

**An
Coimisiún
Pleanála**

Inspector's Report ABP 318666-23

Development

Proposed 11 wind turbines with an estimated capacity of up to 77 MW and all associated infrastructure, including the provision of a 110kV connection to the national grid.

Location

Ballincor Wind Farm, Co. Tipperary and Co. Offaly

Prospective Applicant

RWE Renewables Ltd.

Type of Application

Pre-Application Consultation under Section 37B of the Planning and Development Act 2000, as amended.

Planning Authority

Offaly County Council and Tipperary County Council

Inspector

Brendan Coyne

Contents

1.0 Introduction	3
2.0 Site Location and Description.....	4
3.0 Proposed Development.....	5
3.1. Proposed development as described for the first consultation meeting	5
3.3. Proposed development as described for the second consultation meeting ..	6
4.0 Planning History / Relevant Cases	7
5.0 Pre-Application Consultation Meeting	8
5.1. Meeting of the 22 nd of February 2024.....	8
5.2. Meeting of the 07 th May 2025	10
6.0 Legislative Provisions.....	10
6.1. Planning and Development Act, 2000 (as amended)	10
6.2. Planning and Development Regulations 2001 (as amended) and EIA	11
7.0 Appropriate Assessment	12
7.2. Special Protection Areas (SPAs)	12
7.3. Special Areas of Conservation (SACs).....	12
8.0 Assessment.....	13
8.1. Seventh Schedule Development	13
8.2. Section 37A (2) Criteria	13
8.3. Prescribed Bodies	15
9.0 Conclusion	16
10.0 Recommendation	16
11.0 Reasons and Considerations	16

1.0 Introduction

- 1.1. An Bord Pleanála (now An Coimisiún Pleanála since 18th June 2025) received a request on the 11th December 2023 from RWE Renewables Ltd. to enter into pre-application consultation under Section 37B of the Planning and Development Act, 2000 (as amended), in relation to a proposed development of 11 wind turbines and associated works, in the townland of Ballincor, within the administrative boundaries of Tipperary County Council and Offaly County Council. The associated works include a 110kV substation and battery storage, works along the public road for a grid connection to Dallow 110 kV substation, and works along the public road of the turbine delivery route.
- 1.2. Two online pre-application consultation meetings occurred between An Bord Pleanála and the prospective Applicant on the 22nd February 2024 and the 07th May 2025. At these meetings, the prospective Applicant gave a presentation to the Board's representatives, describing the proposed development, site location, public consultation undertaken and the policy context of the proposal. The Board's representatives discussed the nature and location of the proposed development with the prospective Applicant. They advised what considerations, related to the proper planning and sustainable development of the environment, may, in the opinion of the Board, have a bearing on its decision concerning the application. The prospective Applicant's presentations and the meeting's written records are in this file.
- 1.3. The prospective Applicant formally requested closure of the pre-application consultation process in a letter dated 25th August 2025.
- 1.4. This report provides an overview of the proposed development, a summary of the pre-application consultation meetings and the advice the Board's representatives provided at these meetings. It recommends that the Commission determine that the proposed development constitutes Strategic Infrastructure Development within the meaning of the Act.

