis of visual implications from four additional views;
- Details of shut-down system in the event of shadow flicker;
- Updated noise assessment in accordance with Appendix 1 of the draft Wind Energy Guidelines;
- Querying accuracy of radius length of turbine in a specific drawing.

3.2.2. The second Planning Report considered the applicant's further information response and generally expresses dissatisfaction with the response in respect of:

- the NIS assessment of potential grid connection, impact on the Golden Plover and Common Gull and impact on the otter;
- inadequate Landscape and Visual Impact Assessment;
- amenity impact arising from minimal exceedance of the distance of not less than two rotor blades from adjoining property boundaries threshold;
- recommending refusal, consistent with the decision of the planning authority.

3.2.3. Other Technical Report(s)

Roads and Transportation Department

- Reference is made in the first Planning Report to a Roads and Transportation Dept. The second Planning Report refers to "no objection raised by the Roads & Transportation Unit ..." There are no records of these reports on file.

3.3. **Prescribed Bodies**

There is no record of reports on file from prescribed bodies.

3.4. Third Party Observations

- 3.4.1. 132 no. valid observations/observations were received by Galway County Council during the statutory consultation period. The substantive issues raised are covered in the grounds of appeal.

4.0 Planning History

4.1. Appeal Site

- Galway County Council Ref. 21/83: application withdrawn, permission sought for the construction of one wind turbine, on site-substation, 1.1km underground grid connection and associated works.

4.2. Surrounding Area

- Galway County Council Ref. 961684: permission granted in January 1997 for 5 no. turbines with a hub height of 50m and a rotor diameter of 43m.

5.0 Policy Context

5.1. National & Regional Policy & Guidance

5.1.1. National Planning Framework (NPF)

- 5.1.2. The NPF is a high-level strategic plan to shape the future growth and development of the country to 2040. It is focused on delivering 10 National Strategic Outcomes (NSOs). NSO 8 focuses on the 'Transition to a Low Carbon and Climate Resilient Society' and recognises the need to harness both on-shore and off-shore potential from energy sources including wind and deliver 40% of our electricity needs from renewable sources.

- 5.1.3. Section 5.4, 'Planning and Investment to Support Rural Job Creation', notes that in meeting the challenge of transitioning to a low-carbon economy, the location of future national renewable energy generation will, for the most part, need to be accommodated on large tracts of land that are located in a rural setting, while also

continuing to protect the integrity of the environment and respecting the needs of people who live in rural areas.

5.1.4. It is a National Policy Objective (NPO 55) to ‘promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050’.

5.1.5. **Climate Action Plan 2021 – Securing our Future**

5.1.6. This plan sets out a road map for taking decisive action to halve our greenhouse gas emissions by 2030 and reach net zero emissions by 2050. Among the most important measures in the plan is to increase the proportion of renewable electricity, up to 80% of all electricity generation by 2030. The plan notes that there is a requirement for a significant step up in ambition and delivery in order to meet the new 2030 target. Action No. 102 seeks to ensure a supportive spatial planning framework for onshore renewable electricity generation development. Section 11. ‘Electricity’, provides a Key Performance Indicator (KPI) of providing 8 GW Onshore wind by 2030.

5.1.7. **National Peatlands Strategy, 2015**

5.1.8. This document sets out a national strategy for the sustainable management of peatlands and Section 5.3 deals with Peatlands and Climate Change. It describes the role of natural undrained peatlands as carbon stores, and it references the EPA report Carbon Reserve -The Potential of Restored Irish Peatlands for Carbon Uptake and Storage 2007-2013 in terms of how peatland management might be used to enhance carbon sequestration and reduce emissions. It provides advice in relation to the management of non-designated peatlands to halt carbon loss and recommends restoration measures to stabilise eroding surfaces, re-establish peatland vegetation and encourage waterlogged conditions to enable peat formation.

5.1.9. **The Planning System and Flood Risk Management, 2009**

5.1.10. These Guidelines introduce comprehensive mechanisms for the incorporation of flood risk identification, assessment and management into the planning process. In the case of applications for planning permission and development consents to planning authorities applicants are required, inter-alia, to carefully examine their development proposals to ensure consistency with the requirements of these

Guidelines including carefully researching whether there have been instances of flooding or there is the potential for flooding, on specific sites and declaring any known flood history in the planning application form as required under the Planning and Development Regulations 2006, and to carry out a site-specific flood risk assessment, as appropriate.

5.1.11. Wind Energy Development Guidelines for Planning Authorities (2006)

5.1.12. The guidelines provide advice on wind energy development in terms of the development plan and development management processes. Guidance is given on matters such as noise, shadow flicker, natural heritage, archaeology, architectural heritage, ground conditions, aircraft safety, and windtake. Chapter 6 provides guidance on siting and design of wind energy development in the landscape. This includes advice on spatial extent and scale, cumulative effect, layout, and height of turbines. It states that particular landscapes of very high sensitivity may not be appropriate for wind energy development.

5.1.13. Draft Revised Wind Energy Development Guidelines (2019)

5.1.14. The Draft Guidelines propose several key amendments to the original document in relation to noise, visual amenity, shadow flicker and community engagement. The application of more stringent noise limits in line with WHO noise standards together with a more robust noise monitoring system and reporting system is proposed. The mandatory minimum 500m setback from houses is retained but augmented by a setback of 4 x turbine height from sensitive receptors.

5.1.15. Regional Spatial Economic Strategy for the North and West Region (RSES), 2020-2032

5.1.16. The RSES provides a 12-year high-level development framework for the Northern and Western Region that supports the implementation of the National Planning Framework (NPF) and the relevant economic policies and objectives of Government.

- RPO 9.1: seeks to support the development of safe, secure and reliable electricity network and the transition towards a low carbon economy centred on energy efficiency and growth projects outlined and described in this strategy.

- RPO 8.3: seeks to support the necessary integration of the transmission network requirements to allow linkages with renewable energy proposals at all levels to the electricity transmission grid in a sustainable and timely manner.

5.1.17. Other relevant policy documents

- Guidance document on Wind Energy Development and EU Nature Legislation (EC, 2020)
- Revised Renewable Energy Directive 2018/2001/EU (December 2018)
- Climate and Energy Policy Framework 2030
- Ireland's National Energy and Climate Plan 2021-2030.

5.2. Galway County Development Plan 2022-2028

5.2.1. Although the County Development Plan 2015-2021 was the plan in place at the time Galway Co. Co. made the decision on the planning application and when the first party appeal was made, the plan now in place, and therefore under which the decision will be made by the Board, is the County Development Plan 2022- 2028. The Plan was adopted on 9th May 2022 and came into effect on 20th June 2022.

5.2.2. Chapter 14 deals with climate change, energy and renewable resources. Section 14.8 relates to Renewable Energy Generation, 'Policy Objectives' RE1 and RE7 support appropriate levels of renewable energy generation in County Galway. The following 'policy objectives' are particularly relevant:

- RE2: Local Authority Renewable Energy Strategy

The policy objectives and Development Management Standards set out in the Local Authority Renewable Energy Strategy for County Galway shall be deemed the policy objectives and development management standards for the purpose of the Galway County Development Plan 2022-2028.

- RE3: Wind Energy Developments

Promote and facilitate wind farm developments in suitable locations, having regard to areas of the County designated for this purpose in the Local Authority Renewable Energy Strategy....

- RE9 Wind Energy Buffer -An Spidéal to Minna

It is a policy objective of Galway County Council that there would be a buffer of a distance of 6km inland from the coast, where there will be no designation of lands as being either “Acceptable in Principle” or “Open for Consideration” or “Strategic Area” for wind energy development between An Spidéal to Minna in Cois Fharraige.

- Relevant policy objectives for flood risk management include FL 1, FL 2, FL 3, FL 7 and FL 8.

5.2.3. Section 15.13.3 deals with development management standards for wind energy proposals.

5.2.4. A Local Authority Renewable Energy Strategy (LARES) has been prepared as part of the County Development Plan and is located within Appendix 1. The Strategy outlines the potential for a range of renewable energy resources and developments, including wind energy developments. The Strategy replaces the Wind Energy Strategy of the Galway County Development Plan 2015 (as varied). Of relevance are Map 13, ‘Wind Potential Map’ and Map 15, ‘Wind Potential’. Map 13 lacks clarity and the site may/may not be in an area identified as ‘Not Open for Consideration’, ‘Open to Consideration’ or ‘Generally to be Discouraged’. The deployment zones for wind energy are shown on Map 15, ‘Wind Potential’, which indicates that the site is in an area ‘Not Normally Permissible’. A description and methodology of wind energy deployment zones are included in Table 9 of the Strategy. As such, it is considered that areas identified as ‘Strategic Areas’ in Map 15 of this Strategy should be prioritised for renewable energy development. The GIS mapping data on the Galway County Council website indicates that the site is in an area where wind development potential is “not normally permissible.”

5.2.5. The Landscape Character Assessment for County Galway is included as an appendix to the County Development Plan. Map 01 indicates that the site is in the ‘Uplands and Bog Landscape’ character area, described as nationally iconic landscapes of scenic, cultural, ecological and historic significance, with a ‘high sensitivity’ throughout and where “the extensive views and lack of screening vegetation combine to make this landscape very vulnerable to change.” The area within which the site is located is further classified as ‘South Conamara’ landscape

character unit comprising an “extensive plateau of blanket bog, small lakes and forestry. Largely un-enclosed and unoccupied.”

5.2.6. Relevant landscape ‘policy objectives’ include:

- LCM 1: Preserve and enhance the character of the landscape where, and to the extent that, in the opinion of the Planning Authority, the proper planning and sustainable development of the area requires it, including the preservation and enhancement, where possible of views and prospects and the amenities of places and features of natural beauty or interest.
- LCM 3: Consideration of landscape sensitivity ratings shall be an important factor in determining development uses in areas of the County. In areas of high landscape sensitivity, the design and the choice of location of proposed development in the landscape will also be critical considerations.

5.3. Natural Heritage Designations

5.3.1. The nearest designated sites are:

- Connemara Bog Complex SAC, site code 002034, c. 15m to the west;
- Connemara Bog Complex SPA, site code 004181, 70m to the north-west;
- Lough Corrib SPA, site code 00297, c. 17.3km to the north-east.
- Inner Galway Bay SPA, site code 004031, c. 15.9km to the south-east.
- Connemara Bog Complex proposed Natural Heritage Area (pNHA), site code 002034, c. 15m to the west;
- Moycullen Bogs Natural Heritage Area (NHA), site code 002364, c. 5.6km to the east.
- Oughterard District Bog NHA, site code 002431, c. 9.2km to the north.
- Lough Corrib pNHA, site code 00297, c. 17.3km to the north-east.
- PNHA Galway Bay Complex, site code 000268, c. 15.5km to the south-east.
- Furbhogh Wood, pNHA, site code 001267, c. 19.4km to the south-east.

