



An
Bord
Pleanála

Inspector's Report

ABP-320537-2024

Development

Alteration request in accordance with Section 146B regarding the permitted Bracklyn Wind Farm (ABP-311565-21)

Location

Located in the townlands of Ballagh, Billistown, Ballynacar and Bracklin, County Westmeath and Coolronan, County Meath

Planning Authority

Meath County Council

Requester

Bracklyn Wind Farm Limited

Type of Application

Application under Section 146B of the Planning and Development Act, 2000 (as amended) to alter previously approved Strategic Infrastructure Development.

Inspector

Laura Finn

Date of site inspection

8th November 2024

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1.0 Introduction

This report relates to a request to alter the terms of a previously permitted wind farm development, (the subject of planning permission ABP-311565-21 granted planning permission, under 37E of the Planning and Development Act 2000, (as amended) on the 7th July 2022 - the “2022 Permission”).

In 2022 the Board granted a 10-year permission for a SID wind farm comprising 9 no. turbines with a hub height of 104 metres, a rotor diameter of 162 metres and an overall tip height of 185 metres, together with a 110kV substation and other associated development.

The application for the development included an Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS). Permission was granted subject to 24 no. conditions.

It is proposed to seek an alteration to the permitted Bracklyn Wind Farm development, under Section 146B of the Act which enables the Board to alter the terms of the development the subject of a planning permission, approval or consent granted under this Act. In this regard, Bracklyn Wind Farm Limited seeks the following modifications;

1. The modification of all wind turbine hub heights from 104m to between 99m and 104m;
2. The modification of all wind turbine rotor diameters from 162m to between 158m and 163m; and,
3. The modification of all wind turbine overall tip heights from 185m to between 179m and 185m.

This will result in an alteration to the electrical capacity of the project from 54MW to between 50MW and 64.8MW.

There are no additional construction works proposed as part of this request, nor is there any proposed change to the wind farm layout or turbine locations as it relates solely to the dimensions of the proposed turbines.

2.0 Legislative Provisions

Section 146B(1) of the Planning and Development Act 2000 (as amended) (the Act), provides that, subject to subsections (2) to (8) and to section 146C, upon request of any person who is carrying out or intending to carry out a strategic infrastructure development, the Board may alter the terms of the development the subject of planning permission, approval or other consent granted.

Under sub-section 2(a), as soon as practicable after making such a request, the Board is required to make a decision as to whether the making of the development would constitute a material alteration to the development concerned.

Under sub-section (2)(b), before making its decision under sub-section 146B (2), the Board may invite submissions as it considers appropriate and is required to have regard to any submission made to it on foot of the invitation.

Under sub-section (3)(a), if the Board decide that the making of the alteration would not constitute a material alteration, it is required to alter the planning permission/approval/consent accordingly and to notify the requester and the planning authority of the alteration.

Under subsection (3)(b), if the Board decide that the making of the alteration would constitute the making of a material alteration, the Board is required to:

- Request the information specified in Schedule 7A, unless it or an EIAR has already been provided by the requester (sub-section (3)(b)(i)). This information is required to be accompanied by any further relevant information on the characteristics of the alteration and its likely significant effects on the environment including, where relevant, how environmental effects pertaining to EU legislation other than the EIA Directive have been taken into account (sub-section (3A)) and can include mitigation measures (sub-section (3B)).
- Following receipt of such information, determine whether to make the alteration, make an alteration of the terms of the development which differs from the proposed alteration (subject to it not representing a more significant alteration), or refuse to make the alteration (sub-section (3)(b)(ii)).

Under subsection (4), before making a determination under sub-section (3)(b)(ii), the Board is required to determine whether the extent and character of the alteration being

requested, or being considered by the Board, would be likely to have significant effects on the environment.

Under subsection (5), if the Board determine that no significant environmental effects will arise, they proceed to make a determination under subsection (3)(b)(ii). If the Board determines that significant effects will arise, the provisions of section 146C apply. These provisions relate to the preparation of an environmental impact assessment report.

Under subsection (7)(a), in making their determination, the Board is required to have regard to:

- The criteria for the purposes of determining which classes of development are likely to have significant effects on the environment set out in any regulations made under section 176,
- The criteria set out in Schedule 7 of the Planning and Development Regulations 2001,
- The Schedule 7A submitted by the requester,
- The further relevant information, if any, referred to in subsection (3A) and the description, if any, referred to in subsection (3B) (summarised above),
- The available results, where relevant, of preliminary verifications or assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive, and
- Whether the development is situated in or would have potential to impact on a European site, or a recognised or protected area of natural heritage,

Under subsection (7)(b), the Board is required to include in its determination, the main reasons and considerations, with reference to the relevant criteria listed in Schedule 7 to the Planning and Development Regulations 2001, on which the determination is based.

Under subsection (8)(a) before making a determination under subsection (3)(b)(ii) or (4) the Board is required to require the requester to make information about the alteration available for inspection, notify appropriate persons that the information is

available and invite submissions or observations from these persons. Further under subsection 8(b) the Board is required to have regard to these submissions in its determination.

3.0 Planning History

3.1 Permission granted on site

- **ABP-311565-21:** In July 2022, An Bord Pleanála granted a 10-year permission for a windfarm development comprising 9 no. turbines with a hub height of 104 metres, a rotor diameter of 162 metres and an overall tip height of 185 metres, together with a 110kV substation and other associated development.

Condition 6 states;

Condition 6 of ABP-311565-21 stipulates the turbines shall be 185 metres in height with a hub height of 104 metres and a rotor diameter of 162 metres in accordance with the turbine option assessed.

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

3.2 Adjacent Sites

- **ABP-316212-23:** In November 2024, An Bord Pleanála granted a 10-year permission for windfarm comprising of 26 no. wind turbines and associated works on a site measuring 1,170 hectares at Bracklin Bog.
- **318979-24:** Request to enter pre-application consultation pursuant to Section 177E(IA) of the Planning and Development Act 2000, as amended for historical peat extraction and all associated works within the Ballivor Bog Group. (Substitute Consent)
- **SU17.320487:** Application for substitute consent for peat extraction and bog development work from 1988 to June 2020 within the Ballivor Bog Group at Ballivor, Carranstown, Bracklin, Lisclogher and Lisclogher West Bogs in Counties Meath and Westmeath. Awaiting Decision.

4.0 Background to the Proposed Alterations

The approved development comprises the installation of wind turbines with defined dimensions and electrical capacity as follows;

- A hub height of **104m**
- A rotor diameter of **162m**
- An overall tip height of **185m**
- Electrical capacity of the project – **54MW**

The Planning Statement submitted with the request states that given the precise nature of the permitted wind turbine dimensions, the requester is unable to implement a competitive procurement process for the supply of wind turbines, as turbines with the dimensions as permitted are only supplied by a single manufacturer.

Hence, the requester is proposing to alter the dimensions of the permitted wind turbines to provide for the installation of turbines with alternative component dimensions subject to the outcome of the procurement process. This will safeguard the viability of the permitted wind farm energy generation capacity.

The request considers the scope of the proposed alteration to be very minor and does not involve significant changes to the dimensions of the wind turbines.

5.0 Scope of Request

5.1 General Overview

The applicant is proposing to alter the dimensions of all of the permitted wind turbines and this may amend the electrical capacity, as follows;

- A hub height from 104m approved to **between 99m and 104m**
- A rotor diameter from 162m approved to **between 158m and 163m**; and
- An overall tip height from 185m approved to **between 179m and 185m**.
- Electrical capacity of the project is dependent on the wind turbine model installed but will result in an output from 54MW approved to **between 50MW and 64.8MW**
- The applicant is proposing to install any wind turbine model whose configuration falls within the ranges specified above.
- The proposed alteration will not result in the relocation of any wind turbine or any modification to permitted ancillary wind turbine infrastructure.
- The applicant considers the extent of the overall proposed changes for the turbine components to be very minor.

The alteration proposed would require amending Condition 6 attached to the parent permission (ABP-311565-21), which stipulates the turbines shall be 185 metres in height with a hub height of 104 metres and a rotor diameter of 162 metres in accordance with the turbine option assessed.

5.2 Proposed Alterations

The proposed alterations are illustrated in the table below as per Table 1 of the applicants Planning Statement;

Summary Table of Proposed Modifications				
	Permitted Wind Turbine	Proposed Alteration		
		Proposed Dimensions	Proposed Change to Dimensions (m)	Proposed Change to Dimensions (%)
Hub Height	104m	Between 99m – 104m	0.5m – 5m (reduction)	0% - 4.8% (reduction)
Rotor Diameter	162m	Between 158m - 163m	4m (reduction) – 1m (increase)	2.5% (reduction) – 0.6% (increase)
Tip Height	185m	Between 179m - 185m	0m – 6m (reduction)	0% - 3.2% (reduction)
Electrical Capacity of Permitted		Electrical Capacity of Proposed		
54MW		Between 50MW – 64.8 MW		

5.3 Precedent

Several similar requests for S.146B amendments to permitted windfarms have been determined by the Board in relation to blade length, rotor diameter and hub height.

The following cases have been highlighted by the requester;

- **Cloncreen Wind Farm (ABP-303313-18)** — In April 2019, An Bord Pleanála approved under Section 146B the lengthening of the blade of the turbines while remaining within the previously permitted tip height of 170 metres. The Board decided that the making of the alterations did not constitute the making of a material alteration of the terms of the development as granted permission under 19.PA0047.

In this case the rotor diameter was increased by between 9m and 14m while the hub height was reduced from between 104.5m and 107m to 100m.