2.0 Site Location and Description

- 2.1. The site of the proposed development is located in the townlands of Curralanty, Ballincor Demense, Cloonaheen in County Offaly and the townlands of Clonfree, Cronekill, Kyleneamuck and Castletown in Co. Tipperary. Birr, a designated Irish Heritage Town in County Offaly, is located c. 3 km to the north.
- 2.2. The site of the proposed development spans an area of c. 530 hectares and is characterised by an elongated shape, extending along a north-west to south-east axis. The proposed wind farm and its associated grid connection would be located within the administrative boundaries of both Offaly County Council and Tipperary County Council, spanning the western boundary of County Offaly and the eastern boundary of County Tipperary.
- 2.3. The site's elevation varies from 55 to 65 meters above Ordnance Datum (AOD), and it currently serves as agricultural land and bogland. The site encompasses several watercourses, including the Holy Well Clohaskin, North Cloonaheen, Rath Beg, and the Little Brosna River. The site is accessed from the L1070 bordering its western boundary and the R492 at its eastern boundary. The N52 is located further west of the site, and the N62 is further to the east.
- 2.4. The surrounding landscape is low-lying except for the Knocknashigowna Hill southwest of the proposed wind farm. The vicinity of the site is characterised by dispersed rural housing, agricultural farmland, and related structures. There are several Recorded Monuments adjacent to the northwestern section of the site, including a Graveyard and Ruins of a Church (TN008-058001/02), Holy Well (TN008-012), Bawn (TN008-013002) and a Castle-Tower House (TN008-013001). The Sharavogue Bog Special Area of Conservation (site code:000585) adjoins the site, east of the Little Brosna River. Qualifying Interests at Sharavogue Bog relate to peatland habitats.

3.0 Proposed Development

3.1. Proposed development as described for the first consultation meeting

3.2. The proposed development, as set out in the prospective Applicant's planning report dated 11th December 2023 for the first consultation meeting on 22nd February 2024, comprises the following;

- 11 wind turbines with ancillary infrastructure (tower section, hub, rotor blades, etc.);
 - Each turbine has the potential to generate 7.0 MW of power, leading to a total energy production output of 77MW.
 - Each turbine has a:
 - Maximum blade tip height of up to 180m,
 - Rotor diameter of up to 155m,
 - Hub height of between 102.5m and 105m.
- New access roads and upgrading of existing access roads;
- Site entrances;
- Surface water drainage system and sediment control;
- Borrow pits;
- Works along the public road for a grid connection to Dallow 110 kV substation;
- 110kV electricity substation and switch rooms;
- Battery energy storage and associated works;
- Electrical and communication cables, linking the turbines to the proposed grid connection point;
- Related site works and ancillary works;
- Works along the public road for a turbine delivery route;
- Temporary construction compounds, and a
- Permanent meteorological mast.

3.2.1. The prospective Applicant indicates that they intend to seek a 10-year planning permission with an operational lifespan of 35 years.

3.3. Proposed development as described for the second consultation meeting

3.4. The proposed development, as set out in the prospective Applicant's planning report dated 17th April 2025, submitted for the second consultation meeting held on 7th May 2025, comprises the following:

- 11 wind turbines (including tower sections, nacelle, hub, rotor blades) with an estimated capacity of 61.6-77.0 MW, with a blade tip height between 179.5 and 180 m, rotor diameter of between 149 and 163 m, hub height of between 98.5 m and 105m.
- The development will also include:
 - Associated hardstanding at each turbine location;
 - Turbine foundations;
 - New access roads and upgrading of existing access and local roads;
 - Construction of site entrances;
 - Erection of a permanent meteorological mast
 - Surface water drainage system and sediment control;
 - Installation of new watercourse or drain crossings;
 - Borrow pits;
 - Works along the public road for a grid connection to the existing Clondallow 110 kV substation;
 - Electrical and communication cables, linking the turbines to the proposed grid connection point;
 - 110kV electricity substation and switch rooms;
 - 1 no. EirGrid control building containing worker welfare facilities and equipment store;
 - 1 no. Independent Power Producer (IPP) control building containing HV switch room, site offices, kitchen facilities, storeroom and toilet amenities.

- Wastewater holding tank;
- All electrical plant, infrastructure and grid ancillary services equipment;
- Battery energy storage system (BESS) and associated works;
- All associated infrastructure and services, including site works and signage;
- Works along the public road for a turbine delivery route.
- All related site works and ancillary development, including berms, landscaping, and soil excavation;
- Tree felling to facilitate the construction and operation of the proposed development;
- Measures designed to protect and enhance existing habitats.
- Parking;
- Lighting;
- Security Fencing and;
- Works along the public road for the Grid Connection Route (GCR) and Turbine Delivery Route (TDR);
- Temporary construction compounds; and
- Rainwater harvesting equipment.