5.4. EIA Screening

- 5.4.1. The relevant class for EIA is Schedule 5, Part 2 (3) (Energy Industry) (i) – ‘Installations for the harnessing of wind power for energy production (wind farms) with more than 5 turbines or having a total power output greater than 5 megawatts’, of the Planning and Development Regulations, 2001 (as amended).
- 5.4.2. The proposed development comprises a single turbine. The output is cited in the public notices as 4.2MW. As the relevant thresholds of Schedule 5 are not met or exceeded, EIA is not mandatory for this development and the proposal can be considered a sub-threshold development.
- 5.4.3. I note that no EIA Screening Report was submitted with the application, despite reference to same in the Environmental and Planning Report (EPR) which states that a Screening Report was completed and is included with the application. The EPR states that the proposal was assessed against the criteria specified in Schedule 7 of the Regulations, and that the assessment concluded that the proposed project does not have the potential to have significant effects on the environment. I note that the Galway County Council Planning Report is silent with respect to EIA screening.
- 5.4.4. As required by art.103(1) of the Planning and Development Regulations, 2001, as amended, a preliminary examination of, at least, the nature, size or location of the development is required to be undertaken to ascertain whether this sub-threshold development may potentially require an EIAR.

1. Is the size or nature of the proposed development exceptional in the context of the existing environment?

- 5.4.5. The site and surrounding area are rural in nature comprising upland bog, and is occasionally used for horse grazing. There is an existing wind farm comprising 5 no. turbines c.500m south of the site, with a permitted hub height of 50m and a rotor diameter of 43m. In the far distance to the north and east are other wind turbines. There is some one-off housing in the general vicinity with c.30 houses within a 1km radius. The closest house appears to be c.560m northeast of the proposed turbine, The landscape is open with long range views in all directions including towards the coast (south). The Owenriff River bounds the site to the north and east. I note the Galway County Development Plan 2022-2028 (CDP) classifies the area within which

the site is located in an 'Uplands and Bog Landscape' character area, described as nationally iconic landscapes of scenic, cultural, ecological and historic significance, with a 'high sensitivity' throughout. In addition, the CDP identifies the area as generally not suitable for wind development potential and 'policy objective' RE9 Wind Energy Buffer -An Spideal to Minna provides for a buffer of a distance of 6km inland from the coast to this effect, within which the site is located. The proposed turbine with a tip height of 125m and blade length of 115m, being a single turbine proximate to a group of smaller turbines, together with the restrictive policy objective adopted by Galway County Council, would in my opinion be an exceptional development in the context of the existing environment.

2. Would the development result in the production of any significant waste, or result in significant emissions of pollutants?

- 5.4.6. The development would not involve the production of any significant waste and will not involve the use, storage, handling, or production of any substance that would be harmful to human health or the environment. It would not produce solid waste or any hazardous, toxic, or noxious substances.
- 5.4.7. Peat depth varies across the site from 0m to 3.7m with underlying bedrock and the development will require the excavation of peat and rock to construct the access road and turbine base. I note the Peat Stability Analysis Report states that no permanent stockpiles should remain. The site layout plan indicates that permanent and temporary peat repository areas are proposed including surface water diversions/cut-offs to these areas, (where water would otherwise flow across the site to the Owenriff River) and the use of silt fences. I note that excavation supports are required due to the risk of localised stability issues. While there is a risk of sediment and peat pollution entering the Owenriff River, I note that Galway County Council raised no concerns in respect of the Peat Stability Analysis Report.
- 5.4.8. With respect to noise emissions, as elaborated in section 7.8 of this report, I am not satisfied that the Noise Impact Assessment (NIA) is based on an accurate assessment owing to (i) the predicted noise level differences between existing and proposed developments appear to be incorrectly calculated, and; (ii) the cumulative impact fails to account for any level difference between the existing and proposed wind turbine developments. Finally, it is not clear what if any, the anomaly of the

base turbine / turbine height (see section 7.4 of this report) would have on predicted noise levels and to this end it is not possible to have confidence in the findings of the NIA. In the absence of clarification as to noise impact on sensitive receptors it is not possible to preliminary screen out the significance of this element of the proposal.

3. Is the proposed development located on, in, adjoining or have the potential to impact on an ecologically sensitive site or location?

5.4.9. The Connemara Bog Complex SAC is located to the north, east and west of the site and is c.15m at its closest point and is hydrologically connected via the Owenriff River. The Connemara Bog Complex SPA is also located to the north, east and west and is c.70m from the site at its closest point. Given the proximity of these sites to the proposed development, I consider there is potential to impact on the qualifying interests and/or habitats of these ecologically sensitive sites. The Inner Galway Bay SPA is located c15km to the southeast of the site.

5.4.10. An Ecological Impact Assessment (EclA) was submitted with the planning application, and this is considered in section 7.5 of this inspector's report. The EclA rates the site as 'local importance higher value' and acknowledges the proximity of the Connemara Bog Complex SAC and Connemara Bog Complex SPA. The proximity of Owenriff River is also recognised, as is its ability to support populations of Atlantic Salmon and Otter, both species listed under Annex II of the Habitats Directive and qualifying interests for the Connemara Bog Complex SAC. The EclA states that the site does not provide suitable breeding or optimal foraging habitat for any special conservation interests for the SPA, although the Ornithological Report submitted as FI, discredit the findings in the EclA and concludes that the site is being used by two species (Golden Plover and Common Gull) considered a feature of interest of the SPA. In addition, it is not known from which SPA bird population the birds of interest, recorded in the ornithological surveys, are from.

5.4.11. I have carried out an Appropriate Assessment screening of the proposed development (section 8.0 of this report) and I am not satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on European sites No. 004181, (Connemara Bog Complex SPA), 004031 (Inner Galway Bay SPA) and 002034 (Connemara Bog Complex SAC) in view of the sites' Conservation Objectives.

5.4.12. Having regard to the foregoing, the development is located adjacent to an ecologically sensitive site and nearby another ecologically sensitive site and would have the potential to impact on an ecologically sensitive site or location.

4. Does the proposed development have the potential to affect other significant environmental sensitivities in the area?

5.4.13. The application is for a single wind turbine proximate to an existing five turbine wind farm. Certain aspects of the proposed development are considered in detail in section 7.0 of this inspector's report, and no other significant environmental sensitivities are considered to be relevant.

5.4.14. A question remains over flood risk. This issue is explored in greater detail in section 7.9 of this report. In my opinion, the removal of peat would remove some capacity for water retention, proximate to the Owenriff River, which is identified as being at risk of flooding. In the absence of a site-specific flood risk assessment, I am reluctant to conclude that the proposed development would not be at risk of flooding or add to a risk of flooding downstream. Nor has the interaction between the risk of flooding, rock method removal and peat stability been adequately considered. Aside from risk to public health, there is potential for water pollution arising from peat.

Conclusion

5.4.15. Having regard to the nature and scale of the proposed development and the presence of significant environmental sensitivities in the vicinity, there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment cannot, therefore, be excluded at preliminary examination and ordinarily the applicant would be required to submit the information in Schedule 7A for the purposes of a screening determination, as per art.103(1)(b)(ii) of the Planning and Development Regulations, as amended.

5.4.16. Grid Connection

5.4.17. Grid connection does not form part of the development proposal; however, three grid connection options are presented in the application. These options consider connecting the project at: the existing substation at Knock South along a route c.1km south of the site; to the existing substation at Spiddle 7km south then east of the site;

or to connect via the existing overhead line at the existing windfarm south of the site. The applicant states that the final route is outside the control of the applicant and will be decided by the ESB. Ordinarily, where an application for development does not require a (sub-threshold) EIAR, consent for grid connection may be dealt with separately.

5.4.18. The Irish Courts have determined the need to assess wind energy development projects and associated grid connection projects comprising both the wind energy development element and the subsequent grid connection element, as a single project for EIA purposes, and in particular their cumulative effects. In this instance, I have concluded at section 5.4.15 that the need for environmental impact assessment cannot be excluded at preliminary examination and ordinarily the applicant would be required to submit the information in Schedule 7A for the purposes of a screening determination, as allowed for under as per art.103(1)(b)(ii) of the Planning and Development Regulations, as amended.

5.4.19. In this instance, where the need for an EIAR has not been screened out and the information to determine same is not supplied, it is not possible to exclude from detailed assessment the cumulative impact of the grid connection option(s) and the wind turbine development. I note the reference to the O’Grianna Judgement in third party observations received and consider that this case is relevant to this planning application in the absence of information to consider otherwise.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The grounds of appeal are submitted by Rowan Engineering Consultants Ltd on behalf of the applicant. The main points can be summarised as follows:

Grid connection

- a grid connection from ESB for the proposed development has been secured. The route will only become apparent when ESB undertake their detailed review of the grid connection works;

- refers to the Wind Energy Development Guidelines (2006); it not always possible to provide details of grid connection;
- the application for grid connection included three viable route options which consider connecting the project at the existing substation at Knock South; existing substation at Spiddle; via the existing overhead line at the existing windfarm c.1km from the site;
- The NIS considered these three route options which concluded that the impact was low.

Natura Impact Statement

- Reiterates conclusion of NIS that there will be no adverse effects on the integrity of the Connemara Bog SAC or any Natura 2000 site as a result of the proposed development;
- Reiterates NIS that there are no suitable features for otter holts and no evidence of occurrence of any mammals on site;
- Bird surveys are ongoing in order to assess the extent of findings of roosting and transit of birds, including Golden Plover;
- Matters with regard to impacts on otter and Golden Plover could be dealt with by way of condition;
- the project has been prepared in compliance with the 2006 Wind Energy Guidelines; is located 700m from the 5-turbine Inverin Wind Farm; the proposed turbine will be read as an extension to the existing wind farm;
- subject to mitigation will not lead to a deterioration in water quality or impacts on designated species or habitats;
- the site is located in an area designated as acceptable in principal for the development of wind in the Galway County Development Plan 2015-2021;
- refers to the draft Galway County Development Plan and associated Local Authority Renewable Strategy indicating that Knock South is a 'strategic area', adjacent to an area designated as 'acceptable in principal';
- there is no ambiguity pertaining to the cumulative implications of the proposed development from an environment and ecological perspective.

Landscape and Visual Impact

- considers that the request for further information indicates a substantial misinterpretation of the landscape setting and/or the actual location of VP2, qualifying that VP2 indicates Letterpeak wind farm and not Knock South windfarm. Considers this misinterpretation may have led to the request for further information;
- 4 wireframes and 4 montages were submitted for assessment in response to the request for further information, following correspondence with the local authority;
- Permission was not refused on significant and unacceptable visual impacts but rather insufficient information in respect of four of the views – additional imagery is now submitted;
- The appeal includes Appendix A, Project Description, Appendix B, Landscape and Visual Impact appeal additional photomontages, including a response to refusal reason no. 2 from Macro Works Ltd., Appendix C Community Benefits and Appendix D, Policy and Guidelines Context.

6.2. Planning Authority Response

None received.

6.3. Observations

- 6.3.1. 52 no. observations were received in relation to the appeal. The following provides a summary of the issues raised:

'Community' turbine

- Not a community turbine; no partnership with the community exists – proposal is for company profit.
- Not clear from the application that the Cois Farraige community has any connection with the scheme, apart from landowners;

Scale and proximity of turbine

- The proposed turbine is too large, much taller than nearby existing turbines and too near houses.
- Turbine should not be built closer than 10 times the total height of the wind turbine, 1250m to houses in this instance, as the turbine is closer to houses than that, the site is not suitable.
- Turbine won't be seen as an extension to existing turbines due to inappropriate scale and clashing turbine designs;
- Observer's house will be within 500m from the rotor diameter;
- Greater separation distance between substation and turbines required.