The Board Inspector report concluded as follows;

'I am of the opinion, having fully considered the proposed alterations and the development as granted under PA0047, that the Board would not have determined the proposal differently had the turbine configuration and blade length now proposed in the alteration formed part of the said application. In that regard, I consider it reasonable to conclude that the proposal subject of this request does not constitute the making of a material alteration of the development as granted under PA0047.'

- **Meenbog Wind Farm (ABP-303729-19)** – In June 2019, An Bord Pleanála approved under Section 146B the lengthening of the blades of the proposed turbines while remaining within the previously permitted tip height of 156.5 metres. The Board decided that the making of the alterations did not constitute the making of a material alteration of the terms of the development as granted permission under ABP-300460-17.

The Board Inspector concluded in relation to materiality as follows;

'I am satisfied that the Board would not have determined the proposal differently had the rotor blade diameter blade now proposed in the alteration formed part of the original application. Therefore, the proposed alteration does not constitute the making of a material alteration of the development as granted under ABP-300460-17.'

- **Yellow River Wind Farm (ABP-307357-20)** – In August 2020, An Bord Pleanála approved under Section 146B increasing the blade length of the permitted turbines while remaining within the previously permitted maximum tip height of between 156 and up to 166 metres. The Board decided that the making of the alterations did not constitute the making of a material alteration of the terms of the development as granted permission under PL19.PA0032.

The Board Inspector concluded in relation to materiality as follows;

'I am of the opinion, having fully considered the proposed alterations and the development as granted under 19.PA0032, that the Board would not

have determined the proposal differently had the turbine configuration and blade length now proposed in the alteration formed part of that application. In that regard, I consider it reasonable to conclude that the proposal subject of this request does not constitute the making of a material alteration of the development as granted permission under 19.PA0032.'

- **Drumnahough Wind Farm (ABP-318764-23)** – In April 2024, An Bord Pleanála approved amending the hub height, rotor blade diameter and rotor blade length of the turbines while remaining within the previously permitted tip height of 167.5 meters. The Board decided that the making of the alterations did not constitute the making of a material alteration of the terms of the development as granted permission under ABP-308806-20.

The Board Inspector concluded in relation to materiality as follows;

'I am satisfied that the Board would not have determined the proposal differently had the rotor blade diameter blade now proposed in the alteration formed part of the original application. Therefore, the proposed alteration does not constitute the making of a material alteration of the development as granted under ABP-300460-17.'

Other similar case types include;

- **ABP-312876-22:** Section 146B request to make alterations to previously permitted SID windfarm to alter the rotor diameter and hub height dimensions of the permitted turbines while remaining within the previously permitted maximum tip height of between 156m and 166m. The Board decided that the making of the alterations did not constitute the making of a material alteration of the terms of the development as granted permission under 16.PA0032 and alteration Ref. No. ABP-307357-20.
- **PL04.RP2104:** Point of dispute under section 34(5) in relation to compliance with Condition 6(a) of a permitted windfarm which required turbine details to be agreed with the planning authority. The developer and planning authority failed to reach an agreement and the Board was requested to adjudicate. It concluded that the additional increase in blade length was not material.

5.4 Application Documentation

The application is accompanied by;

- **Planning Statement** which includes;
 - Annex 1 – Drawings of Permitted Development
 - Annex 2 – Drawings of proposed Alterations
 - Annex 3 – EIA Screening Report
 - Annex 4 – Addendum NIS
- **Environmental Report** which includes;
 - Annex 1 – Biodiversity Assessment
 - Annex 2 – Landscape Assessment
 - Annex 3 – Photomontages.

The following is a summary of the main issues raised by the requester in the reports submitted in support of the proposed Section 146B.

5.5 S146B Planning Statement

The Planning Statement submitted by the Applicant provides the following information;

- Section 1.0 sets out an introduction including a list of documentation submitted.
- Section 2.0 sets out the legislative provisions in relation to Section 146B.
- Section 3.0 sets out the background to the request which provides the reasoning for the alteration.
- Section 4.0 sets out the scope of the request. This includes Table 1 which provides a detailed description of alterations sought to the turbines and provides a percentage of proposed change to the dimensions. Table 2 provides details of alteration to the wind turbine electrical capacity which ranges from 54MW to between 50MW and 64.8MW depending on which turbine is chosen in the procurement process.
- Section 5.0 sets out the conclusion of the EIA Screening Report (Annex 3).
- Section 6.0 sets out the conclusion of the Addendum NIS (Annex 4).
- Section 7.0 sets out the compliance with conditions of consent.

- Section 8.0 provides a summary of comparable cases as discussed in Section 5.3 of this report.

- Section 9.0 provides a conclusion as follows;

'Having regard to the characteristics of the proposed alteration, the characteristics of the receiving environment, the conclusions of the EIA Screening, the assessment of the Environmental Report, the findings of the Addendum NIS and previous decisions of the Board for comparable proposed alterations; the requester submits that the proposed alteration represents an immaterial alteration to the permitted development and will not result in any likely significant adverse effects on the environment.'

5.6 S146B Environmental Report

The Applicants Environmental Report provides the following information;

- Section 1.0 sets out an introduction and summarises the conclusion of the EIA Screening, summarises the contents of the Impact Assessment including Cumulative Assessment (Table 3).
- Section 2.0 provides a description of the proposed alteration. Table 1 and 2 provides details of alteration to wind turbine electrical dimensions and capacity.
- Section 3.0 provides a description of the likely effects under the headings of Population and Human Health, Biodiversity, Land and Soil, Water, Air Quality and Climate, Landscape, Cultural Heritage, Noise and Vibration, Shadow Flicker, Material Assets which comprises Transport and Access, Aviation and Telecommunications, Resources and Utility Infrastructure and Interactions of the Foregoing.
- Annex 1 provides a Biodiversity Assessment; Annex 2 provides a Landscape Assessment and Annex 3 provides Photomontages.
- The report concludes that the proposed alterations will not result in any likely significant effects on the environment especially in relation to biodiversity, landscape, noise and vibration and shadow flicker.

5.7 EIA Screening

I highlight that the original planning application for Bracklyn Wind Farm was supported by an Environmental Impact Assessment Report (EIAR) and a Natura Impact

Statement (NIS) and was subject to an EIA by the Board, which deemed the provision of a wind farm at this location to be appropriate, subject to the implementation of the mitigation measures set out within the EIAR and the conditions attached to the grant of planning permission on foot of ABP-311565-21.

Section 5.0 of the requesters Planning Statement in relation to EIA states that the proposed alteration does not fall for mandatory assessment under the EIA Direction or the Regulations. An EIA screening is provided in Annex 3 which includes the information specified in Schedule 7 and 7A of the Regulations.

The EIA Screening report notes that wind farm developments are listed in Part 2 with a specified threshold of more than 5 no. turbines or 5-megawatts of total electricity output (Paragraph 3(i)). As the permitted development exceeds this threshold, it was subject to EIA. Accordingly, as the proposed alteration relates to a permitted wind farm development which has already been authorised and subject to EIA; Schedule 5. Part 2, Paragraph 13 - *'changes, extensions, development and testing'* is considered the applicable criteria for assessing whether or not EIA is required.

Sub-section (a) states an EIA shall be required for:-

"Any change or extension of development already authorised, executed or in the process of being executed {not being a change or extension referred to in Part 1) which would:

(i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this schedule, and

(ii) result in an increase in size greater than –

- 25 per cent, or

- an amount equal to 50 per cent of the appropriate threshold, whichever is the greater"

In relation to the current S146B application;

1. The proposed alteration will not of itself give rise to a development of a type listed at Part 1 of Schedule 5 and it has previously been subject to EIA.
2. The proposed alteration will not generate or result in a development listed at paragraphs 1 to 12 of Part 2 of Schedule 5.

3. The proposed alteration will not result in an increase in the size of the permitted development by 25% (or greater) in terms of the number of wind turbines or the electrical capacity of the wind turbines. The electrical capacity of the development is dependent on the wind turbine model installed and, therefore, the proposed alteration may result in an increase in the size (electrical capacity) of the project by up to 10.8 megawatts (from 54MW to 64.8MW [i.e. 20%]); or a decrease in the electrical capacity by 4MW (from 54MW to 50MW [i.e. 7%]) depending on the wind turbine model installed. The proposed alteration therefore will not result in an increase in the electrical capacity of the wind turbines by 25% or greater.

The report concludes that the proposed alteration is not a type, scale or threshold as set down in Schedule 5 of the Regulations where an EIA would be mandatory, and, the proposed alteration will not give rise to impacts of a magnitude which, on its own or cumulatively, could cause a likely significant effect on the environment.

In summary, the assessment of the EIA Screening concludes that the proposed alteration, on its own or cumulatively, will have no likely significant effect on the environment. The requester submits that the proposed alteration does not require an EIAR pursuant to Section 146C of the Act as described in Section 2.0 of this report.

The Environmental Report submitted with the request concludes the proposed alteration will not result in any likely significant effects on the environment and that no further mitigation measures are required beyond those included in the original EIAR for ABP-311565-21.

5.8 Addendum Natura Impact Assessment (NIA)

An Appropriate Assessment Screening (AA) and Natura Impact Assessment (NIS) accompanied the parent application and an Addendum NIS has been submitted to support the S146B request. (Annex 4 of Applicants Planning Statement).

The report provides a Statement of Authority, followed by Section 1.0 which sets out an introduction detailing the existing planning permission, providing a summary of the proposed alteration, provides the purpose of the addendum report and details the further ecological surveys undertaken to inform the report.

Section 2.0 provides a description of the proposed alteration.