4.0 Planning History / Relevant Cases

4.1.1. Subject Site

None recorded

4.1.2. Surrounding Area

ACP Ref 318689-23 & Tipperary P.A. Ref. 2360763 Planning permission granted on appeal by An Coimisiún Pleanála on the 30/06/2025 for the construction of 7 wind turbines in the townlands of Croghan, Clohaskin, Caherhoereigh, Ballykinash, Tinnakilly, Arragh More, Ballyloughnane, Faddan Beg, Coolderry, Tinlough, Sharragh,

Doughkill, Ballaghgar, Faddan More, Cloncorrig, Killeen and Cornhill, Co. Tipperary. The permitted development is located c. 1km to the north-west of the subject site.

ABP Ref 314024-22 (SID Application) Planning permission granted by An Bord Pleanála on 11/05/2023 to construct a 110kV loop-in substation, overhead lines, and associated works.

Offaly County Council P.A. Ref. 23/60140 – Planning permission granted by Offaly County Council on 02/05/2024 for the provision of 3.3km of underground electrical cabling (38kV) and associated infrastructure and works from the townland of Townparks to the existing Dallow 110kV substation in the townland of Clondallow to facilitate the connection of the proposed Carrig Renewables Wind Farm (the application subject to this appeal) development to the national grid. This application was not appealed to An Bord Pleanála.

ABP Ref. 304056-19 & Offaly Co. Co. P.A. Ref. 18/230 – Planning permission granted by An Bord Pleanála on 28/05/2020 to install c. 12.5km of 38kV electricity transmission line from the permitted Cloghan Wind Farm 38kV substation in Stonestown, Co. Offaly to the existing 110kV Dallow electricity substation in Clondallow, Co. Offaly.

5.0 Pre-Application Consultation Meeting

5.1. Meeting of the 22nd of February 2024.

5.1.1. An online pre-application consultation meeting was held with the prospective Applicant on 22nd February 2024. Minutes of the meeting are attached to the file. The prospective Applicant gave a presentation to the Commission's representatives, outlining details of the proposed development. A copy of the presentation is attached to the file.

5.1.2. The principal matters arising related to:

- The site location, examination of wind speeds and their influence on the layout of the proposed turbines.
- The site's proximity to an airfield to the northeast of the site, and the need to consider this in the proposal submission.

- The presence of peat on the site and the need for a peat stability risk assessment and a comprehensive assessment in the EIAR.
- The proximity of the site to the Sharavogue Bog SAC (site code: 000585). The EIAR should comprehensively assess any potential drainage implications of the proposed development on the Sharavogue Bog SAC and other downstream European Sites.
- The presence of several streams on the site, and the need to consider hydrological connectivity to Natura 2000 European Sites in the Natura Impact Statement.
- The requirement to consider cumulative and in-combination impacts of the proposed development with other existing and proposed windfarms, including the windfarm seeking permission under ABP Ref. 318689-23 (since granted by An Coimisiún Pleanála on the 30/06/2025).
- Consider decommissioning within the EIAR and reports accompanying the application.
- The requirement to secure landowner consent from all landowners associated with the project.
- The site appears to be in an area identified as not suitable for wind energy development in both the Offaly and Tipperary County Development Plans. This may present a significant issue, considering recent legal case law regarding the primacy of the Development Plan.
- The prospective Applicant should engage with the NPWS to obtain advice on the quality and content of surveys and reports completed to date.
- The EIAR should incorporate a robust noise impact assessment report, considering the proximity of local residential receptors.
- The totality of the project, including the windfarm, substation and grid connection cable, can be submitted as a single application under the provisions of Section 37E of the Act.
- Constraints regarding the turbine delivery route were discussed, including using the N62 and R492 and associated landowner agreements on third-party land.