River Pollution

- Possibility of pollution of the Owenriff River / River Ruibh from siltation and peat spillage – impact on possible gravel salmon spawning grounds on the Owenriff has not been addressed by Galway County Council;
- Building so close to the river system raises concern for otter and salmon;
- Excavation and foundations would almost certainly pollute the River;
- The river is classified as 'at risk';
- 150m separation distance is required turbine developments and lower order watercourses such as the Owenriff River, per 2015 County Development Plan.

Risk of flooding and landslide

- Risk of landslide noting that site frequently floods. Photographs of flooded river included.
- The river has a watershed of 3000 acres – water pollution; chances of a catastrophic landslide;
- Questions if local hydrology be altered or maintained – contradictory statements in application documentation.

Protection of European Sites

- There is a responsibility on planning authorities to protect European sites. Species of interest are to be protected. Desire to protect site so as not to affect nature, consider alternative site.
- Competent authorities can only agree to a plan or project after having ascertained that it will not have a significant impact on the integrity of a Natura 2000 site;
- Existing turbines likely had an impact in degrading protected site;
- Proposed development will have an adverse effect on the SAC;
- Citing C-183/05 – there is a requirement in EU Law to strictly protect the otter. GCC no option but to refuse in light of 177V(3) and Art. 6 of the Directive;
- Ref to CDP 2015 to protect non-designated sites Even outside of turbine footprint could still have significant effect.

Failure to carry out AA

- Galway Co. Co. should have carried out AA.

Failure to screen for EIA/contrary to EIA Directive

- GCC has not carried out on AA despite proximity and lacunae.
- Contrary to EIA directive, provides a list of EU, national and county documents to support case.

Natura Impact Statement

- Regarding the additional information submitted by the applicant that the site is important for bird species, including SPA species – it is not possible to screen out the proposal as a result. Applicant failed to explain the direct, indirect and cumulative effects of proposal or the grid connection on the Natura 2000 sites;
- The NIS is inadequate;
- The NIS does not mention whether a bat survey was carried out or if any bat strikes from existing turbines.
- No mention in the NIS of the barotrauma effect.

Habitat and Species Survey

- Survey work should have been completed before lodging application;
- Site was surveyed outside the growing season – best practice guidance is between Apr-Sept.
- Bird survey in November would not pick up on breeding birds. Survey work should be based around the times when birds are likely to be most active and all times of the year when target species are most active- the one day site visit in November is insufficient, referencing optimal survey times.
- Wet and dry heaths on site are qualifying interests of the SAC. Approx. 50% of these habitats lie outside the SAC network – windfarms are recognised as a pressure on these. A second survey within the recommended time period for carrying out habitat surveys recommended to confirm presence of Annex 1 Habitat or protected flora species.
- Weather conditions on day of survey not described; queries whether horses grazing all year round.
- References route/path of otter trails in the area, Footage of otter tracks provided. Comments on otter are unscientific speculation in absence of survey;
- The flight path of bats passes over the site.

Impact on birds

- Low level of rotating tip has not been assessed – consider vortices and barotrauma effect.
- Concern raised of the threat to kestrel, cormorant, common gull, merlin, curlew etc;
- Predicted extinction of breeding Curlew estimated to be within 5-10 years. Reference to the NPWS breeding Curlew survey. The presence of Curlew has been recorded by a member of Birdwatch Ireland and others;
- A photo of Golden Plovers 300m from site is submitted. The proposal will jeopardise conservation and protection of wildlife, esp. the Golden Plover.
- The area designated as 'high' with regards to bird sensitivity to wind energy;

- Whose responsibility will it be to ensure that vegetation removal will only occur under the supervision of an experienced ecologist?

Cumulative Impacts

- Consider cumulative impact of proposed turbine with existing turbines in respect of visual, noise, shadow flicker and impact on birds and Natura 2000 sites. Would give rise to significant adverse cumulative impacts.

Impact of Shadow Flicker

- Concern for shadow flicker on houses to the east;
- Two different types of shadow flicker with two difference types of turbine;
- The existing turbines are too near houses and are creating noise and flicker;
- Submits footage of flicker in house from existing wind turbines, describing health impacts.

Updated zoning provisions/windfarm restrictions in 2022 County Development Plan

- Appeal response is incorrect regarding wind designation of the site, referencing the revisions to the draft County Development Plan – turbine development is no longer desirable in this area.
- The new County Development Plan includes provision of a wind energy buffer zone of 6km from the coast.
- LARES Policy Objective 36: ensure that all renewable energy proposals / projects are appropriately assessed with relevant environmental and ecological assessments

Consultation

- There was a lack of communication regarding the proposal;
- Natural Forces did not host the online meeting, a local community group did.

Proliferation/Saturation of turbines

- There are enough turbines in the area, no more desired.

Landscape and visual impact

- Beautiful area, existing turbines are damaging view;

- Turbine will erode visual and environmental amenity of the area – it will be a dominant feature in an exposed landscape;
- Why are there no photos from NSR1-6 in the NIA, nearest photomontage is from 1km away?;
- OS map identifies area as Cois Fharráige- a unique designation in Ireland;
- Contrary to landscape objective LCM1 and 2; Objective NHB 10 – protection of coastal zone referenced in the 2015 County Development Plan;
- Visual impact of conflicting scale of proposed and existing turbines;
- c.52 houses within 2km – photomontages don't reflect impact.
- Open landscape – no mitigation;
- Citing extracts from the 2015 CDP, draft CDP 2022-2028 including characteristics of Transitional Marginal Landscape -land east and south of the project – clashing turbine design should be avoided;

Cultural impact including on Irish language

- Wind farms can hinder community growth and be detrimental to the Irish language. Neither the developer nor Galway County Council have assessed the potential adverse impact of this proposal on the Irish language. Turbines can impact on ability to build houses for locals, local Irish people will be forced to live in urban areas where English is spoken.
- Cites EIA directive – requirement to assess heritage impact. No language impact assessment submitted.
- Cites Development Plan policies re. protection of cultural heritage.
- Community Impact Statement – ignored linguistic impact.
- Refers the Board to relevant Directive and national legislation in relation to the preservation of the Irish language in the Gaeltacht.

Health Implications

- Turbines can have health implication, especially for those with epilepsy or vertigo.

- Noise Impact concerns: the Noise Impact Assessment is unclear and contradictory, citing specific references from the assessment;
- Anomaly between predicted noise graphs for NR6; cumulative noise table shows predicted noise for existing turbines only – raises issue for NR1 and 6.
- Noise impacts from existing turbines – concern for cumulative impact, have recorded noise levels up to 65Db.

Consent from adjoining landowners

- Permission from adjoining landowners within 250m not given – contrary to 2015 County Development Plan;
- Adjoining landowner – minimum separation distance of 125m from boundary as per the 2015 County Development Plan is not provided;
- Consent from landowners withdrawn in second application;
- Letter of consent is not dated – therefore invalid;
- Grid connection options would involve traversing land which landowners do not give permission for.
- Over 1km of L52033/0 is maintained by landowners – no consent given to access site or run cables.

Grid Connection

- Grid connection options are vague – should be part of application.

2019 Draft Wind Energy Guidelines

- Citing draft Wind Energy Guidelines 2019 re two or more wind energy developments.

Depreciate value of land and houses

- The development would negatively affect the value of land and houses in the area.

Roads & Traffic Impact

- The proposed development will have a negative impact on roads and traffic;

- If cabling under road, the access road the R336 will be greatly affected including access for emergency services;
- Use of L52024 would be traffic hazard.

Public hearing/Meeting

- A public hearing/meeting sought.

Other

- requirement to ensure all renewable energy projects are appropriately assessed.
- €1000 compensation is insufficient;
- Request that permissioned is refused;
- Want to see responses from prescribed bodies;
- Substation is too close to the turbines – should be at least 125m - risk of turbine falling on substation and adjoining land;
- No consideration of alternative sites; site is not suitable;
- GCC failed to assess compliance with art. 22 and 23 of the 2001 Regs as per 2020 no. 557 JR;
- Only 9 days to prepare submissions to An Bord Pleanála;
- Extreme vulnerability rating in respect of groundwater and concerns regarding hydrology impact;
- Contradictory construction period – NIS states 2 months, Planning and Environmental Report states 6-8 months.
- No mention of local dissent to the project in planning documentation;
- Underlying geology – inadequately considered in application docs - referencing requirements in the draft wind guidelines.

6.4. Further Responses

None received.

7.0 Assessment

7.1. The Board should note that the application was assessed by Galway County Council in accordance with the policies and objectives of the Galway County Development Plan (CDP) 2015-2021. The Galway CDP 2022-2028 came into effect on the 20th of June 2022. I have assessed the proposal in accordance with the policies and objectives of the operative CDP, namely the Galway County Development Plan 2022-2028.

7.2. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues arising from the appeal are as follows:

- Policy Context
- Landscape and Visual
- Ecological
- Shadow Flicker
- Noise
- Hydrology, Hydrogeology and Peat Stability
- Traffic and Transport
- EIA
- Gaeltacht
- Appropriate Assessment

The following assessment is dealt with under these headings. Appropriate Assessment is dealt with under section 8.0 of this report.

7.3. Policy Context / Principle of Development

7.3.1. The first party appeal includes Appendix D, Policy and Guidelines Context, which references the Wind Energy Strategy of the Galway County Development Plan 2015-2021 stating that the site is located within an area identified as 'acceptable in

principle' for wind development. The appeal continues that the renewable energy strategy in the draft Galway County Development Plan (CDP) 2021-2027 indicates that the Knock South Area is classified as a 'strategic area' for wind development. Third party observations responding to the appeal highlight the amendments to the draft CDP 2021-2027 which proposed to exclude the area as suitable for wind energy development, referencing the revised Renewable Energy Strategy and the proposed wind energy buffer of 6km inland from the coast.

- 7.3.2. There is a positive presumption in favour of renewable energy projects at national, regional and levels. This is reflected in the National Planning Framework, the Wind Energy Development Guidelines for Planning Authorities, 2006, the Draft Wind Energy Development Guidelines, 2019, the Western Regional Spatial Economic Strategy and the Galway County Development Plan 2022-2028 (CDP).
- 7.3.3. Wind energy is generally encouraged in the CDP. 'Policy Objectives' RE1 and RE7 support appropriate levels of renewable energy generation in County Galway, while policy objective RE3, 'Wind Energy Developments' seeks to promote and facilitate wind farm developments in suitable locations, having regard to areas of the County designated for this purpose in the Local Authority Renewable Strategy. Of relevance is policy objective RE9 'Wind Energy Buffer - An Spidéal to Minna' which states that *'it is a policy objective of Galway County Council that there would be a buffer of a distance of 6km inland from the coast, where there will be no designation of lands as being either "Acceptable in Principle" or "Open for Consideration" or "Strategic Area" for wind energy development between An Spidéal to Minna in Cois Fharraige'.*
- 7.3.4. A Local Authority Renewable Energy Strategy (LARES) has been prepared as part of the CDP. The Strategy outlines the potential for a range of renewable energy resources and developments, including wind energy developments. Of relevance are 'Map 13: Wind Potential Map' and 'Map 15: Wind Potential'. Map 13 lacks clarity and the site may or may not be in an area identified as 'Not Open for Consideration', 'Open to Consideration', 'Generally to be Discouraged' or 'Acceptable in Principle'. Greater clarity is provided in Map 15. The 'Key Deployment Zones' for wind energy is shown on 'Map 15: Wind Potential', which indicates that the site is in an area 'Not Normally Permissible'. A description and methodology of wind energy zones are included in Table 9 of the Strategy. Map 15 reflects the written policy objective RE9 'Wind Energy Buffer -An Spidéal to Minna' which states that it is a policy objective of

the Council that there would be a buffer of 6km inland from the coast from wind energy developments.