Section 3.0 provides a review of the AA Screening and NIS including In-combination impacts, mitigation measures and conclusions of the NIS.

Section 4.0 describes the proposed alteration and examines the changes to the turbine specifications from an ecological impact perspective. Section 4.2 examines the effects of the proposed alteration on European Sites including avian collision risk and bat habitat turbine buffers. Section 4.3 provides an assessment of in-combination effects of the proposed alteration and Section 4.4 provides a conclusion as follows;

'It is assessed that with the implementation of all previously committed-to mitigation measures, there is no possibility of the proposed alteration affecting any European Site. Therefore, following an examination, analysis, and evaluation of the best available information and applying the precautionary principle, it can be concluded beyond all reasonable scientific doubt that the proposed alteration, either alone or in combination with other plans and projects, will not undermine the conservation objectives or integrity of any European Sites.'

In reaching this conclusion, the nature of the proposed alteration and its potential relationship with all European sites within the zone of influence, and their conservation objectives have been fully assessed.'

To summarise, the Addendum NIS concludes beyond all reasonable scientific doubt that the proposed alteration, either alone or in combination with other plans and projects, will not undermine the conservation objectives or integrity of any European (Natura 2000) sites.

6.0 Public Consultation

The provisions of section 146B(2)(b) provides for, at the Board's discretion, the inviting of submissions from persons, including the public. Having considered the nature, scale and extent of the alteration and the information on file; the nature, scale and extent of the windfarm development granted permission under ABP-311565-21 and the accompanying information and the nature of the site and surrounding area.

I am of the opinion that the inviting of submissions from the public in this instance is not necessary and is not required for the purposes of the Board in determining the matter for the following reasons:

- (a) I am satisfied that the proposed alterations that are fully contained within the footprint of the existing site boundary are minor in nature.
- (b) These amendments will result in very modest visual effects.
- (c) The pattern, form, scale, and nature of the overall development will remain unchanged.

7.0 Assessment

7.1 Consideration of Materiality

The first consideration in relation to this request to alter the terms of ABP-311565-21 is to determine if the making of the alteration would constitute the making of a material alteration of the terms of the Bracklyn Wind Farm development as approved.

The requester proposes to install a type of turbine that would differ from the turbine type that formed the basis of the EIA and NIS under ABP-311565-21. The requester states that the need for the alteration to the terms of the permission has arisen to enable a competitive procurement process for the supply of the wind turbines. The requester has sought to change the dimensions of the defined turbine approved under ABP-311565-2, to allow for flexible dimensions as described in Section 5.1 of this report.

7.1.2 Planning Context

The approved Bracklyn Wind Farm and the proposed alterations complies with the following policy;

7.1.2.1 European Policy

- RED III (European Renewable Energy Directive (EU/2023/2413))
- European Wind Power Action Plan
- REPowerEU Plan 2022 and Directive EU 2018/2001, as amended 18.05.2022
- European Green Deal 2020

7.1.2.2 National & Regional Policy & Guidelines

- National Planning Framework, April 2025 (NPF)
- The National Development Plan 2021-2030 (NDP)
- Climate Action and Low Carbon Development Act 2015, as amended
- Climate Action Plan 2024 (CAP 2024) and Climate Action Plan 2025 (CAP 2025)
- Energy Security in Ireland to 2030, Energy Security Package, Nov. 2023

- National Energy Security Framework, April 2022
- Policy Statement on Security of Electricity Supply, November 2021
- Long-Term Strategy on Greenhouse Gas Emissions Reductions (April 2023)
- National Climate and Energy Plan 2021-2030 (NCEP)
- National Biodiversity Action Plan (NBAP)
- National Landscape Strategy for Ireland 2015-2025 (NLS)
- Regional Spatial Economic Strategy for the Eastern and Midland Region (RSES)
- National Landscape Strategy for Ireland, 2015-2025
- The National Peatlands Strategy 2015 – 2025 (DAHG, 2015)
- The Wind Energy Development Guidelines, Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government (June 2006) (WEDG, 2006)
- Draft Wind Energy Development Guidelines 2019

7.1.2.3 County Policy

- Meath County Development Plan 2021 – 2027, as varied
- Westmeath County Development Plan 2021 – 2027

7.1.3 Precedent Cases

I refer the Board to the precedent cases outlined in Section 5.3 of this report. The Board previously considered similar alterations to wind farms in relation to amending the turbine type including hub height, blade length and/or rotor diameter in ABP File Ref. 303313, 303729, 307357, 318764, 312876 and PL04.RP2104. Similar to the current application at Bracklyn Wind Farm, an alteration application under Section 146B in File Ref 318764-23, proposed 3 no. different turbine options to avoid future procurement difficulties for the applicant. For the forementioned referenced precedent cases, the Board considered all potential impacts and concluded that the minor alterations would not be deemed material. Proposed change in hub height, rotor diameter and blade length would not give rise to a material change or any increase in potential environmental impact. The alterations could not be considered material in terms of the Act.

In terms of similar planning applications for wind farms with a proposed range of dimensions for the turbines, I refer to ABP-317227-23 which was approved by the Board on 21/03/2024.

7.1.4 Original Application

The approved development comprises the installation of wind turbines with defined dimensions and electrical capacity as follows;

- A hub height of **104m**
- A rotor diameter of **162m**
- An overall tip height of **185m**
- Electrical capacity of the project – **54MW**

Condition No. 1 required that the development be carried out in accordance with the plans and particulars lodged with the application subject to any requirements necessary to comply with other attached conditions.

Condition No. 6 required that the hub height shall be 104m, the rotor diameter shall be 162m and the overall tip height shall be 185m in accordance with the turbine option assessed in the EIAR and NIS and other application documentation.

7.1.5 Proposed Alterations

The proposed alterations to the wind turbines will have the following percentage of change in relation to the approved turbines and electricity capacity;

7.1.5.1 Electrical Capacity

The electrical capacity of the development is dependent on the wind turbine model installed and, therefore, the proposed alteration may result in;

- an increase in the electrical capacity of the project by up to 10.8 megawatts (MW) from 54MW to 64.8MW [i.e. 20%]; or,
- a decrease in the electrical capacity by 4MW (from 54MW to 50MW [i.e. 7%]) depending on the wind turbine model installed.

7.1.5.2 Wind Turbine Hub Height

The alteration proposes a change in the hub height from the approved 104m, to between 99m and 104m representing a reduction of between 0m (no change) and 5m or between 0% and 4.8%.

7.1.5.3 Wind Turbine Rotor Diameter

The alteration proposes a change in the rotor diameter of all wind turbines from the approved 162m, to between 158m and 163m, which represents a change ranging from a 2m reduction (2.5% reduction) to a 1m increase (0.6% increase).

7.1.5.4 Wind Turbine Tip Height

The alteration proposes a change in tip height from the approved 185m to a range of between 179m and 185m, representing an overall tip height change ranging from 0m (no change) to a 6m reduction (3.2% reduction).

The proposed alterations will not require any alterations to the overall site layout, turbine locations, drainage provisions or any associated infrastructure.

7.1.6 Potential for Environmental Impacts (EIA and AA)

I have considered all environmental impacts in Section 7.3 of this report and have concluded that based on the proposed alterations as described, no significant additional impacts are predicted on Population and Human Health, Biodiversity, Land and Soil, Water, Air Quality and Climate, Landscape, Cultural Heritage, Noise and Vibration, Shadow Flicker, Material Assets and Interactions with the Foregoing.

The EIA Screening concluded that the proposed alterations do not equal or exceed any class of development within Schedule 5, Parts 1 or 2 of the P&D Regulations, and significant sub-threshold impacts are unlikely. See Section 7.4 of this report. See Appendix 1 and 2 of this report.

The Appropriate Assessment (Stage 2) concluded that the proposed alterations, individually or in combination with other plans and projects, will not have a significant negative impact on any European Designated Site. See Section 7.5 of this report. See Appendix 3 and 4 of this report.

7.1.7 Finding in Respect of Materiality

The main issue is whether the proposed turbine configuration comprising a range of dimensions is materially different compared with the subject of the permitted assessment. I consider the proposed alterations as outlined above, would not represent a significant increase or decrease in hub height, rotor blade diameter or wind turbine tip height from that reviewed in the EIAR and assessed in the EIA and NIS. The overall wind turbine tip height of 185m would not be exceeded by the proposed alteration and it could potentially be reduced by 6m or a reduction of 3.2% depending on the final wind turbine chosen.

Having regard to the limited scale and nature of the alterations proposed in relation to the consented development and precedent cases outlined above, I am satisfied that the alterations will not alter the character of the approved development or give rise to

new considerations or environmental effects that were not already considered in the assessment of impacts under ABP-311565-21.

I am satisfied that the proposed alteration would not constitute the making of a material alteration to the permitted Bracklyn Wind Farm, subject to consideration of environmental impact and AA as considered in this report. The alteration of the dimensions of the turbines is therefore appropriate.

Having regard to the nature and scale of the proposed alterations and the development as granted under ABP-311565-21, I am satisfied that the Board would not have determined the proposal differently had the hub height, rotor blade diameter and tip height now proposed in the alterations formed part of the original application. Therefore, the proposed alteration does not constitute the making of a material alteration of the development as granted under ABP-311565-21.

7.1.8 Amendment to Condition No. 6

Based on my opinion above that the proposed alteration does not constitute the making of a material alteration, I consider that an amendment to the wording of Condition No.6 is required to ensure that if permission is granted in respect of the current application, then the overall project could be completed in compliance with Condition No.6 of the 2022 approval, which this application seeks to amend.