- The requirement for clarity on the potential rated output of the proposed development. This information will enable the Commission to determine if the proposal falls above the threshold for wind farm development in the 7th Schedule of the Act.
- An ornithological assessment is required to consider migratory patterns between nearby SPAs and to incorporate a detailed collision risk assessment.
- The Board's representatives clarified that any design flexibility request must be the subject of a consultation under section 37CC of the Planning and Development Act, 2000 (as amended).
- The Board's representatives gave their preliminary opinion that the proposed development falls within the scope of Strategic Infrastructure Development, but the final determination rests with the Board.

5.2. Meeting of the 07th May 2025

- 5.2.1. A second online pre-application consultation meeting was held with the prospective Applicant on the 07th May 2025. Minutes of the meeting are attached to the file.
- 5.2.2. The prospective Applicant gave a presentation to the Commission's representatives, outlining details of the proposed development. A copy of the presentation is attached to the file.
- 5.2.3. The principal matters discussed reflected those addressed in the first consultation meeting held on 22nd February 2024, focusing on a review of the proposal and the need for design flexibility. This meeting was followed shortly thereafter by a further meeting to address a request for an opinion on design flexibility under section 37CC of the Planning and Development Act, 2000 (as amended).

6.0 Legislative Provisions

6.1. Planning and Development Act, 2000 (as amended)

- 6.1.1. Section 2(1) of the Planning and Development Act 2000, as amended ('the Act'), defines 'strategic infrastructure development' as including, *inter alia*:

(a) any proposed development in respect of which a notice has been served under section 37B(4)(a).

6.1.2. Section 37A of the Act refers to the Board's jurisdiction (now An Coimisiún Pleanála) in relation to certain planning applications, and states that:

(1) An application for permission for any development specified in the Seventh Schedule (inserted by the Planning and Development (Strategic Infrastructure) Act 2006) shall, if the following condition is satisfied, be made to the Board under section 37E and not to a planning authority.

(2) That condition is that, following consultations under section 378, the Board serves on the prospective Applicant a notice in writing under that section stating that, in the opinion of the Board, the proposed development would, if carried out, fall within one or more of the following paragraphs, namely-

(a) the development would be of strategic economic or social importance to the State or the region in which it would be situate,

(b) the development would contribute substantially to the fulfilment of any of the objectives in the National Planning Framework or in any regional spatial and economic strategy in force in respect of the area or areas in which it would be situate

(c) the development would have a significant effect on the area of more than one planning authority.

6.1.3. The current SID thresholds are set out within the 7th Schedule of the Planning and Development Act 2000, as amended. The relevant threshold for the proposed project falls under category 1, as follows;

'An installation for the harnessing of wind power for energy production (a wind farm) with more than 25 turbines or having a total output greater than 50 megawatts'.

6.2. Planning and Development Regulations 2001 (as amended) and EIA

6.2.1. Schedule 5 of the Planning and Development Regulations 2001, as amended, transposes Annexes I and II of the EIA Directive and sets out prescribed classes of

development, requiring an environmental impact assessment. Part 2 Class 3 (i) includes:

Installations for the harnessing of wind power for energy production (wind farms) with more than 5 turbines or having a total output greater than 5 megawatts.

7.0 Appropriate Assessment

7.1.1. The prospective Applicant intends to submit a Screening for Appropriate Assessment (AA) and a Natura Impact Statement with the application.

7.1.2. Natura 2000 European Sites within 15 km of the site include the following:

7.2. Special Protection Areas (SPAs)

- River Little Brosna Callows SPA (004086) - 9.72 km north-west
- All Saints Bog SPA (004103) - 11.46 km north
- Dovegrove Callows SPA (004137) - 8.33 km north
- Slieve Bloom Mountains SPA (004160) - 12.55 km west
- Lough Derg (Shannon) SPA (004058) – 13.99 km west