- 7.3.5. Notwithstanding that there is an existing windfarm proximate to the site, it is my opinion that the proposed development, which is significantly larger than the existing turbines, being located within the area designated as a wind energy buffer, policy objective RE9 refers, is not deemed suitable for wind energy development, and this is reflected in on map 15 of the Renewable Energy Strategy (appendix 1) of the Galway County Development Plan 2022-2028. The proposed development would therefore be contrary to the County Development Plan, specifically policy objective RE9 and the associated Renewable Energy Strategy.

7.4. Landscape and Visual

- 7.4.1. Reason no. 2 of the refusal issued by Galway County Council cites deficiencies in planning application documentation, in particular the Landscape and Visual Impact Assessment (LVIA) and the planning authority is not satisfied that the proposed development would not have an undue impact on the visual and general amenities of the area and would accordingly be contrary to the proper planning and sustainable development of the area.
- 7.4.2. The proposed turbine is located on upland bog; an open, flat and exposed landscape. The Landscape Character Assessment for County Galway describes the 'Uplands and Bog Landscape' character area, as nationally iconic landscapes of scenic, cultural, ecological and historic significance with a 'high sensitivity' throughout where "the extensive views and lack of screening vegetation combine to make this landscape very vulnerable to change." The area within which the site is located is further classified as 'South Conamara' landscape character unit comprising an "extensive plateaux of blanket bog, small lakes and forestry. Largely un-enclosed and unoccupied."
- 7.4.3. I note the policy of the Council under 'policy objective LCM 1' of the Galway County Development Plan, 2022-2028, to preserve and enhance the character of the landscape where the proper planning and sustainable development of the area requires it. 'Policy objective LCM 3' shall have regard to the landscape sensitivity classification of sites in the consideration of any significant development proposals.

- 7.4.4. The proposed single turbine measures 125m to the overall tip of the turbine. The tower height is 65m, with a hub height of 66.9m, while the blade diameter is 115.7m. This contrasts with the existing windfarm located c.430m to the south of the site, where the turbines have a permitted hub height of 50m and a rotor diameter of 43m. I note the Wind Energy Guidelines, 2006, which advises that an even profile of turbines is preferable in flat peatland.
- 7.4.5. In its first planning report, Galway County Council raised concern that the visual assessment/ photomontages were inaccurate as they appeared to show the existing turbines to be to the north of the existing turbines and shorter than the in-situ turbines. Following the receipt of further information by the applicant, which included an augmented LVIA and additional viewpoints, the planning authority remained dissatisfied and considered with the additional viewpoints as they were confined to wire-view only.
- 7.4.6. I note the concerns raised by third parties with respect to visual and landscape impacts, including that of scale relative to existing nearby turbines, proximity to houses in an exposed landscape with no mitigation, resulting in a dominant feature in the landscape. I note that many of the references relating to policies and objectives of the CDP refer to the now expired 2015 CDP.
- 7.4.7. The LVIA that accompanied the planning application is based on a zone of theoretical vision of 20km with a focus on receptors within 10km which I consider appropriate given the development comprises one turbine. I note that the proposed turbine will not be visible for a significant area to the north of the site and will be visible from the coast/Galway Bay to the south. The LVIA states that the turbine will be theoretical visible in the immediate surrounds of the site, generally within 3km of the site. Overall, the LVIA considers that the significance of impact is considered moderate-slight within the central study area (less than 3km) thereafter reducing to slight to imperceptible at increasing distances. 9 viewshed reference points (VRP) were assessed which were generally concentrated within the immediate locality of the site with the exception of 3 no. VRPs which are located between 3-20km from the site.
- 7.4.8. The response to further information (FI) sought to address the concerns raised by the planning authority that VRP 2 (also referred to as VP2 in application

documentation) inaccurately indicates the Knock South windfarm to the north and that the site is higher than the existing windfarm; that the photomontage is therefore inaccurate. The applicant four additional wireframe views (referred to as GCC VP 1-4 /GCC V1-4) and four additional photomontage views referred to as VP 1-4 (not to be confused with the original VRP/VP points). VP2 submitted as FI is located due east of the site, on a similar axis to that of the original VP2. The accompanying response by Macroworks indicated that the Knock South Wind Farm is not located from VP2, as thought by the planning authority, but rather the turbines visible in the photomontage are those belonging to Lettergunnet and Letterpeak Windfarms. The response states that the proposed turbine is modelled on a ground elevation of 55.1m. The FI considers that whilst the proposed single turbine will be a prominent feature in its immediate surroundings, it will not appear over-scaled or out of place on the landscape.

- 7.4.9. The response to appeal also seeks to clarify that the actual location of VP2 appears to have been misinterpreted by the planning authority, that VP2 indicates Letterpeak windfarm (which is located northeast of the site) and not Knock South windfarm (located c.430m south of the site). The applicant contends that permission was not refused on significant and unacceptable visual impacts but rather insufficient information in respect of four of the views. The imagery accompanying the appeal is the same as that submitted in the response to further information request.
- 7.4.10. In my opinion, having inspected the site and consulted ordnance survey maps, I do not agree with the planning authority that the site is higher than the adjoining Knock South wind farm. The site is lower than the existing Knock South Windfarm which sits proximate to a contour line of 72m while the proposed turbine site sits on a 60m contour line.
- 7.4.11. I note that there are discrepancies relating to existing and finished ground levels based on the site layout plan submitted with the application and that submitted with the response to further information request (FI), for example, the site layout plan submitted with the application indicates an existing ground level of 55m at the turbine base, and 59m in the FI. The nearest reference point for a proposed site level to the turbine base is indicated to be 64m (on both site layout plans submitted during the course of the application process), while the Drainage Peat and Management Plan, submitted with the FI, indicates a proposed site level of 58.4m with an existing site

level of 60m at the base of the turbine. In my opinion, it is not clear what the finished ground level will be at the base of the turbine due to discrepancies on drawings.

- 7.4.12. As noted above the photomontages are modelled on a turbine with a ground elevation of 55.1m however, due to inaccuracies and conflicting ground level data (existing and proposed) I have reservations that the photomontages are an accurate reflection of the proposed turbine scale and height, and thus, the landscape and visual impact arising. As a result, it is not possible to accurately assess the landscape and visual impact of the proposed turbine.
- 7.4.13. Notwithstanding, I do have general concerns regarding the incongruity of the scale of the proposed turbine viz-a-viz the existing group of smaller turbines. In my opinion the solitary large turbine would be out of character with the nearby cluster of smaller turbines and would, in my opinion, appear incongruent and disorderly.
- 7.4.14. With respect to landscape policy as provided for in the CDP 2022-2028, the Landscape Character Assessment indicates that the site is in the 'Uplands and Bog Landscape' character area, described as nationally iconic landscapes of scenic, cultural, ecological and historic significance, with a 'high sensitivity' throughout. The area within which the site is located is further classified as 'South Conamara' landscape character unit comprising an "extensive plateaux of blanket bog, small lakes and forestry". I agree with the CDP that the uplands and bog landscape could be described as nationally iconic with a high sensitivity rating throughout. It is also important to note that policy objective RE9 Wind Energy Buffer zone of 6km inland from the coast covers the site and this issue is discussed further at section 7.3 of this report.
- 7.4.15. In conclusion, having regard to the conflicting proposed ground levels, I have a lack of confidence in the photomontages and associated LVIA. The landscape within which the proposed turbine referenced in the CDP as nationally iconic with a high sensitivity rating. The scale of the proposed turbine, would in my opinion, be incongruous relative to the existing nearby windfarm comprising smaller turbines with a shorter blade diameter. Third parties have expressed considerable concern in relation to the impact on the landscape and scale of the proposal relative to the adjoining windfarm. I consider that the proposed development would seriously injure the amenities of the area by reason of visual intrusion with resultant visual

overbearing impact within what is an expansive landscape setting where it would be visible from near and far. The proposed development would adversely interfere with the intrinsic character and qualities of landscape setting which it is considered necessary to preserve under the Development Plan. In my opinion, the proposed development would be contrary to the proper planning and sustainable development of the area, in particular 'policy objective LCM 1' to preserve and enhance the character of the landscape where the proper planning and sustainable development of the area requires it.

7.5. Ecological

- 7.5.1. The first reason for refusal relates to ambiguity of (cumulative) impact, on ecological receptors including the otter and Golden Plover and owing to a lack of information, such as an otter survey, that significant effects on the receiving environment and ecology of the area cannot be ruled out. I note that many of the third-party observations raise concerns regarding the impact of the proposed development on the environment and ecology of the area.
- 7.5.2. The proposed development site is adjacent to the Connemara Bog Complex SAC which is located to the north, east and west of the site and is c.15m at its closest point. The Connemara Bog Complex SPA is also located to the north, east and west and is c.70m from the site at its closest point. Other European Sites are potentially within the Zone of Influence of the proposed development and are considered further in Section 8.0 of this report. The site bounds the Connemara Bog Complex proposed Natural Heritage Area (NHA) to the west and it is also located to the north, west and southwest of the site.
- 7.6. The Owneriff River flows through the Connemara Bog Complex SPA and the Connemara Bog Complex SAC (from the west) in an easterly direction along the northern and eastern field boundaries within which the site is located, where it is joined by a tributary from the north, re-enters the SAC and continues south to the coast, flowing into Galway Bay, c.3.1km to the south, at An Trá Mor, Coill Rua, a designated bathing water area.
- 7.6.1. An Ecological Impact Assessment (EclA) prepared by EirEco Environmental Consultants accompanies the application and includes the findings of a survey and

habitat mapping undertaken in November 2020. A Natura Impact Statement (NIS) is submitted with the application, also prepared by EirEco.

7.6.2. The site is used for occasional horse grazing. The EclA notes that the site is gently undulating and comprises primarily a mosaic of humid acid grassland, dry heath and wet heath around occasional knolls of outcropping granite rock. To the south of the site the habitat comprises lowland blanket bog which has been partially cutover and contains some open drains. To the north of the river and to the south of the site lowland blanket bog dominates. The EclA notes that within the site the bog has been partially cutover on the fringes and has evidence of old drains which have affected their surface wetness.

7.6.3. The EclA notes that:

- the site is gently undulating, comprising primarily a mosaic of humid acid grassland, dry heath and wet heath around occasional outcrops of granite rock.
- the site is comprised primarily of open habitats with no suitable locations for faunal refuges or breeding sites,
- there was no evidence of occurrence of any mammals on the site and no tracks or spraints or other signs of Otter activity recorded along the river, nor are there any suitable habitats for otter holts or couches on or in the immediate vicinity of the site.
- the site is considered too open and vegetation too short to be an attractive as a breeding site for birds and the short duration and localised nature of the development is considered to render potential impact as negligible,
- the Owenriff River is likely to support populations of resident brown trout and may support migratory stocks of Atlantic salmon, sea trout and European eel;
- a section of the river downstream of the adjacent road provides potentially suitable spawning habitat for salmonoids and it considered unsuited for lamprey due to gradients in the lower catchment.
- there are no records of any rare, threatened or legally protected plant species known to occur within the development site.