I consider the wording of Condition No.6, needs to be altered so that it would read as set out below;

Condition 6: The turbines shall be between 179m and 185m in height, with a hub height of between 99m and 104m and a rotor diameter of between 158m and 163m in accordance with the range of turbine options assessed in the application documentation.

Prior to commencement of development, the developer shall submit to the planning authority a drawing of the final turbine design to be kept on file as part of the public record.

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

7.2 Design Flexibility

In this section of the report, I will discuss design flexibility and how, in my opinion this relates to the current S146B amendment application.

7.2.1 Strategic Infrastructure Development (SID)

The Planning and Development Act 2000, as amended, provides for a special planning application process for SID, which allows for an application to be made directly to the Board under Section 37(E) rather than to the local authority.

The types and sizes of development that fall under SID are set out in the 7th Schedule of the Planning and Development Act 2000, as amended. They include large projects in the energy, transport, environmental and health infrastructure sectors.

To qualify as a SID, a proposed development must be one of the specific classes prescribed in the 7th Schedule and must exceed the defined development thresholds for that class.

The parent permission in this case, ABP-311565-21, relates to a planning application made under the provisions of Section 37(E) of the Planning and Development Act 2000, (as amended) for a wind farm development comprising of 9 turbines with an output of 54MW and other related works. In this regard, the parent permission application was determined SID by the Board based on the criteria defined in Class 1 of the 7th Schedule 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.”

7.2.2 Section 146B (Application for Alterations to SID Permissions)

The current amendment application has been lodged directly to An Bord Pleanála under Section 146B of the Planning and Development Act 2000, as amended. This is a general provision applicable to SID and provides for a request to the Board from a person who is carrying out or intending to carry out a SID to alter the terms of a development which has already been approved. In this case, the applicant is requesting alterations to ABP-311565-21. As described above, the applicant is effectively seeking design flexibility in relation to the size of the wind turbines to an application permitted prior to the introduction of the design flexibility provisions.

7.2.3 Background to Design Flexibility

The design flexibility provisions in the Planning and Development (Amendment) (No. 3) Regulations 2023, were commenced in December 2023. The current S146B planning application was lodged to An Bord Pleanála in August 2024, following the

new design flexibility provisions, however, the parent permission ABP-311565-21 was approved by the Board on 7th July 2022, which predates the design flexibility provisions. Hence, the applicants were not in a position to seek design flexibility at the time of their original wind farm planning application.

The primary design flexibility legislation provides for a process whereby a prospective applicant who wishes to avail of a degree of flexibility in their planning application, may in advance of submitting their planning application, request a meeting with the Board for the purpose of receiving an opinion as to whether it is appropriate that an application for permission be made before certain details of the proposed development are confirmed. Such unconfirmed details may, for example in the case of a wind farm application include the precise height or blade length of a wind turbine.

An application for design flexibility is submitted to An Bord Pleanála under Section 37CC of the Planning and Development Act 2000, as amended. In summary, a prospective applicant wishing to seek design flexibility for a proposed wind farm under Section 37CC would do the following;

- Request in writing a pre-planning meeting with the Board under Section 37CC(1).
- The Request for the meeting is made under Form No. 20 as per the regulations. This form for Section 37CC(1) relates to requests under Section 37E applications (SID). **I note that Form 20 does not give an option for alterations/amendment to SID applications, which are made under Section 146B.**
- The request is accompanied by documentation as listed under Section 37CC(2), which includes details of the proposed development and its effects on the environment.
- Provide an undertaking to provide 2 or more options on the basis of which the proposed application may be made and decided.
- Attend a meeting with the Board under Section 37CD.
- Board determines that the application can be made & decided before certain details are confirmed.

7.2.4 Definition of a Planning Application for the purposes of Design Flexibility

Section 151 of the 2023 Regulations provides the definitions of applications for the purposes of design flexibility. In relation to SID applications which are lodged under Section 37CC, a planning application for the purposes of design flexibility is defined as follows;

“Planning application” means.....**an application for permission for any development specified in the Seventh Schedule of the Act**

(Inspectors Emphasis)

The current application as submitted under S146B is for **alterations** to an approved wind farm having a total output greater than 50MW which was originally submitted as a SID under Section 37E.

In my opinion the design flexibility legislation relates to ‘de-novo’ SID planning applications submitted under Section 37E. The current application has been submitted under Section 146B. I do not consider the current alteration application to be a ‘de novo’ application and I do not consider it is a development specified in the 7th Schedule as per the definition contained in the legislation.

Although the original application was approved under S37E by the Board, the current application is not specified in the seventh schedule of the Act and hence cannot be lodged under the design flexibility legislation. As mentioned in the previous section, Form 20, which must be submitted with Section 37CC requests, does not provide an option for 146B applications.

7.2.5 How to amend an application approved under Section 37E or Section 37CC

If design flexibility under Section 37CC is only available for developments specified in the 7th Schedule of the Act, how do you alter the terms of a SID application made prior to the design flexibility provisions, as is the case in the current alteration application?

I consider applications which have been approved under Section 37E or Section 37CC can only be amended under Section 146B. A section 146B application merely considers whether the alterations would be material or not.

The current request is seeking what is considered design flexibility in relation to the size of the turbines, which will in turn potentially impact the energy output of the wind farm. The applicants are seeking a range of sizes, which in the main are smaller than

the size approved under the parent permission. As discussed in Section 7.1 of this report, I consider the proposed alterations are not material in nature.

I would like to re-iterate that the parent permission (ABP-311565-21) was submitted under Section 37E because it fell under Class 1 of the 7th Schedule for a wind farm with output of greater than 50MW. The proposed alterations do not fall under Class 1 of the 7th Schedule and have been screened out for requirement for sub-threshold EIA (See Section 7.4 of this report).

Hence, I do not consider a design flexibility application under Section 37CC to be the appropriate avenue for the amendment of the Section 37E application, due to the minor nature of the proposed alterations. However, as described in the precedent cases in Section 7.1.3 of this report, a range of dimension sizes is a normal part of recent planning applications for wind farms to enable flexibility in procurement.

In addition, I consider the design flexibility legislation under Section 37CC is only available for 'de-novo' SID developments which are specifically specified in the 7th Schedule of the Act.

7.2.6 Conclusion on Design Flexibility

To conclude, I do not consider the application falls within the definition of '*an application for permission for any development specified in the Seventh Schedule of the Act*' as per the regulations which would trigger an application under design flexibility for the description of the development proposed in the current application.

Accordingly, I consider the design flexibility sought by the applicant in relation to the turbine design permitted in 2022, to be acceptable based on the current Section 146B legislation.

7.3 The Potential for Significant Environmental Effects

The applicants Environmental Report (ER) assesses the amendments in Section 3.0 under the following EIAR topics: Population and Human Health, Biodiversity, Land and Soil, Water, Air Quality and Climate, Landscape, Cultural Heritage, Noise and Vibration, Shadow Flicker, Material Assets and Interactions of the Foregoing.

The EER report concludes in Section 4.0 that '*the proposed alteration comprises modifications to the dimensions of the permitted wind turbines. The ER has assessed the likelihood of effects on the environment arising from the proposed alteration, with*

special consideration given to those effects most likely to occur, including effects on biodiversity, landscape, noise & vibration, and shadow flicker. In summary, this ER has assessed that the proposed alteration will not result in any likely significant effects on the environment.'

Table 7.1 Assessment of Environmental Effects
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Population and Human Health (Section 3.1)
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The ER notes that given the nature and characteristics of the proposed alteration, there are no likely effects on population and human health at any phase of the development. The proposed alteration will not affect population trends, employment opportunities, capital investment in the project or expenditure in the local economy, on land use or in terms of major accidents.

The report highlights that the likely operational phase effect will be limited to the effects of noise and shadow flicker and that all other likely effects will be identical to those permitted under ABP-311565-21.

The ER notes that given the extremely minor scale of the proposed turbine dimension modifications, it is assessed that significant changes to the predicted levels of noise and shadow flicker at receptors are not likely to occur. Furthermore, the upper thresholds of noise and shadow flicker effects at receptors are limited by conditions of consent set out in the Board Order for the permitted development (Condition Nos. 8 and 9 respectively) which, regardless of the wind turbine technology installed, must be complied with.

The assessment notes that the cumulative impact assessment remains unchanged.

I am satisfied that based on the alterations proposed, that no likely significant adverse effects are predicted.

Biodiversity (Section 3.2)

Background

The ER notes that the proposed alteration will not impact the permitted construction activities or ancillary wind turbine infrastructure as per ABP-311565-21 and hence will not impact on habitats, terrestrial mammals, aquatic species or invertebrates.

Biodiversity Assessment (Annex 1)

Annex 1 comprises an addendum Biodiversity Assessment which assesses the impacts of the proposed alterations on birds and bats. A site visit was conducted on 19th April 2024 which confirmed that no significant changes to baseline conditions with the permitted development site that would significantly alter bird flight line behaviours, or the avian and bat assemblages assessed in the EIAR. The assessment states that the proposed locations of the turbines were sufficiently covered as part of the original ornithological and bat surveys and the data captured provides adequate ecological information for a robust assessment to be completed.

The report states that based on the nature of the proposed alteration, and particularly the absence of any changes to the footprint of the development and the absence of any changes to construction methods, an assessment of the likelihood of effects on other ecological receptors is not deemed necessary and the findings detailed within the original EIAR for freshwater ecology, habitats, non-native species, terrestrial (non-volant) mammals remain valid.