7.3. Special Areas of Conservation (SACs)

- Sharavogue Bog SAC (000585) – 0.71km north-west
- Lisduff Fen SAC (002147) – 4.89 km west
- Ballyduff/Clonfinane Bog SAC (000641) - 4.82 km north-west
- Liskeenan Fen SAC (001683) - 6.34 km north-west
- Arragh More (Derrybreen) Bog SAC (002207) – 6.56 km north-west
- Kilcarren-Firville Bog SAC (000647) – 7.63km north-west
- Scohaboy (Sopwell) Bog SAC (002206) – 8.65 km southwest
- Island Fen SAC (002236) – 8.99 km north-west
- Ridge Road, SW of Rapemills SAC (000919) – 10.5 km north

- All Saints Bog and Esker SAC (000566) – 11.5 km north-west
- Lough Derg, North-east Shore SAC (002241) – 13.47 km north-west
- Redwood Bog SAC (002353) – 13.9 km north-west

8.0 Assessment

8.1. Seventh Schedule Development

- 8.1.1. The proposed development comprises 11 turbines with a combined generating capacity of up to 77 MW. It will include a grid connection from the proposed on-site substation to the existing Clondallow 110kV substation in County Offaly.
- 8.1.2. The current SID thresholds are set out within the 7th Schedule of the Planning and Development Act 2000, as amended. The relevant threshold for the proposed project is *'An installation for the harnessing of wind power for energy production (a wind farm) with more than 25 turbines or having a total output greater than 50 megawatts'*. Having regard to the combined generating capacity of the proposed wind farm, I am satisfied that the proposed development accords with Section 37A (1) of the Act.

8.2. Section 37A (2) Criteria

- 8.2.1. Under Section 37A (2), the proposed development must fall within one or more of the following conditions:
- 8.2.2. **(a) The development would be of strategic economic or social importance to the State or the region in which it would be situated.**
- 8.2.3. The prospective Applicant's case is that the proposal satisfies the Act's conditions under section 37A(2)(a) as it would represent a significant economic and social contribution to the region and the State. The proposed wind farm could power more than 55,000 homes. The development would support up to 250 jobs at peak construction and several long-term, high-quality technical jobs in operations and maintenance. The capital investment required for the project of this scale would represent a significant economic contribution to the region, including the provision of community development funding upon commissioning the wind farm.

- 8.2.4. The development has the potential to significantly contribute to meeting the State's renewable energy targets and delivering on the objectives of the Climate Action Plan 2025. With an output of c.77 MW, the proposed wind farm would significantly contribute to Ireland's renewable energy supply, contributing towards the national target of 9 GW of onshore wind capacity by 2030, as part of a broader goal for 80% of electricity to come from renewable sources by that year.
- 8.2.5. Having regard to the national and regional policy context and the details of the subject proposal outlined above, I am satisfied that the development would be of strategic economic importance to the State and the Region and would therefore comply with the condition set out in section 37A(2)(a) of the Act.
- 8.2.6. **(b) The development would contribute substantially to the fulfilment of any of the objectives in the National Planning Framework or in any regional spatial and economic strategy in force in respect of the area or areas in which it would be situated.**
- 8.2.7. The prospective Applicant states that the proposed development would contribute to the objectives of the National Planning Framework (NPF) and the provisions of the Regional Spatial and Economic Strategy (RSES) for the Southern Region 2020-2032.
- 8.2.8. Having reviewed the NPF, I note the following relevant National Policy Objectives (NPOs), which aim to reduce our carbon footprint and promote renewable energy:
- **NPO 54:** Reduce our carbon footprint by integrating climate change action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions.
 - **NPO 55:** 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.
- 8.2.9. The proposed wind farm would be in keeping with the above objectives in terms of developing a sustainable renewable energy resource, which can replace fossil fuels and reduce greenhouse gas emissions.