- 7.6.4. According to the EclA, impacts on habitats include the loss of acid grassland, wet and dry habitats, considered to be a minor adverse impact, and there will be no direct impacts on the aquatic environment and no alteration of the hydrology of the site. Mitigation measures are set out in section 6 of the EclA and include a minimum set back of 20m from the river and the preparation of a Construction Environmental Management Plan (CEMP). The EclA concludes that there will be no adverse residual impact.
- 7.6.5. Following a request for further information, an Ornithological Report, prepared by RSK was submitted to the planning authority, comprising findings from the first year of bird monitoring surveys which took place between October 2020 and September 2021. Data suggests that the site is being utilised by two species considered a feature of interest of the Connemara Bog Complex SPA - Golden Plover and Common Gull. Curlew, a red listed species was observed in the site and is considered a potential breeder in the area. Other notable species observed using the site include the amber listed Herring Gull, Great Back-Backed Gull and Kestrel. Surveys demonstrate that the site is used as a roosting site for Golden Plover and the report states that Curlew and Golden Plover are possibly breeding on site. Accentuated collision risk is stated to exist for Golden Plover. The report concludes that wind turbines are currently in operation and various flightpaths occur in close proximity to and through these.
- 7.6.6. Based on the information on file, it is my opinion that there will be an alteration of the hydrology of the site. A significant volume of peat, c.3,550m³, relative to the site area will be excavated, with only a relatively small portion reused on site. It is also proposed to divert a water channel on site, as detailed in the site layout plan received by the planning authority on 12th November 2021. In my opinion, the EclA failed to consider the proposed alteration to the hydrology of the site which would arise from the volume of peat to be removed, proposed drainage along the site access tracks and proposed stream diversion. I note too that rock removal, including the extraction method, is not considered or assessed in the EclA with regard to ecological impact. No updated EclA or addendum to same is submitted which has regard to the full scope of the works and the Ornithological Report.
- 7.6.7. Notwithstanding the reference in the EclA that the methodology for same is consistent with the Guidelines for Ecological Impact Assessment in the UK and

Ireland, (CIEEM, January 2016) (since updated most recently in April 2022), there are anomalies in the approach that results in lacunae of data to adequately assess the ecological impacts of the proposed development, not least:

- Establishment of a zone of influence;
- Identify data gaps, which in this instance relates to inadequate surveys;
- Plan and prioritise gap filling;
- Identification of cumulative impacts, which in this instance relates to the existing nearby windfarm and grid connection route.

7.6.8. As noted by third parties, I note that the survey (habitat mapping) was undertaken in November 2020 outside the optimum period for such surveys. The best time for carrying out habitat surveys is the period from April through September, the growing season for most plants, noting that repeat visits may occasionally be needed, which in this instance would be warranted in my opinion having regard to the proximity of the Owenriff River and nearby SAC and SPA.

7.6.9. The first planning report of the planning authority notes the absence of surveys to supplement the NIS and as these comments relate to SAC and SPA species, this matter is covered in section 8.0 of this Inspector's Report. The second planning report notes the findings of the Ornithological Report and with respect to the otter, states that a dedicated survey is necessary having regard to foraging opportunities along the watercourse. A refusal of permission is subsequently recommended which includes potential impacts on the otter, Golden Plover and associated ambiguity of the cumulative environmental and ecological implications arising from the proposed development.

7.6.10. Having regard to the methodology used to inform the EclA, including the timing and breadth of surveys undertaken, which I consider to be substandard having regard to the Guidelines for Ecological Impact Assessment in the UK and Ireland (CIEEM) and the proximity of the Connemara Bog Complex SAC and Connemara Bog Complex SPA, I am not satisfied that the ecological impact of the full scope of works has been fully considered in relation to species or habitat. In my opinion, there is a lacuna of data in which to inform an adequate ecological assessment of the proposed development.

7.7. Shadow Flicker

- 7.7.1. The 2006 Guidelines recommend that shadow flicker at dwellings within 500m of a proposed turbine location should not exceed a total of 30 hours per year or 30 minutes per day and where this is not achieved measures should be taken to prevent or ameliorate the potential effect, such as by turning off a particular turbine at certain times. The potential effect of shadow flicker diminishes as distance from the turbine increases. At distances greater than 10 rotor diameters from a turbine, the potential for shadow flicker is very low, i.e. beyond 1,150m from the turbine in this instance. The nearest dwelling is c.500m from the proposed turbine, located to the northeast. There are also a number of residential dwelling c.900m to the southeast of the site.
- 7.7.2. I note that the shadow flicker report has been carried out based on the Enercone E-115 with 67m hub height with a (base) altitude of 58.4m. In total 54 shadow receptors were assessed. It was found that two receptors would be impacted by shadow flicker: SRV at 49mins per day and SRW at 47mins per day, equating to 36.37hours for SRV and 32.02hours for SRW annually. This would exceed the limits recommended in the 2006 Guidelines and in these instances the Guidelines provide for appropriate measures to prevent or ameliorate the potential effect, such as by turning off a particular turbine at certain times. I acknowledge that modern wind turbines have the facility to measure sunlight levels and to reduce or stop turbine rotation if the conditions that would lead to shadow flicker at any neighbouring property occur and to this end details on shadow flickering shutdown were submitted with the application, on which no concern was raised by the planning authority.
- 7.7.3. I note that third party observations raised concerns regarding existing shadow impacts arising from the nearby Knock South windfarm to the south and expressed concerns regarding the cumulative impact of the proposed scheme and the existing windfarm. The shadow flicker report stated that information about the existing turbines was not available. Considering the proximity of the existing turbines there is potential for cumulative impacts, particularly given the elevation of the Knock South turbines where the ground level is higher than the subject site. In my opinion, a cumulative impact assessment of shadow flicker is warranted.
- 7.7.4. Finally, I note that the shadow flicker report states that if the hub heights changes, the calculation is no longer valid and must be recalculated. Having regard to the

discrepancies in the proposed ground level of the turbine, as referenced above in section 7.4, and having regard to the shadow impact assessment which was undertaken with an altitude of 58.4m, I am unable to have confidence in the conclusions and findings of the shadow impact report. Together with the lack of a cumulative impact assessment, which would consider the existing wind farm and the proposed turbine based on accurate modelling factors, I cannot conclude that shadow flicker from the proposed development would not have a negative impact on residential amenities of receptors.

7.8. Noise

- 7.8.1. The application is accompanied by a Noise Impact Assessment (NIA), prepared by Enfonc Ltd. Noise has been assessed according to guidance in the Wind Energy Development Guidelines, 2006. It should be noted however that the Draft Wind Energy Development Guidelines (2019) are an update to the previous 2006 guidance, and impose more stringent regulations, in line with ETSU-R97 – The Assessment and Rating of Noise from Wind Farms.
- 7.8.2. The existing limits set out in the 2006 Guidelines are:
- a lower fixed limit of 45 dB(A) or a maximum increase of 5dB(A) above background noise at nearby noise sensitive locations;
 - in low noise environments where background noise is less than 30 dB(A), it is recommended that the daytime level of the LA90, 10min of the wind energy development noise be limited to an absolute level within the range of 35-40 dB(A)
 - A fixed limit of 43dB(A) inside properties during the night
- 7.8.3. The turbine used to model the noise assessment is Enercon A-115 EP3 E3/4200kW with a hub height of 67m. The sound power levels range from 83.5 dBA to maximum expected level of 104.8dBA, subject to wind speed and height.
- 7.8.4. No background noise survey was conducted. Instead, the Noise Impact Assessment (NIA) report states that the operational noise limit as set by the planning authority for the nearby permitted windfarm development has been used as the basis for assessment, (GCC Reg. Ref. 961684). The schedule of conditions (listed 1-7)

pertaining to reg. ref. 961684 are, however, not so specific to require a restriction on noise level below a certain threshold, instead requiring monitoring or adherence to noise levels, of between 40dBA and 45dBA, for 2 years following commissioning of the permitted (Knock South) windfarm.

- 7.8.5. The NIA assumes that the “current limit” of 45dBA will apply for both the existing wind farm and the proposed turbine. The NIA includes impact of the proposed turbine in isolation and cumulatively with the existing Knock South windfarm. An updated NIA was submitted to Galway County Council in the further information response (FI) and included a discussion on tonal noise, amplitude modulation and low frequency noise.
- 7.8.6. Following the receipt of the FI, the subsequent local authority planning report indicated its satisfaction with the NIA, as updated, and accepted that amplitude modulation and tonal noise are post-construction factors regulable by way of a condition, in the event of a grant of permission.
- 7.8.7. Noise emissions from the proposed windfarm site at the residential properties in the closest proximity to the site have been assessed. Six noise sensitive receptors, within 800m of the turbine are used, which I consider to be appropriate and an adequate representative of other sensitive receptors in the area. The modelling results demonstrate that the existing wind turbines are expected to be operating below the prescribed limit of 45dBA at all wind speeds. The results also demonstrate that the proposed turbine is expected to operate below the prescribed limit of 45dBA. The cumulative assessment demonstrates capacity within the “current noise limit” [of 45dBA] for both developments.
- 7.8.8. During the construction phase, noise impacts may arise from construction activities such a site preparation and construction of the turbine foundations, roads and substation. There will also be increased construction vehicular movement. There will be potential blasting and rock breaking operations as 750m³ of rock is required to be removed. The predicted noise levels for these various construction activities have not been assessed.
- 7.8.9. Third party observations raise concerns regarding noise impact, in particular that the cumulative noise table (Table 7) shows predicted noise for existing turbines only. I have reviewed the relevant tables and consider that the cumulative noise table fails

to account for the cumulative impact arising from the proposed turbine, particularly when section 4.6.1 of the NIA states that if noise level from the proposed turbines is a least 10dBA below that of the existing wind farm, then it will not increase the existing noise levels; if it is within 10dBA, then it is contributing to an increase. The predicted noise levels at noise sensitive receptors do not appear to be accurately reflected in the cumulative table. In addition, the noise level differences set out in Table 7 do not appear to be calculated accurately.

- 7.8.10. I note that the 2006 Guidelines advise that existing turbines should not be considered as part of the prevailing background noise. In this instance it would seem prudent to carry out two surveys; one with prevailing background noise in the absence of noise from existing turbines and secondly, another with the existing noise levels from the turbines, thereby allowing for a cumulative assessment on actual data rather than predicted modelling.
- 7.8.11. In summary, I am not satisfied that the NIA is based on an accurate assessment owing to (i) the predicted level differences between the existing and proposed developments appear to be incorrectly calculated, and; (ii) the cumulative impact fails to account for any level difference between the existing and proposed wind turbine developments. Finally, it is not clear, what if any the anomaly of the base turbine / turbine height (see section 7.4 of this report) would have on predicted levels and to this end it is not possible to have confidence in the findings of the NIA.