Potential Impact of Alterations Proposed

The report notes that in terms of ecological assessment, the most important consideration is the overall alterations to the rotor swept areas that could result due to the proposed alteration. A permutation of the lowest proposed hub height (99 m) and longest proposed rotor diameter (163 m) would result in the rotor swept area being lowered by a maximum extent of 5.5 m from 23 m to 17.5 m. If turbines were erected with the highest hub height (104 m) and the shortest blade length (158 m), then the lowest rotor swept height would be heightened marginally from 23 m to 25 m.

In addition, I note that alterations to rotor diameters and hub height could result in alterations to the collision risk volume and the position of the rotor swept area relative to the ground. In terms of ecological impacts these changes have the potential to: a) alter values calculated for predicted avian collision; and, b) affect the dimensions of the felling zones required to maintain 50 m separation distance between the rotor swept area and bat habitat features, i.e. more or less felling may be required to establish turbine-bat feature buffers.

Appropriate Assessment (AA)

Annex 4 comprises an addendum Natural Impact Statement (NIS). With regard to Appropriate Assessment and the proposed alteration, an Addendum to the Natural Impact Statement (NIS) established that with the implementation of all previously committed-to mitigation measures, there is no possibility of the proposed alteration affecting any European Site. Refer to Section 7.5 of this report in relation to AA.

Collision Risk Modelling (CRM) (Bird Protection)

Alteration to collision risk volumes - The addendum report in Section 5.2.1 notes that in terms of collision risk volume, the maximum increase in blade diameter is 1m and the maximum decrease in blade diameter is 4m. Any permutation of proposed blade length in isolation will not result in a significant alteration to collision risk predictions for the target species assessed, as a 5m difference in rotor diameter only affects predicted collision risk values by magnitudes of less than 3%. Therefore, allowing for alternative rotor diameters to be selected will have a negligible effect on the predicted collision risk values generated for target species.

Lowering of the rotor swept area - The addendum report in Section 5.2.2 notes that as detailed in Section 5.3.8 (EIAR Volume I) of the parent permission, potentially sensitive lower flying species, which could potentially be impacted by a longer blade length or the lowered hub height, were only periodically recorded during the ornithological study for the Bracklyn Wind Farm. As detailed in the collision risk modelling report (see Annex 5.7 (EIAR Volume II)), all flight time recorded in height bands between 15 and 185 m were included as inputs into the models. Therefore, the modelled outputs already accounts for collision risk that would occur under a

minimum rotor swept height scenario due to the proposed alteration. i.e. a combination of the lowest proposed hub height (99 m) and longest proposed blade diameter (163m), with the rotor swept area being lowered by a maximum extent of 5.5m from 23m (as permitted) to 17.5m.

Collision risk for target species - Section 5.2.3 of the addendum report highlights that the results of the CRMs undertaken for target species remain valid for the proposed alteration and that the ornithological impact assessment undertaken in relation to avian collision risk also remains valid as do the findings for residual effects as described in Section 5.7 (EIAR Chapter 5, Vol I).

In terms of collision risk for all the target species assessed, Section 5.7: Residual Effects concludes that with mitigation in place, only residual effects of very low significance remain for the local kestrel population. Table 2 provides a summary of predicted collisions as reported in the EIAR for the parent permission.

Tree Felling (Bat Protection)

Section 5.3 of the addendum Biodiversity report notes that depending on the turbine dimensions selected, the proposed alteration has the potential to affect the area of the felling zones required to maintain 50 m separation distances between the turbine rotor swept area and bat habitat features. Table 3 of the report indicates the Turbine tower buffering distances for a range of feature heights. It highlights that on reviewing the felling zones as permitted, it is concluded that current provisions are sufficient to accommodate any of the alterations to turbine specifications that are proposed. Appendix 1 of the report has reproduced maps from Annex 5.5 (EIAR, Volume II) that shows felling zones for each turbine in relation to a 104 m buffering distance.

Conclusion

The biodiversity assessment concludes that following implementation of mitigation measures set out in the EIAR, the proposed alteration will not result in any likely significant impacts on biodiversity either alone or cumulatively and does not have the potential to affect any ecological receptor beyond those already assessed in the EIAR as permitted in ABP-311565-21.

Assessment

I have considered the applicants assessments and am satisfied that all issues have been appropriately assessed and that no significant adverse effects are likely to occur in relation to biodiversity as a result of the proposed alterations.

Land and Soil (Section 3.3)

The ER notes that the alterations relate solely to the dimensions of the wind turbine components, with no change to construction or operational phase activities or methodologies or any other permitted infrastructure.

I consider the proposed alterations will have no interaction with land, soil or geological receptors and hence no likely impacts are predicted.

Water (Section 3.4)

The ER notes that the alterations relate solely to the dimensions of the wind turbine components, with no change to construction or operational phase activities or methodologies or any other permitted infrastructure.

I consider the proposed alterations will have no interaction with water or the hydrological or hydrogeological environment and hence no likely impacts are predicted.

Air Quality and Climate (Section 3.5)

As above, no change to construction or operational phase activities.

During operational phase, electrical output from the Bracklyn Wind Farm may be altered depending on the final turbine chosen, which would have the effect of more volume of renewable electricity being generated, potentially up by 10.8MW (20%) and in turn an abatement of greenhouse gases and improvement in air quality.

I have considered the applicants assessment and am satisfied that all issues have been appropriately addressed and that no significant adverse effects are likely to occur in relation to Air Quality and Climate as a result of the proposed alterations to the approved development.

Landscape (Section 3.6)

Annex 2 of the applicant's submission contains a Landscape Assessment and Annex 3 provides updated photomontages. The Landscape Assessment assesses the likely landscape and visual effects of the proposed alterations to the Bracklyn Wind Farm from altering the dimensions of the permitted wind turbines. The original assessment was based on a turbine hub height of 104m, a rotor diameter of 162m and a tip height of 185m.

The photomontages submitted depict 4 no. different hub height; rotor diameter and tip height configurations as well as the permitted development. They illustrate the range of dimensions which could be installed subject to approval by the Board. The 4 no. configurations depicted are as follows;

1. **Permitted Development** – 104m Hub Height, 162m Rotor Diameter, 185m Tip Height
2. **Alternative Scenario 1** – 103.5m Hub Height, 163m Rotor Diameter, 185m Tip Height
3. **Alternative Scenario 2** – 101m Hub Height, 158m Rotor Diameter, 180m Tip Height
4. **Alternative Scenario 3** – 99m Hub Height, 160m Rotor Diameter, 179m Tip Height

To assess the proposed alteration, 6 no viewpoints were chosen (Viewpoint 11, 13, 14, 18, 19 and 25), which are the same viewpoints as the original application. These selected viewpoints are all located in the immediate vicinity of the site (c. 1-3km from the turbine array). The report notes that beyond this distance the perceived variation in the turbine dimensions (+/-6m) is assessed as likely to be imperceptible.

The applicant's Landscape Assessment in Annex 2, Section 1.4 concludes that;

‘Overall, it is assessed that the proposed alteration will not result in any discernible difference in the perceived scale and intensity of the permitted development from surrounding receptors. Thus, it is assessed that the proposed alteration will not give rise to significant landscape or visual effects and will result in no changes to the effects previously assessed with respect to the permitted Bracklyn Wind Farm development.’

I note that the Meath County Development Plan 2021 – 2027, as varied and the Westmeath County Development Plan 2021 – 2027, which the approved development was assessed under are still the relevant Development Plans.

I have assessed and compared the 6 no. updated verified views and am satisfied that the findings of the updated impact assessment are accurate. I consider the viewpoint photomontages depicting the authorised view and the proposed range of views show no material increase to visual impacts. I consider there is no noticeable increased effect on physical landscape elements or the overall character of the landscape in comparison to the authorised turbines.

I conclude that effects of the proposed alterations to the permitted Bracklyn Wind Farm on landscape and visual impact would be minimal and not significant. Therefore, the proposed alterations are considered acceptable, aligning with national, regional, and local planning policies.

Cultural Heritage (Section 3.7)

The ER notes that the alterations relate solely to the dimensions of the wind turbine components, with no change to construction or operational phase activities or methodologies or any other permitted infrastructure.

I consider there is no change in the magnitude or significance of visual impact on cultural heritage sites. No material change to either the visual presence or the aesthetics of the proposed turbines relative to the authorised turbines.

I concur that the proposed alterations will have no interaction with Cultural Heritage and hence no likely impacts are predicted.

Noise and Vibration (Section 3.8)

The ER notes that it is likely that noise levels experienced at residential dwellings during the operational phase, as described at Annex 11.5 (Volume II) of the EIAR for the permitted development, will be immaterially different depending on the wind turbine type ultimately installed. Due to the minimal nature of the alteration, no significant effect or significant change in predicted noise levels at sensitive receptors is likely to occur.

I note that Condition No. 8 of the permitted development (ABP-311565-21), stipulates noise limits that must be adhered to during operational phase. The applicant states that the noise levels arising from the wind farm during operation will remain below the prescribed limits and that all wind turbine types which may be installed can comply with the conditioned noise limits.

As the proposed alteration provides for the modification of wind turbine dimensions (and associated electrical capacity) and there will be no change to construction or operational phase activities and methodologies, I am satisfied that no likely significant noise or vibration effects will arise during the construction phase.

During operational phase, I am satisfied that adverse noise effects due to the alterations will not be significant following compliance with conditions pertaining to the permitted development. I am also satisfied based on the approved development that the alterations will not give rise to significant vibration effects during the operational phase.

Shadow Flicker (Section 3.9)

As shadow flicker cannot be generated prior to the wind turbines becoming operational, no effects will arise during the construction phase.