8.2.10. At the regional level, I note that the RSES for the southern region recognises the need to shift its reliance on using fossil fuels and natural gas as its main energy source to a more diverse range of low and zero-carbon sources and acknowledges that generating electricity from renewable sources requires onshore wind, bioenergy, solar and offshore energy. Relevant Regional Policy Objectives (RPOs) include:

- **RPO 98** - Regional Renewable Energy Strategy seeks to support the development of a Regional Renewable Energy Strategy with relevant stakeholders.
- **RPO 99** - Renewable Wind Energy: It is an objective to support the sustainable development of renewable wind energy (onshore and offshore) at appropriate locations and related grid infrastructure in the Region in compliance with national Wind Energy Guidelines.
- **RPO 100** - Indigenous Renewable Energy Production and Grid Injection: It is an objective to support the integration of indigenous renewable energy production and grid injection.

8.2.11. Having regard to the above, I am satisfied that the development would meet the relevant national policy objectives of the NPF and would fulfil the relevant regional policy objectives of the RSES for the Southern Regional Assembly. The development would, therefore, satisfy the requirement set out in Section 37A(2)(b) of the Act.

8.2.12. **(c) The development would have a significant effect on the area of more than one planning authority.**

8.2.13. The proposed wind farm and its associated grid connection would be located within the administrative boundaries of Offaly County Council and Tipperary County Council. Accordingly, the development would significantly affect the area of more than one planning authority and thereby come within the scope of section 37A(2)(c) of the Planning and Development Act, 2000 (as amended).

8.3. Prescribed Bodies

8.3.1. In view of the scale, nature, and location of the proposed development, as described in this report, it is recommended that the prospective Applicant consult with the

prescribed bodies listed in the attached Appendix regarding any future application for approval.

9.0 Conclusion

- 9.1.1. Based on the foregoing assessment, it can be concluded that the proposed development would exceed the threshold set out in the Seventh Schedule of the Planning and Development Act 2000, as amended, and therefore satisfies Section 37A (1) of the Act. It can also be concluded that the development is of strategic importance by reference to the requirements of Section 37A(2)(a), (b) and (c) of the Act. Accordingly, the proposed development constitutes Strategic Infrastructure Development.

10.0 Recommendation

- 10.1.1. I recommend that the Commission serve a notice on the prospective Applicant, pursuant to Section 37(B)(4) of the Planning and Development Act 2000, as amended, stating that it is of the opinion that the proposed development constitutes a Strategic Infrastructure Development within the meaning of Section 37A of the Act for the reasons and considerations set out below.

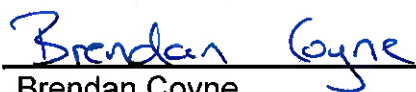
11.0 Reasons and Considerations

Having regard to the size, scale and location of the proposed Ballincor windfarm and related development, and to the policy context, it is considered that the proposed development as described above, constitutes development that falls within the definition of energy infrastructure in the Seventh Schedule of the Planning and Development Act 2000, as amended, thereby satisfying the requirements set out in Section 37A(1) of the Act.

The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a), 37A(2)(b) and 37A(2)(c) of the Planning and Development Act 2000, as amended.

Therefore, an application for permission for the proposed development must be made directly to An Coimisiún Pleanála under Section 37E of the Planning and Development Act 2000, as amended.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.



Brendan Coyne

Senior Planning Inspector

15th September 2025

11.2. Appendix 1

The following is a list of prescribed bodies considered relevant for the purposes of Section 37E (3) (c) of the Act.

- Minister for Housing, Local Government and Heritage
- Minister for Culture, Heritage and the Gaeltacht (Development Applications Unit)
- Minister for Agriculture, Food and the Marine
- Minister for Communications, Climate Action and Environment
- Minister for Transport, Tourism and Sport
- Offaly County Council
- Tipperary County Council
- Uisce Éireann
- The Commission for Energy Regulation
- Inland Fisheries Ireland
- Transport Infrastructure Ireland
- Environmental Protection Agency
- The Heritage Council
- An Taisce
- Fáilte Ireland
- Irish Aviation Authority
- Department of Defence
- Office of Public Works
- ESB
- EirGrid
- Health and Safety Authority

Further notifications should also be made, where deemed appropriate.