7.9. Hydrology, Hydrogeology and Peat Stability

- 7.9.1. A number of the third party observations raise concerns with respect to impact on peat stability, hydrology, hydrogeology and flood risk, and generally querying whether such matters have been adequately assessed.
- 7.9.2. The Owenriff River flows from west to east along the northern boundary of the site, then flows southwards along the eastern boundary. The application documentation states that drainage channels up to 1.5m deep run through the peat in varying directions across the site. Groundwater vulnerability at the site is mapped as ranging from high to extreme, representing an area where the depth to rock or extent of subsoil overburden ranges between 3-10m, while extreme vulnerability categories represent areas where the subsoil thickness ranges from 0-3m and where rock is at

or near the surface. A total of c.3,850m³ of peat and c.750m³ of rock will be excavated to facilitate the development. C.750m³ of material will be reused on site.

- 7.9.3. According to the 'National Indicative Fluvial Mapping – Present Day', OPW data, on the floodmaps.ie website, there is a medium probability (i.e., 100 to 1) of a flood event occurring in any given year along the Owenriff River at this location, both upstream and downstream. There is a recorded flood event of the river downstream close to the R336.
- 7.9.4. The planning authority requested that a geological and hydrogeological survey, including a peat stability analysis be submitted in a request for further information. In response, the applicant submitted a Peat Stability Assessment prepared by Minerex Environmental Ltd. Peat depths of 5.3m was recorded just outside the boundary. with a value of 3.7m recorded within the site; the depth of peat gradually reduces outwards from this location. The report found that overall depths of peat indicates that the risk of any peat slippage or movements is low, and a number of construction mitigation measures are proposed. The planning authority did not raise any concerns with respect to the Peat Stability Assessment or flood risk.
- 7.9.5. I note the 2006 Wind Energy Guidelines which states that where blasting is being used in or near a peatland area for borrow pits, foundations etc, the possible effect on peat stability should be assessed. The method of rock extraction has not been indicated, nor is it considered with respect to the peat stability.
- 7.9.6. I note the CEMP states that local hydrology will be maintained; that significant volumes of water are not expected on site during the construction period, and that excavation works are limited. This statement is at odds with the peat Stability Report which notes that drainage works are required. I note too, the 'Drainage & Peat Management Plan', submitted to Galway County Council on 12 November 2021, which indicates a number of surface water works, including stream diversion works.
- 7.9.7. In my opinion, and noting the concerns raised by third parties, the removal of peat would undoubtedly remove some capacity for water retention, proximate to the Owenriff River, which is identified as at risk of flooding. In the absence of a site-specific flood risk assessment, I am reluctant to conclude that the proposed development would not be at risk of flooding or add to a risk of flooding downstream. Nor has the interaction between the risk of flooding, rock method removal and peat

stability been adequately considered. In my opinion, the proposed development would, therefore, be prejudicial to public health and safety and would be contrary to the proper planning and sustainable development of the area.

7.10. Traffic and Transport

- 7.10.1. Third party observations raise concerns that the proposed development would have a negative impact on roads and traffic; that the use of the local road to access the turbine site would be a traffic hazard and if cabling under the roads, the local road and the R336 will be greatly affected.
- 7.10.2. The proposed turbine transport route would be from Galway Port to local road L52034 via the R336. I note that connection to the grid does not form part of the application and therefore cabling under public roads does not form part of the subject development proposal.
- 7.10.3. The further information response (FI) included a detailed response from DRA, Consulting Engineers, comprising a Traffic and Transport Assessment, a swept path analysis, a report detailing the potential impacts on culverts and bridges along the proposed haulage route, structural integrity report of the road's foundation and an outline construction traffic management plan.
- 7.10.4. The FI recommends reviewing the local road, the L52034, off which the site is accessed, with Galway County Council Roads Department to assess protection measures as necessary, with respect to drainage crossing(s) on this road. It also suggests a pavement condition survey prior to construction works of the L52034 to compare condition of road post-completion.
- 7.10.5. I note the planning authority report following the receipt of the FI which states that the Roads and Transportation Unit raised no objection to the proposal. Having regard to the nature of the development, for one wind turbine, the limited duration of construction works, the FI and the report of the planning authority, and notwithstanding the concerns raised by the third parties, I am satisfied that proposed development would be acceptable from a traffic and transport perspective, subject to appropriate conditions.

7.11. EIA

7.11.1. A number of third party observations raised concerns regarding the need for an environmental impact assessment, citing the EIA Directive and case law. At section 5.4 of this report, I have considered the matter of EIA Screening. The Board should note that the applicant did not submit an EIA Screening Report and nor did the local authority carry out a screening determination. In my opinion, there is significant and realistic doubt as to the likelihood of significant effects on the environment arising from the proposed development and the need for EIA cannot be excluded at preliminary examination. Should the Board be minded to grant permission, the Board may wish to seek the information in Schedule 7A of the Planning and Development Regulations, as amended. for the purposes of making a screening determination, as per art. 103(1)(b)(ii) of the same regulations.

7.12. Gaeltacht

- 7.12.1. The impacts of the development on the cultural and linguistic heritage of the Gaeltacht has been raised in several submissions received on the appeal. The observers claim that no impact assessment has been undertaken on the affect the development will have on the cultural and linguistic heritage of the Gaeltacht.
- 7.12.2. According to Figure 13.1 of the operative CDP the subject site is within the Galway Gaeltacht Language Planning area. Various policies and proposals are incorporated into the Plan to promote, enhance and protect the linguistic and cultural heritage of the Gaeltacht, whilst at the same time allowing it to develop in a sustainable manner. The Plan does not identify land uses which could pose a threat to the language and culture of Gaeltacht areas, although I note that linguistic impact assessments are required for two or more house in Gaeltacht areas. I also note that the Windfarm Development Guidelines 2006 and the Draft Guidelines 2019 make no reference to negative impacts on language arising from wind farm development. I am not aware that there is any compelling evidence that appropriately sited wind turbines would result in population decline or render an area less attractive for housing for native Irish speakers. I conclude, therefore, that the proposal would not have any significant negative impact on the ability of the area to attract future Irish language speakers in the future.

8.0 Appropriate Assessment

8.1 Appropriate Assessment Screening

8.1.1. The requirements of article 6(3) of the Habitats Directive, as related to screening the need for appropriate assessment of a project under part XAB, section 177U and 177V of the Planning and Development Act, 2000 (as amended) are considered fully in this section. The areas addressed in this section are as follows:

- Compliance with Article 6(3) of the EU Habitats Directive;
- Screening the need for appropriate assessment;
- The Natura Impact Statement and associated documents;
- Appropriate assessment of implications of the proposed development on the integrity each European site.

8.2 Compliance with Article 6(3) of the EU Habitats Directive

8.2.1. The Habitats Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) of this Directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site before consent can be given.

8.3 Screening for Appropriate Assessment- Test of likely significant effects

8.3.1. The proposed development is not directly connected to or necessary to the management of any European site and therefore is subject to the provisions of Article 6(3).

8.3.2. The proposed development is examined in relation to any possible interaction with European sites designated Special Conservation Areas (SAC) and Special

Protection Areas (SPA) to assess whether it may give rise to significant effects on any European Site.

8.4. Background on the Application

- 8.4.1. The applicant submitted an 'Appropriate Assessment Screening Report', prepared by EirEco, Environmental Consultants, dated May 2021, as part of the planning application. The applicant provides a description of the proposed development and identifies two European Sites within a possible zone of influence of the development: the Connemara Bog Complex SAC and the Connemara Bog Complex SPA. Associated reports were also submitted in with the application including an Ecological Impact Assessment (EclA).
- 8.4.2. The applicant's Screening Report determined that there is "no significant risk of giving rise to any direct or indirect effects on the Connemara Bog Complex SPA or any of its special conservation interest species".
- 8.4.3. The Screening Report also concluded that the construction of the proposed development could affect a number of aquatic species listed as Qualifying Interests for the Connemara Bog Complex SAC, including Atlantic salmon and otter and that there is a requirement to proceed to Stage 2 Appropriate Assessment in respect of the SAC.
- 8.4.4. The FI submitted to Galway County Council included a Construction Environmental Management Plan (CEMP) and an Ornithological Report, prepared by RSK, which states that data suggested that the site is being utilised by two species considered a "feature of interest" of the Connemara Bog Complex SPA -Golden Plover and Common Gull. Golden Plover utilise the site for roosting and transit and Common Gull were noted in flight within the site. No revised Appropriate Assessment (AA) screening report or updated NIS was submitted having regard to the Ornithological Report.
- 8.4.5. The first party appeal includes no new information in respect of the NIS, confining itself to select responses from the FI. Of note, however, is a statement in the appeal that bird surveys are ongoing in order to assess the extent of the present findings of roosting and transit. In my opinion, this statement reflects a lacuna of information to

adequately assess impact protected bird species and the qualifying interests of the SPA.

- 8.4.6. I am not satisfied that the AA Screening Report had regard to the most recent scientific information/evidence, in the absence of surveys nor does it have regard to the totality of works (i.e., method for excavating rock, method of turbine foundation – piled or ground bearing) and where questions have arising with respect to cumulative noise impact.
- 8.4.7. Having reviewed the documents and submissions I am not satisfied that the information allows for a complete examination and identification of potential significant effects of the development, alone, or in combination with other plans and projects on European sites. This screening assessment has therefore been carried out de-novo.

8.5. **The Natura Impact Statement (NIS)**

- 8.5.1. A NIS dated May 2021, prepared by EirEco, was included with the planning application. The NIS examines and assess potential adverse effects of the proposed development on the Connemara Bog Complex SAC. The NIS identified and characterised possible implications of the proposed development on the European site, in view of the site's conservation objectives. However, in my opinion the information in the NIS, not least due to the screening out of the Connemara Bog Complex SPA and the Inner Galway Bay SPA fails to provide information to enable an appropriate assessment of the proposed works to be carried out.
- 8.5.2. The NIS is silent on consultations with prescribed bodies, and I note that no observations were received/are on file from prescribed bodies in respect of the proposed development.
- 8.5.3. The NIS states that the proposed development may adversely affect a number of aquatic qualifying interests for the Connemara Bog Complex SAC in view of its Conservation Objectives; the risk of an adverse impact relates primarily to the potential for polluted surface water from the site during construction entering the Owenriff River but that there will be no loss of ex-situ habitat as a result of the construction. The NIS concludes that subject to full and proper implementation of the mitigation measures detailed in the NIS there will be no adverse effects on the

integrity of the Connemara Bog Complex SAC or any Natura 2000 site as a result of the proposed development either individually or in combination with other plans and projects.

8.6. Brief description of the development

8.6.1. The applicant provides a description of the project on page 5 of the AA Screening Report and elsewhere e.g., section 2.5 of the Planning and Environmental Report. In summary, the development comprises:

- One 4.2MW wind turbine with an overall tip height of up to 125 metres,
- Wind turbine foundation c.19.5m in diameter with an excavated depth of c. 3.5m,
- Hardstanding and assembly area, c.7,000sqm,
- Site entrance and access track of 4.5m wide,
- On-site 20kV substation, c. 53m² and underground electrical cable connecting the turbine to the substation, and,
- All associated site works, including a silt fence to be installed around the boundary of the site access track for duration of construction period;
- Temporary stockpiles of excavated material, to include peat and rock.
- Drainage under the internal site access track will be directed to a stilling pond/sediment pond to allow for settlement of suspended solids and subsequent overland flows to the river.