The ER notes that *'It is likely that shadow flicker levels experienced at residential dwellings during the operational phase, as detailed at Table 12. 2 (Chapter 12, Volume I) and Annex 12.2 (Volume II) of the EIAR for the permitted development, will be altered depending on the wind turbine type ultimately installed. However, given the extremely minimal proposed changes to the dimensions of the wind turbines, it is assessed that a significant effect, or a significant change in predicted shadow flicker levels at residential dwellings, is not likely to occur.'*

I note that Condition No. 9 of the permitted development has prescribed operational phase shadow flicker limits which must be adhered to eliminate the potential for shadow flicker.

The applicant has stated that the shadow flicker levels arising from the development, once operational, will remain below the prescribed limits and that all wind turbine types which may be installed can comply with the prescribed limits.

I conclude that effects of the proposed alterations to the permitted Bracklyn Wind Farm on shadow flicker would be minimal and not significant and I am satisfied that no likely significant effects will occur in relation to shadow flicker following implementation of planning conditions for the approved development.

Material Assets (Section 3.10)

Transport and Access

The alterations relate solely to the dimensions of the wind turbine components, with no change to construction or operational phase activities or methodologies or any other permitted infrastructure. The proposed alteration will not result in significant effects on the local road network. There will be no change to the haulage routes, no change to the amount or type of traffic, particularly during construction.

I note that Condition No. 21 and No. 22 of the permitted development relates to compliance requirements in relation to traffic safety and to protect the public road network and the amenity of residents.

I am satisfied that following implementation of planning conditions relating to the approved development on the site, no likely significant impacts will arise in relation to traffic and access based on the alterations to the permitted Bracklyn Wind Farm.

Aviation, Telecommunications, Resources & Utility Infrastructure

The ER notes that the alterations relate solely to the dimensions of the wind turbine components, with no change to construction or operational phase activities or methodologies or any other permitted infrastructure.

Because the alterations are minimal, I consider that significant impacts in relation to aviation are unlikely. I also consider no likely significant effects for Telecommunications, Resources & Utility Infrastructure due to the nature of the proposed alterations.

Interactions of the Foregoing (Section 3.11)

I consider the potential for interactions relating to the proposed alterations have been fully assessed and that no likely significant effect on the environment will occur.

Cumulative Impacts

Having regard to the foregoing, and to the additional visual impact studies that accompanied this submission, I am satisfied that there would be no significant additional cumulative impacts.

7.4 Environmental Impact Assessment

The Environmental Report accompanying the current request assesses the impact of the proposed alteration options relative to the impacts identified in the original EIAR. I highlight there would be no alteration to the layout of the wind farm or to turbine locations. The footprints will remain the same as permitted. Construction practices, traffic movements, commissioning and operation etc. would not be affected by the proposed alterations to the wind turbines.

I have undertaken an EIA screening determination on the basis of the Schedule 7A documentation submitted, see Appendix 1 (Form 1 – EIA Pre-Screening) and Appendix 2 (Form 3 – EIA Screening Determination).

The Screening Determination concludes as follows;

‘Having regard to: -

- The parent permission granted under ABP-311565-21, which the subject alterations seek to amend,*
- The modest nature and scale of the proposed alterations,*
- The location of the proposed alterations, within the footprint of the permitted development site,*

- *The pattern of development in the surrounding area,*
- *The location of the development outside of any sensitive location specified in Article 109(4)(a)(v) of the Planning and Development Regulations 2001, as revised,*
- *The guidance set out in the 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development', issued by the Department of the Environment, Heritage and Local Government (2003), and,*
- *The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as revised.*

The Board concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.'

To summarise, there is no real likelihood of significant effects on the environment and hence, EIA is not required.

7.5 Appropriate Assessment

This section of the report examines the potential for effects on the integrity of European sites by virtue of the proposed alterations, alone and in combination with other plans and projects, including the permitted development. The requirements of Article 6(3) as related to appropriate assessment of a project under Part XAB, section 177U of the Planning and Development Act, 2000 (as amended) are, therefore, fully considered in this section in respect of the proposed alterations. An Addendum NIS was submitted by the applicant in relation to screening for appropriate assessment.

Refer to Appendix 3 (Stage 1, Appropriate Assessment Screening Determination) and Appendix 4 (Stage 2 Appropriate Assessment) of this report for further details.

Under the parent permission, ABP-311565-21, the Board considered a range of potential impacts on European Sites including the impact from water pollution, avian collision risk and avian displacement. Taking account of the mitigation measures proposed, no potential for residual adverse effects on the Qualifying Interests of the River Boyne and River Blackwater SAC [002299], River Boyne and River Blackwater SPA [004232] and Lough Derravarragh SPA [004043] as a result of the proposed development were predicted.

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

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). 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.

7.5.2 Mitigation Measures

The mitigation measures that form part of the permitted parent permission, will apply to the subject development. Notwithstanding this, 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.

7.5.3 In-Combination Effects

I consider that the proposed development individually or in combination with other plans or projects would not adversely affect the integrity of these European sites in light of their conservation objectives subject to the implementation of mitigation measures specified in the permitted development application documentation.

7.5.4 Appropriate Assessment Screening Determination

The proposed works comprise minor alterations to the size of the turbines and potential electrical capacity output depending on final turbine chosen. The footprint of the development, the construction methodology and the mitigation measures remain unchanged from the approved wind farm application, ABP-311565-21. Hence, based on the minor alterations proposed in the current application, I am satisfied that no further mitigation measures are required and significant effects from construction phase works including siltation and potential pollution of watercourses can be screened out from further assessment. I consider the River Boyne and River Blackwater SAC [002299], the River Boyne and River Blackwater SPA [004232] can be screened out from further assessment.

Alterations to rotor diameters and hub height could result in alterations to the collision risk volume and the position of the rotor swept area relative to the ground. These changes have the potential to alter values provided for predicted avian collision. For this reason, the Lough Derravarragh SPA [004043] required further investigation. An

Addendum NIS was submitted by the applicant which examined the potential impacts of the proposed alterations. Refer to Appendix 4 of this report for details of Stage 2 Appropriate Assessment.

I am satisfied that the proposed alterations individually or in combination with other plans or projects would not significantly affect the integrity of any European sites in light of their conservation objectives (subject to the implementation of mitigation measures described in the parent permission, ABP-311565-21).

Overall, I am satisfied that a robust assessment has been carried out on the alterations to the turbines and that there is no potential for significant effects on any European site and that the conclusion of the previous AA remains valid.

Based on the above, it can be concluded in view of best scientific knowledge, on the basis of objective information that the proposed development will not significantly affect the Qualifying Interests/Special Conservation Interests of and the Lough Derravarragh SPA [004043] or any other European Site in view of the sites' Conservation Objectives.

8.0 Recommendation

I recommend that the Board:

(a) Decides that the making of the alterations subject of this request and that the making of the alteration to the wording of Condition No. 6 would not constitute the making of a material alteration of the terms of the development as approved under ABP-311565-21, and

(b) the proposed modifications will not give rise to significant environmental effects or significant effects on the integrity of any European site, for the reasons stated below.

9.0 Draft Order

REQUEST received by An Bord Pleanála on the 12th day of August 2024 from Bracklyn Wind Farm Limited under section 146B of the Planning and Development Act, 2000, as amended, to alter the terms of a strategic infrastructure development, granted under ABP-311565-21 for a Wind Farm Development including 9 turbines and

all associated works at Ballagh, Billistown, Ballynacar and Bracklin, County Westmeath and Coolronan, County Meath.

WHEREAS the Board made a decision to grant the proposed development, subject to conditions, for the above-mentioned development by order dated the 7th day of July, 2022.

AND WHEREAS the proposed alteration is described as follows:

The applicant is proposing to alter the dimensions of all of the permitted wind turbines and this may amend the electrical capacity, as follows;

- A hub height from 104m approved to **between 99m and 104m**;
- A rotor diameter from 162m approved to **between 158m and 163m**;
- An overall tip height from 185m approved to **between 179m and 185m**;
- Electrical capacity of the project is dependent on the wind turbine model installed but will result in an output from an approved 54MW to **between 50MW and 64.8MW**
- The applicant is proposing to install any wind turbine model whose configuration fall within the ranges specified above.

PROPOSED ALTERATIONS consist of amendment to the wording of Condition No. 6, so that the condition reads as follows:

Condition 6: The turbines shall be between 179m and 185m in height, with a hub height of between 99m and 104m and a rotor diameter of between 158m and 163m in accordance with the range of turbine options assessed in the application documentation.

Prior to commencement of development, the developer shall submit to the planning authority a drawing of the final turbine design to be kept on file as part of the public record.

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

AND WHEREAS having regard to the issues involved, the Board decided, in accordance with section 146B(2)(b) of the Planning and Development Act 2000, as amended, not to invite submissions or observations from the public in relation to the matter,

AND WHEREAS the Board decided, in accordance with section 146B(3)(a) of the Planning and Development Act 2000, as amended, that the proposed alterations would not result in the making of a material alteration to the terms of the development, the subject of the approval,

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

NOW THEREFORE in accordance with section 146B(3)(a) of the Planning and Development Act, 2000, as amended, the Board hereby alters the abovementioned decision so that the approved development shall be altered in accordance with the plans and particulars received by An Bord Pleanála on the 12th day of August 2024, for the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

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

- a) The nature and scale of the proposed alteration;
- b) The documentation on file;
- c) The report of the Inspector.

Having regard to:

- the nature and scale of the wind farm development permitted under ABP-311565-21,
- the examination of the environmental impact, including in relation to Natura 2000 sites, carried out in the course of that application,
- the limited nature and scale of the alterations when considered in relation to the overall permitted development
- the location of the proposed alterations, within the footprint of the existing Bracklyn Windfarm site,

- the absence of any significant new or additional environmental impacts arising as a result of the proposed alterations, and
- the report of the Board's inspector, which is adopted,

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

Appropriate Assessment: Stage 1

In conducting a screening exercise for appropriate assessment, the Board considered the nature, scale and context of the proposed alterations, the documentation on file including the Addendum NIS submitted with the application and the assessment of the Inspector in relation to the potential for effects on European Sites. In undertaking the screening exercise, the Board accepted the analysis and conclusions of the Inspector.

The Board concluded that, by itself and in combination with other development in the vicinity, the proposed alterations would not be likely to have significant effects on 2 No. European Sites in view of their conservation objectives.

The Board considered that the River Boyne and River Blackwater SAC [002299] and the River Boyne and River Blackwater SPA [004232] could be screened out from further assessment and that the Lough Derravarragh SPA [004043] required further investigation.

In reaching this conclusion, the Board took no account of mitigation measures intending to avoid or reduce the potentially harmful effects of the development on any European site.

Appropriate Assessment: Stage 2

The Board considered the addendum NIS and all other relevant documentation on the file and carried out an appropriate assessment of the implications of the proposed alterations for the Lough Derravarragh SPA [004043].

The Board considered that the information before it was adequate to allow the carrying out of an Appropriate Assessment, as well as the report of the Inspector. In completing the assessment, the Board considered the likely direct and indirect impacts arising

from the proposed development both individually or in combination with other plans or projects, the mitigation measures which are included as part of the approved Bracklyn Wind Farm granted under ABP-311565-21, and the Conservation Objectives for the European Site.

In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Site, having regard to the sites' Conservation Objectives.

In overall conclusion, the Board was satisfied that the proposed development would not significantly affect the integrity of and the Lough Derravarragh SPA [004043] or any other European Site in view of the sites' Conservation Objectives.

Environmental Impact Assessment Screening

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

Having regard to: -

- The parent permission granted under ABP-311565-21, which the subject alterations seek to amend,
- The modest nature and scale of the proposed alterations,
- The location of the proposed alterations, within the footprint of the permitted development site,
- The pattern of development in the surrounding area,

- The location of the development outside of any sensitive location specified in Article 109(4)(a)(v) of the Planning and Development Regulations 2001, as revised,
- The guidance set out in the 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development', issued by the Department of the Environment, Heritage and Local Government (2003), and
- The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as revised.

It is considered that, following the EIA Screening Determination, the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not, therefore, be required.

Conclusions on Proper Planning and Sustainable Development

Having regard to:

- the nature and details of the parent permission, ABP-311565-21,
- the character of the alterations, including their scale and form,
- the location of the proposed alterations, within the footprint of the existing permitted development site,
- the limited visibility of the proposed alterations outside the confines of the site,
- the absence of any significant new or additional environmental impacts arising as a result of the proposed alterations, including landscape or visual effects or effects on archaeology, and
- the report of the Board's inspector, which is adopted,

The Board concluded that the making of the proposed alteration would be in accordance with the proper planning and sustainable development of the area.

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.

Laura Finn

Senior Planning Inspector

10th June 2025

Case Reference	ABP-320537-24
Proposed Development Summary	Alteration request in accordance with Section 146B regarding the permitted Bracklyn Wind Farm (ABP-311565-21)
Development Address	Located in the townlands of Ballagh, Billistown, Ballynacar and Bracklin, County Westmeath and Coolronan, County Meath
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ No, No further action required. N/A
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here N/A
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	N/A

☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold N/A
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Schedule 5, Class 3, Para 3 (j) <i>'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'.</i> Schedule 5, Class 13 (Part 2); <i>'Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would:-</i> (i) <i>result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this schedule, and</i> (ii) <i>result in an increase in size greater than –</i> - 25 per cent, or - <i>an amount equal to 50 per cent of the appropriate threshold which is the greater'</i>

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☒	Screening Determination required (Complete Form 3)
No ☐	N/A

Laura Finn
Planning Inspector
10th June 2025

Appendix 2

Form 3 - EIA Screening Determination

A. CASE DETAILS		
An Bord Pleanála Case Reference	ABP-320537-24	
Development Summary	Alteration request in accordance with Section 146B regarding the permitted Bracklyn Wind Farm (ABP-311565-21). Modifications proposed; • The modification of all wind turbine hub heights from 104m to between 99m and 104m; • The modification of all wind turbine rotor diameters from 162m to between 158m and 163m; • The modification of all wind turbine overall tip heights form 185m to between 179m and 185m. • This will result in an alteration to the electrical capacity of the project from 54MW to between 50MW and 64.8MW.	
	Yes / No / N/A	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	N/A	No, this application was made direction to An Bord Pleanála.
2. Has Schedule 7A information been submitted?	Yes	Yes, an Environmental Impact Assessment Screening containing Schedule 7A Information.
3. Has an AA screening report or NIS been submitted?	Yes	An Addendum NIS was submitted with the application
4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	N/A
5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried	Yes	Addendum NIS, Landscape Assessment, Biodiversity Assessment, Environment Report

out pursuant to other relevant Directives – for example SEA			
B. EXAMINATION	Yes/ No/ Uncertain	Briefly describe the nature and extent and Mitigation Measures (where relevant) (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) Mitigation measures –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain
This screening examination should be read with, and in light of, the rest of the Inspector's Report attached herewith			
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	No	The project proposed is minor alterations to an approved wind farm. The amendments are minor in nature and not considered material. The electrical capacity is dependent on the wind turbine model installed, ranging in electrical output from 50MW to 64.8MW. The proposed alterations do not require the re-siting or relocation of any of the wind turbines or ancillary infrastructure as assessed in the EIAR approved under the permitted development. Construction phase activities will be identical to those approved under the permitted development. No likely significant impacts are predicted at any phase of the development.	No
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	No	There will be physical changes to the environment with the construction of Bracklyn Wind Farm. However, the alterations are minor in nature and if built in accordance with the EIAR and documentation submitted with the original application will have no significant likely effect on the environment.	No

1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	No	The alterations proposed will not alter the footprint of the permitted development. All construction works and mitigation works will be carried out in accordance with the original EIAR for the permitted development. No significant negative impact in relation to land, soil, water, materials/minerals or energy predicted for any phase of the development. No significant effects on natural resources are likely to arise.	No
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	No	Following the implementation of mitigation measures for the protection of water quality as set out in the EIAR, no significant impacts predicted, during any phase of the development.	No
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	No	No, the wind farm will not produce solid waste or release pollutants or any hazardous/toxic/noxious substances. No significant emissions, or waste are likely to be generated from the proposed alteration.	No
1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	No	Following the implementation of mitigation measures for the protection of water quality as set out in the EIAR, no significant impacts predicted during any phase of development.	No
1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	No	The alterations proposed related to the dimensions of wind turbines and associated electrical capacity. Following implementation of mitigation measures set out in the EIAR for the permitted development, no significant noise or vibration impacts are predicted during the construction phase. The wind farm will be required to comply with the operational phase noise limits set out in Condition No. 8 of ABP-311565-21, regardless of the final wind turbine model erected on the site. Predicted noise limits will therefore be below the prescribed limits at noise sensitive receptors during the operational phase. No significant vibration impacts expected during any phase of the development.	No

1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	No	No, following the implementation of mitigation measures for the protection of water quality as set out in the EIAR, no significant impacts predicted during any phase of development. No significant air quality or climate effects are likely.	No
1.9 Will there be any risk of major accidents that could affect human health or the environment?	No	Due to the nature of the proposed alterations, no risk of major accidents expected following implementation of mitigation measures and adherence to best practice during construction phase.	No
1.10 Will the project affect the social environment (population, employment)	No	Construction and Operational phase activities will be identical to those approved under the permitted development. No likely significant impacts on the social environment are predicted at any phase of the development over what has already been approved.	No
1.11 Is the project part of a wider large-scale change that could result in cumulative effects on the environment?	No	The proposed alterations will be constructed concurrently with the permitted Bracklyn Wind Farm. No cumulative impacts are expected due to the minor nature of the alterations. Following implementation of the mitigation measures as described in the permitted NIS and EIAR, cumulative impacts are unlikely to arise.	No

2. Location of proposed development

2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: - European site (SAC/ SPA/ pSAC/ pSPA) - NHA/ pNHA - Designated Nature Reserve - Designated refuge for flora or fauna - Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan	No	The project is not located in, on, or adjoining any European site, any designated or proposed NHA, or any other listed area of ecological interest or protection. Accordingly, I do not consider this aspect of the project likely to result in a significant effect on the environment in terms of ecological designations or biodiversity	No
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2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?	No	The site is not under any wildlife or conservation designation. A Biodiversity Assessment accompanies the alteration application. I note that a further site visit was conducted on 19th April 2024 which confirmed there were no significant changes to the baseline conditions within the permitted development site that would significantly alter bird flight line behaviours or the avian and bat assemblages assessed in the EIAR. I note the conclusion of the biodiversity assessment contained in Annex 1 of the application documentation which discusses avian collision risk and turbine bat feature buffers. I am satisfied that the proposed alterations do not have the potential to affect any ecological receptor beyond those already assessed in the permitted development either alone or in combination with any other plans or project.	No
2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	No	The environs of the site are considered to be of historical or archaeological significance forming part of the Bracklyn Demesne, significant effects on features of archaeological or cultural importance are not assessed as likely to arise under the permitted development. The alterations are minor in nature and will not affect this conclusion. Accordingly, I do not consider this aspect of the project likely to result in a significant negative effect on the environment in terms of archaeology and cultural heritage.	No
2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	No	Due to the minor nature of the alterations proposed, I consider there will be no impact on high quality or scarce resources.	No
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	No	The proposed alterations relate to dimensions of wind turbines and all construction will be as described in the permitted development. Accordingly, I do not consider this aspect of the project likely to result in a significant effect on the environment in terms of water following implementation of mitigation measures set out in the EIAR and compliance with planning conditions.	No