8.6.2. The development site is described on pages 10 and 11 of the AA Screening Report and elsewhere such as Section 4 of the EclA. The site, which was noted to be grazed by horses, is described as 'gently undulating and comprising primarily of a mosaic of humid acid grassland, dry heath and wet heath around occasional knolls of outcropping granite rock. The southern portion of the site is stated to comprise lowland blanket bog, which has been partially cutover and contains some drains which drain into the Owenriff River, which forms the northern and eastern boundaries of the site. The report notes that lowland blanket bog dominates to the south and notes the existing 5 turbine wind farm c.500m to the south.

8.6.3. Taking account of the characteristics of the proposed development in terms of its location and the scale of works, the following issues are considered for examination in terms of implications for likely significant effects on European sites:

- Construction related uncontrolled surface water/silt/ construction related pollution;
- Habitat loss/ fragmentation (construction and operational);
- Habitat disturbance, species disturbance/destruction (construction, operational and decommissioning).

8.6.4. Submissions and Observations

8.6.5. Submissions received from third parties are summarised in Section 6 of this Report. No submissions from Galway County Council or prescribed bodies were received. Matters raised and considered to be relevant in the context of Appropriate Assessment are summarised below:

- Proposed development will have an adverse effect on the SAC;
- Possibility of pollution of the Owenriff River / River Ruibh from siltation and peat spillage – impact on possible gravel salmon spawning grounds and otter;
- Competent authorities can only agree to a plan or project after having ascertained that it will not have a significant impact on the integrity of a Natura 2000 site; GCC no option but to refuse in light of 177V(3) and Art. 6 of the Directive;
- It is not possible to screen out the SPA as a result of the additional information that the site is important for bird species, including SPA species;
- Applicant failed to explain the direct, indirect and cumulative effects of proposal or the grid connection on the Natura 2000 sites;
- The NIS is inadequate;
- The NIS does not mention whether a bat survey was carried out or if any bat strikes from existing turbines. The flight path of bats passes over the site. No mention in the NIS of the barotrauma effect.
- Habitat and Species Survey work should have been completed before lodging application, and was outside the optimum times for such surveys. Additional surveys are required;

- Weather conditions on day of survey not described; queries whether horses grazing on site all year round;
- References route/path of otter trails in the area; footage of otter tracks provided;
- Regarding the impact on birds, the low level of rotating tip has not been assessed – consider vortices and barotrauma effect;
- Concern raised of the threat to kestrel, cormorant, common gull, merlin, curlew and other bird species;
- Drastic decline in Curlew, referencing the NPWS breeding Curlew survey. Galway County Council did not pay special note to the possible presence of breeding curlew. A member of Birdwatch Ireland has seen and heard at least one pair of potential breeding Curlew in 2021, other have heard curlews calling in close proximity to the site;
- A photo of Golden Plovers 300m from site is submitted. The proposal will jeopardise conservation and protection of wildlife, esp. the Golden Plover.
- NIS states construction works only outside winter period, the Environmental and Planning Report states vegetation to be undertaken outside of the bird breeding season or under the supervision of an experienced ecologist.
- Consider cumulative impact of proposed turbine with existing turbines in respect of visual, noise, shadow flicker and impact on birds and Natura 2000 sites. The proposed development would give rise to significant adverse cumulative impacts.

8.6.6. European Sites

8.6.7. While the site is not located in a European site, it is located adjacent to the Connemara Bog Complex SAC, which is located to the north, east and west of the site and is c. 15m at its closest point. The Connemara Bog Complex SPA is also located to the north, east and west and is c.70m from the site at its closest point.

8.6.8. In determining the extent of potential effects of the proposal, the applicant considers in view of the location and nature of the proposed works and the lack of potential pathways with other designated sites, consideration has only been given to potential impact on the Connemara Bog Complex SAC and the Connemara Bog Complex SPA, stating there are no other designated areas within a potential zone of influence.

- 8.6.9. Having regard to the source-pathway-receptor method there are potential hydrological and ornithological connections between the proposed development and additional Natura 2000 sites, I do not agree that only two Natura 2000 (i.e., Connemara Bog Complex SAC and Connemara Bog Complex SPA) are within the Zol and consider that additional sites are within the Zol, Table 9-1 refers, these are: Kilkieran Bay and Islands SAC (002111), Lough Corrib SAC (000297), Ross Lake and Woods (001312), the Galway Bay Complex SAC (000268) and the Inner Galway Bay SPA (004031).
- 8.6.10. I present a summary of European sites that occur within a possible Zone of Influence (Zol) of the proposed development in Table 9-1 below. Where a possible connection between the development and a European site has been identified, these sites are examined in more detail.

Table 9-1 Summary Table of European Sites within a possible Zone of Influence of the proposed development

European Site (code)	List of Qualifying interest /Special conservation Interest M: maintain favourable conservation condition R: restore favourable conservation condition	Distance from proposed development (Km)	Connections (source, pathway receptor)	Possible effect, including in-combination effects	Considered further in screening Y/N
Connemara Bog Complex SAC (002034)	<p>Coastal lagoons [1150] M</p> <p>Reefs [1170] M</p> <p>Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] M</p> <p>Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea [3130] M</p> <p>Natural dystrophic lakes and ponds [3160] M</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260] M</p> <p>Northern Atlantic wet heaths with Erica tetralix [4010] R</p>	c. 15m	Hydrological connection: the Owenriff River flows from the northwest, through the SAC. The River bounds the field boundary to the north and east within which the site is located. The river re-enters the SAC c.100m from the site boundary to the east.	Given the proximity of the proposed development site to the SAC boundary, potential effects could occur due to impacts on water quality and visual/noise and lighting disturbance of species during construction and decommissioning. Habitat displacement may occur as a result of construction and operation. Noise disturbance could occur during operation of the turbine.	Y

	<p>European dry heaths [4030] R</p> <p>Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] M</p> <p>Blanket bogs (* if active bog) [7130] R</p> <p>Transition mires and quaking bogs [7140] R</p> <p>Depressions on peat substrates of the Rhynchosporion [7150] R</p> <p>Alkaline fens [7230] R</p> <p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] M</p> <p>Euphydrias aurinia (Marsh Fritillary) [1065] M</p> <p>Salmo salar (Salmon) [1106] R</p> <p>Lutra lutra (Otter) [1355] M</p> <p>Najas flexilis (Slender Naiad) [1833] M</p>				
Connemara Bog Complex	Cormorant (Phalacrocorax carbo) [A017] M or R (generic objective)	c. 50m	Given proximity of site to European site, it is likely that qualifying species pass over the site. In	There will be no direct effects on the SPA, but there is potential for indirect effects.	Y

<p>SPA (004181)</p>	<p>Merlin (<i>Falco columbarius</i>) [A098] M or R (generic objective)</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140] M or R (generic objective)</p> <p>Common Gull (<i>Larus canus</i>) [A182] M or R (generic objective)</p>		<p>addition, the Breeding Walkover Survey submitted with the appeal indicates that Golden Plover, possible breeders, flew over the site, while the site was considered to be a suitable nesting habitat for Golden Plover</p>	<p>Given the proximity of the proposed development site to the SPA boundary, potential effects could occur due to impacts on water quality and visual/noise and lighting disturbance during construction. Potential for bird strikes also, having regard to proximity of SPA.</p> <p>Potential in-combination impacts arise as a result of the existing 5 turbine windfarm located in proximity to the site.</p>	
<p>Kilkieran Bay and Islands SAC (002111)</p>	<p>Mudflats and sandflats not covered by seawater at low tide [1140] M</p> <p>Coastal lagoons [1150] M</p> <p>Large shallow inlets and bays [1160] M</p> <p>Reefs [1170] M</p> <p>Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>) [1330] R</p> <p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] R</p>	<p>c. 12.9km west</p>	<p>No hydrological connectivity between the site and the SAC.</p>	<p>None</p>	<p>N</p>

	<p>Machairs (* in Ireland) [21A0] R</p> <p>Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea [3130] (objective not specified)</p> <p>Lowland hay meadows (Alopecurus pratensis, Sanguisorba officinalis) [6510] M</p> <p>Lutra lutra (Otter) [1355] B</p> <p>Phoca vitulina (Harbour Seal) [1365] M</p> <p>Najas flexilis (Slender Naiad) [1833] M</p>				
Lough Corrib SAC (000297)	<p>Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] R</p> <p>Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea [3130] R</p> <p>Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. [3140] R</p> <p>Water courses of plain to montane levels with the Ranunculion</p>	14.6km north-east	No hydrological connectivity between the site and the SAC.	None	N

	<p>fluitantis and Callitricho-Batrachion vegetation [3260] M</p> <p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] M</p> <p>Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] M</p> <p>Active raised bogs [7110] R</p> <p>Degraded raised bogs still capable of natural regeneration [7120] (Objective not set)</p> <p>Depressions on peat substrates of the Rhynchosporion [7150] (Objective not set)</p> <p>Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210] M</p> <p>Petrifying springs with tufa formation (Cratoneurion) [7220] M</p> <p>Alkaline fens [7230] M</p> <p>Limestone pavements [8240] M</p>				
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	<p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] M</p> <p>Bog woodland [91D0] M</p> <p>Margaritifera margaritifera (Freshwater Pearl Mussel) [1029] R</p> <p>Austropotamobius pallipes (White-clawed Crayfish) [1092] M</p> <p>Petromyzon marinus (Sea Lamprey) [1095] R</p> <p>Lampetra planeri (Brook Lamprey) [1096] M</p> <p>Salmon salar (Salmon) [1106] M</p> <p>Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303] R</p> <p>Lutra lutra (Otter) [1355] M</p> <p>Slender Green Feather-moss <i>Hamatocaulis vernicosus</i> [6216] M</p> <p>Najas flexilis (Slender Naiad) [1833] R</p>				
Ross Lake and Woods (001312)	Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. [3140] R	14.8km north-east	No hydrological connectivity between the site and the SAC.		N

	Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303] R				
Galway Bay Complex SAC (000268)	<p>Mudflats and sandflats not covered by seawater at low tide [1140] M</p> <p>Coastal lagoons [1150] R</p> <p>Large shallow inlets and bays [1160] M</p> <p>Reefs [1170] M</p> <p>Perennial vegetation of stony banks [1220] M</p> <p>Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] (objective not specified)</p> <p>Salicornia and other annuals colonising mud and sand [1310] M</p> <p>Atlantic salt meadows (Glaucopuccinellietalia maritima) [1330] R</p> <p>Mediterranean salt meadows (Juncetalia maritimi) [1410] R</p> <p>Turloughs [3180] M</p> <p>Juniperus communis formations on heaths or calcareous grasslands [5130] R</p>	15.3 east	<p>Indirect hydrological surface water connection via Owenriff River to Galway Bay.</p> <p>No direct surface water, groundwater or habitat connectivity. The outfall of the Owenriff River is separated from the site by approx. 15km of seawater offering a buffer to any potential effects as a result of the development.</p>	None	N

	<p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] M</p> <p>Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i> [7210] M</p> <p>Alkaline fens [7230] M</p> <p>Limestone pavements [8240] (objective not specified)</p> <p>Lutra lutra (Otter) [1355] R</p> <p>Phoca vitulina (Harbour Seal) [1365] M</p>				
<p>Inner Galway Bay SPA (004031)</p>	<p>Black-throated Diver (<i>Gavia arctica</i>) [A002] (objective not specified)</p> <p>Great Northern Diver (<i>Gavia immer</i>) [A003] M</p> <p>Cormorant (<i>Phalacrocorax carbo</i>) [A017] M</p> <p>Grey Heron (<i>Ardea cinerea</i>) [A028] M</p> <p>Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] M</p> <p>Wigeon (<i>Anas penelope</i>) [A050] M</p>	<p>15.8km east</p>	<p>Indirect hydrological surface water connection via Owenriff River to Galway Bay.</p> <p>No direct surface water, groundwater or habitat connectivity. The outfall of the Owenriff River is separated from the site by approx. 15km of seawater offering a buffer to any potential hydrological effects as a result of the development.</p>	<p>Due to a lack of survey data it is not known if the bird species spotted during surveys are associated with this SPA population. Consequently, the potential for direct and indirect impacts on the SCI species cannot be discounted.</p> <p>Potential in-combination impacts arise as a result of the existing 5 turbine windfarm located in proximity to the site.</p>	<p>Y</p>

	<p>Teal (<i>Anas crecca</i>) [A052] M</p> <p>Red-breasted Merganser (<i>Mergus serrator</i>) [A069] M</p> <p>Ringed Plover (<i>Charadrius hiaticula</i>) [A137] M</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140] M</p> <p>Lapwing (<i>Vanellus vanellus</i>) [A142] M</p> <p>Dunlin (<i>Calidris alpina</i>) [A149] M</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] M</p> <p>Curlew (<i>Numenius arquata</i>) [A160] M</p> <p>Redshank (<i>Tringa totanus</i>) [A162] M</p> <p>Turnstone (<i>Arenaria interpres</i>) [A169] M</p> <p>Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] M</p> <p>Common Gull (<i>Larus canus</i>) [A182] M</p>		<p>The development site is located within the potential foraging range of the SCI species, Cormorant.</p> <p>The following SCI species overlap with the Connemara Bog Complex SPA (004181): Cormorant; Common Gull; Golden Plover.</p> <p>A Curlew was noted during the breeding walkover survey; identified as a possible breeder; site identified as a suitable nesting habitat.</p>		
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	Sandwich Tern (<i>Sterna sandvicensis</i>) [A191] M				
	Common Tern (<i>Sterna hirundo</i>) [A193] M				
	Wetland and Waterbirds [A999] M				

8.6.11. Identification of Likely Effects

8.6.12. Taking account of the characteristics of the proposed development in terms of its location and scale of works, the species of conservation interest and conservation objectives for European sites within the zone of influence, I consider that the following impacts need to be considered:

Construction

- Pollution with the potential to impact on QI species downstream of the Connemara Bog Complex SAC including surface water pollution with subsequent impacts on water quality and habitats in the Owenriff River which flows through the SAC downstream of the site.
- Loss / disturbance of ex-situ feeding or roosting habitats that support QI species of nearby SPA's and the SAC due to disturbance associated with construction and excavation activities and increased human activity, i.e., from noise, vibration and lighting.
- Changes to the local water environment with the potential to impact on QI species of nearby SPA's and SAC's (flow rates, volume, quality) arising from construction works within a peatland environment.

Operational Phase

- Pollution with the potential to impact on QI species downstream of the SAC, including surface water pollution with subsequent impacts on water quality and habitats in the Owenriff River which flows through the SAC downstream of the site.
- Loss of or disturbance of ex-situ feeding or roosting habitats that support QI species of nearby SPA's and SAC's.
- Displacement / disturbance of QI species of nearby SPA's and the SAC due to disturbance associated with the operation of the windfarm including degradation of habitat for breeding, feeding and/or roosting.

- Disruption or interruption of routes used by wintering birds while migrating or making local movements between sites as a result of the presence of the turbines (the 'barrier effect').
- Mortality of QI species of nearby SPA's due to collision risk with proposed turbines.

Decommissioning

- Pollution with the potential to impact on QI species of downstream of the SAC, including surface water pollution with subsequent impacts on water quality and habitats in the Owenriff River which flows through the SAC downstream of the site.
- Disturbance & displacement of SCI /QI species of nearby SPA's and the SAC due to disturbance associated with decommissioning activities and increased human activity.

8.6.13. At this point, it is important to mention the additional risk of peat slippage and the possible resultant impacts that may occur on water quality of the Owenriff River and QIs of the SAC reliant on good water quality. I note that the Peat Stability Analysis states that the risk of peat slippage is low, however the impact of potential rock blasting on peat stability, and flood risk, has not been considered by the applicant. I consider that a risk of peat slippage exists with potential for impact on local water quality and those QIs reliant on good water quality.

In-combination Effects

8.6.14. There is potential for in-combination effects arising from the associated necessary grid connection and the existing windfarm comprising 5 turbines located c. 500m south of the site. Potential in-combination effects on qualifying interests of the Connemara Bog Complex SPA include noise disturbance, barotrauma effect, barrier to bird movement and collision mortality. Potential in-combination effects on qualifying interests of the Connemara Bog Complex SAC include species disturbance and habitat fragmentation. No consideration was given to in-combination effects with the existing windfarm or grid connection route/route options. In my opinion, in-combination effects of the proposed development with the existing nearby

windfarm on the Connemara Bog Complex SPA, the Inner Galway Bay SPA and the Connemara Bog SAC and grid connection options requires assessment.

- 8.6.15. Based on my examination of the Screening Report, the NIS and supporting information, the NPWS website, aerial and satellite imagery, the scale of the proposed development and likely effects, separation distance and functional relationship between the proposed works and the European sites, I consider that a Stage 2 Appropriate Assessment is required for three of the seven European sites referred to above, those being the Connemara Bog Complex SAC (002034), the Connemara Bog Complex SPA (004181) and the Inner Galway Bay SPA (004031).
- 8.6.16. The remaining European sites can be screened out from further assessment because of the nature and scale of the proposed works, the nature of the Conservation Objectives, Qualifying and Special Conservation Interests, the separation distances and the lack of a substantive hydrological or ecological linkage between the proposed works and the European site. It is therefore reasonable to conclude on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on European Sites Kilkieran Bay and Islands SAC (002111), Lough Corrib SAC (000297), Ross Lake and Woods (001312) and Galway Bay Complex SAC (000268). In view of their site conservation objectives and a Stage 2 Appropriate Assessment is not therefore required for these sites. No reliance on avoidance measures or any form of mitigation is required in reaching this conclusion.
- 8.6.17. The conservation objectives of the Connemara Bog Complex SAC, the Connemara Bog Complex SPA and the Inner Galway Bay SPA are set out in the respective Conservation Objectives series documents published by the National Parks and Wildlife Service (NPWS). They are to maintain or restore the favourable conservation status of habitats and species of community interest and are set out in Table 9-1.
- 8.6.18. Likely effects of the proposed development on the Connemara Bog Complex SAC are considered in section 5 of the NIS. The NIS notes that aquatic systems and the species and habitats which are dependent on these systems are sensitive to pollution/contamination of surface waters as a result of contaminants entering a body of surface water and can have an adverse effect on aquatic environment. The NIS

states that in the absence of mitigation, the proposed development could result in a deterioration in water quality of the Owenriff River over the duration of the construction period, which could affect Atlantic salmon and otter, both qualifying interests of the Connemara Bog Complex SAC.

8.6.19. Mitigation Measures

8.6.20. No measures designed or intended to avoid or reduce any harmful effects of the project on a European site have been relied upon in this screening exercise.

8.6.21. Screening Determination

8.6.22. The proposed development was considered in light of requirements of section 177U of the Planning and Development Act, 2000, as amended. Having carried out screening for Appropriate Assessment of the project, I conclude that the project individually (or in combination with other plans or projects) could have a significant effect on European site No. 002034, Connemara Bog Complex SAC; site no. 004181, Connemara Bog Complex SPA; and site no. 004031, Inner Galway Bay SPA in view of the sites Conservation Objectives, and Appropriate Assessment (and submission of a NIS that deals with each of these sites) is therefore required.

8.6.23. The NIS submitted with the application, as detailed in section 8.5 above, confined assessment to the Galway Bog Complex SAC having screened out Galway Bog Complex SPA and in the Inner Galway Bay SPA from further consideration. I have determined, following an Appropriate Assessment screening process, that both the Galway Bog SPA and the Inner Galway Bay SPA ought to be screened in. As a result, the NIS submitted with the application is deficient insofar as it considered the effect of the proposed development on the Galway Bog Complex SAC alone.

8.6.24. On the basis of the information provided with the application and appeal and in the absence of a Natura Impact Statement which assesses the impact on the Connemara Bog Complex SPA (site code 004181) and the Inner Galway Bay SPA (site code 004031), and in the absence of additional habitat surveys in respect of the Connemara Bog Complex SAC (site no. 002034) the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on European sites No. 004181, 004031 and 002034 or any other European site, in view of the sites Conservation

Objectives. In such circumstances the Board is precluded from granting approval/permission.

9.0 Recommendation

9.1. Having regard to the documentation on file, the observations and submissions received, the site inspection and the assessment above, I recommend that permission for the above-described development be refused for the following reasons and considerations.

10.0 Reasons and Considerations

1. The proposed development is located in an area where Wind Energy Developments are 'not normally permissible', as outlined in Map 15 of Renewable Strategy, Appendix 1 of the Galway County Development Plan 2022-2028 and in an area designated 'wind energy buffer' which extends 6km inland from the coast where there will be no designation of lands as being either "Acceptable in Principle" or "Open for Consideration" or "Strategic Area" for wind energy development between An Spidéal to Minna in Cois Fharráige, policy objective RE9 of the County Development Plan refers. The proposed development would contravene Objective RE9 of the Galway County Development Plan 2022 – 2028 and would therefore be contrary to the proper planning and sustainable development of the area.
2. It is a policy of the Council under 'policy objective LCM 1' of the Galway County Development Plan, 2022-2028, to preserve and enhance the character of the landscape where the proper planning and sustainable development of the area requires it. The site is located in an area designated in the Development Plan as 'Uplands and Bog Landscape' character area, nationally iconic landscapes of scenic, cultural, ecological and historic significance, with a 'high sensitivity' throughout. Notwithstanding uncertainty with respect to landscape and visual impact, having regard to the design,

scale and visual prominence of the proposed wind turbine on an elevated position within its landscape setting, relative to the existing smaller-scale nearby turbines, the proposed development would seriously injure the amenities of the area by reason of visual intrusion with resultant visual overbearing impact within what is an expansive landscape setting where it would be visible from near and far. The proposed development would adversely interfere with the intrinsic character and qualities of landscape setting which it is considered necessary to preserve under the Development Plan. The proposed development would therefore be contrary to the proper planning and sustainable development of the area, in particular 'policy objective LCM 1' to preserve and enhance the character of the landscape where the proper planning and sustainable development of the area requires it.

3. The Board is not satisfied, based on the information provided with the application, that the proposed development individually, or in combination with other plans or projects would not adversely affect the integrity of European sites Connemara Bog Complex SAC (site code 002034) and Connemara Bog Complex SPA (site code 004181) in view of the sites' Conservation Objectives. In such circumstances the Board is precluded from granting permission.
4. Due to a lack of information and clarity with respect to the potential environmental impacts associated with the proposed development, it is not possible to conclude that there is no real likelihood of significant effects on the environment nor was it possible to make a screening determination as to whether a sub-threshold environmental impact assessment report as required in respect of the proposed development. The Board is therefore not satisfied that the proposed development would not have significant environmental

impacts and is precluded from granting planning permission for the proposed development.

Alaine Clarke
Planning Inspector

10th October 2022