2.6 Is the location susceptible to subsidence, landslides or erosion?	No	There is no evidence identified of these risks.	No
2.7 Are there any key transport routes (e.g. National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	No	All potential routes which may be utilised in the delivery of the wind turbine infrastructure have been assessed in the permitted EIAR as being capable of accommodating turbine components of the dimensions as described.	No
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	No	There are no sensitive community facilities, such as hospitals or schools, in proximity to the site and/ or that could be significantly affected by the project.	No
3. Any other factors that should be considered which could lead to environmental impacts			
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	No	The proposed alteration will be constructed concurrently with the permitted Bracklyn Wind Farm. No cumulative significant effects on the area are reasonably anticipated following implementation of mitigation measures described in the permitted EIAR and NIS. Cumulative effects with the proposed Bollivor Wind Farm are assessed as unlikely due to mitigation measures to be implemented for the respective projects.	No
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No	There are no transboundary effects are arising.	No
3.3 Are there any other relevant considerations?	No	No	No
C. CONCLUSION			
No real likelihood of significant effects on the environment.	☒	EIAR Not Required	
Real likelihood of significant effects on the environment.	☐	EIAR Required	

D. MAIN REASONS AND CONSIDERATIONS

EG - EIAR not Required

Having regard to: -

- The parent permission granted under ABP-311565-21, which the subject alterations seek to amend,
- The modest nature and scale of the proposed alterations,
- The location of the proposed alterations, within the footprint of the permitted development site,
- The pattern of development in the surrounding area,
- The location of the development outside of any sensitive location specified in Article 109(4)(a)(v) of the Planning and Development Regulations 2001, as revised,
- The guidance set out in the 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development', issued by the Department of the Environment, Heritage and Local Government (2003), and
- The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as revised.

The Board concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.

Inspector _____ Laura Finn _____

Date _____ 10th June 2025 _____

Approved (DP/ADP) _____

Date _____

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	The proposed alteration relates to minor modification of wind turbine specifications comprising: 1. Hub heights - Modification: 104m to range between 99m and 104m 2. Rotor diameters - Modification: 162m to range between 158m and 163m 3. Overall tip heights - Modification: 185 m to range between 179m and 185m (No alteration of turbine locations or numbers of turbines is proposed. The requested proposal is designed to facilitate a level of flexibility in the make and model of turbines to be installed.
Brief description of development site characteristics and potential impact mechanisms	Bracklyn Wind Farm is located approximately 16 km east of Mullingar and the core infrastructure for the wind farm is situated within townland of Bracklin, Co. Westmeath. The grid connection route (underground electricity line) exits the wind farm to the east and crosses into Co. Meath through the townland of Coolronan and connects to the existing Mullingar-Corduff 110 kV overhead electricity line. In terms of ecological assessment, the most important consideration is the overall alterations to the rotor swept areas that could result due to the proposed alteration. A permutation of the lowest proposed hub height (99 m) and longest proposed rotor diameter (163 m) would result in the rotor swept area being lowered by a maximum extent of 5.5m from 23m to 17.5m. If turbines were erected with the highest hub height (104m) and the shortest blade length (158m), then the lowest rotor swept height would be heightened marginally from 23m to 25m.
Screening report	Yes
Natura Impact Statement	Yes
Relevant submissions	N/A
An addendum NIS was submitted by the applicant in Annex 4 of the Environmental Report to assess whether the proposed alteration has the potential to impact any European-designated nature conservation sites. The technical note, in conjunction with the information contained within the NIS on the parent permission provides information in relation to the impact of the proposed alterations on Natura 2000 sites.	

This is an amendment application to ABP-311565-21, which was subject to AA Screening (Stage 1) and NIS (Stage 2) by An Bord Pleanála. This AA Screening will assess the impact of the proposed alterations to the parent permission.

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

M – Maintain, R – Restore, M & R – Maintain and Restore

Relevant European Sites identified in the AA Screening of the parent permission ABP-311565-21, which is subject to the current alteration application.

European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections	Consider further in screening ³ Y/N
River Boyne and River Blackwater SAC [002299]	- Alkaline fens [7230] (M) - Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnion incanae</i> , <i>Salicion albae</i>) [91E0] (R) - <i>Lampetra fluviatilis</i> (River Lamprey) [1099] (R) - <i>Salmo salar</i> (Salmon) [1106] (R) - <i>Lutra lutra</i> (Otter) [1355] (M)	7.9 km via hydrological link from core construction and operational site at Bracklyn, measured from T10.	Hydrological link	Yes
River Boyne and River Blackwater SPA [004232]	- Kingfisher (<i>Alcedo atthis</i>) [A229] (M)	8.1 km via hydrological link from core construction and operational site at Bracklyn, measured from T10	Hydrological link	Yes
Lough Derravarragh SPA [004043]	- Whooper Swan (<i>Cygnus cygnus</i>) [A038] (R) - Pochard (<i>Aythya ferina</i>) [A059] (R) - Tufted Duck (<i>Aythya fuligula</i>) [A061] (R) - Coot (<i>Fulica atra</i>) [A125] (R) - Wetland and Waterbirds [A999] (M)	14.2km from the NW	Ecological link	Yes

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site from proposed alterations	
European Site	Impacts	Effects
Site 1: River Boyne and River Blackwater SAC [002299]	Potential water pollution due to accidental spillage, increase sediment run-off etc during the construction operation or decommissioning phase.	Construction/Decommissioning Phases - Potential water pollution (hydrocarbons, cement leachate and sediment) due to pollution incidents on site and if inappropriate construction practices result in sedimentation. Operational Phase - Potential water pollution (sediment, limited hydrocarbons) due to pollution incidents on site.
No	Likelihood of significant effects from proposed development (alone): Y/N	
No	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
No	Possibility of significant effects (alone) in view of the conservation objectives of the site	
Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site from proposed alterations	
European Site	Impacts	Effects
Site 2: River Boyne and River Blackwater SPA [004232]	Potential water pollution during construction and decommissioning phase.	Construction/Decommissioning Phases - Potential water pollution (hydrocarbons, cement leachate and sediment) due to pollution incidents on site and if inappropriate construction practices resulting in sedimentation. Operational Phase - Potential water pollution (sediment, limited hydrocarbons) due to pollution incidents on site and if inappropriately designed infrastructure results in sedimentation. Collision Risk - Direct impacts due to collision risk is considered highly unlikely to result in significant effects for this species, based on the rotor swept area specified and the lower-level flights typically taken by kingfishers as they traverse watercourses.
No	Likelihood of significant effects from proposed development (alone): Y/N	
No	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
No	Possibility of significant effects (alone) in view of the conservation objectives of the site	

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site from proposed alterations	
European Site	Impacts	Effects
Site 3: Lough Derravarragh SPA [004043]	Potential displacement of waterbird species associated with SPA - due to separation distance not likely.	Construction/Decommissioning Phases - Potential displacement of waterbird species associated with the SPA – due to separation distance it is considered unlikely any effects will be significant Operational phase - Collision risk of waterbird species associated with the SPA.
Yes	Likelihood of significant effects from proposed development (alone): Y/N	
No	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
Yes	Possibility of significant effects (alone) in view of the conservation objectives of the site	
The application site is not located within or adjacent to a Natura 2000 site. The proposed development is hydrologically connected to the River Boyne and River Blackwater SAC and the River Boyne and River Blackwater SPA, via the Stonyford River; and without mitigation, has the potential to result in surface water impacts including sediment release and chemical/ hydrocarbon pollution, which could impact on the QIs of the European site. I note that the proposed alteration does not alter the physical footprint of the permitted development, how the wind farm will be constructed or the mitigation measures from the original wind farm application. Direct impacts due to collision risk is considered highly unlikely to result in significant effects for the Kingfisher in the River Boyne and River Blackwater SPA, based on the rotor swept area specified and the lower-level flights typically taken by kingfishers as they move up and down water courses. The proposed development lies within 14.2km of the Lough Derravarragh SPA, designated for whooper swan, pochard, tufted duck and coot, as well as the general water bird assemblage, which includes wide ranging waterbird species like golden plover and lapwing. As a windfarm proposal, there is potential for collision risk on QI bird species utilising the wider area beyond the designated site. Alterations to rotor diameters and hub height could result in alterations to the collision risk volume and the position of the rotor swept area relative to the ground. These changes have the potential to alter values provided for predicted avian collision.		
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
Based on the alterations proposed, the physical footprint of the permitted development will remain unchanged, construction methodology will remain unchanged and the mitigation measures remain unchanged. No further mitigation measures are required for the proposed alterations during the construction phase works, and hence no		

potential significant effects on water courses due to sedimentation or pollution incidents are likely from the proposed alterations, based on implementation of mitigation measures outlined in the approved parent permission.

In relation to avian collision risk, a possible significant effect on the Lough Derravarragh SPA was identified. The SPA is designated for whooper swan, pochard, tufted duck and coot. Potential for adverse effects due to avian collision risk affecting bird populations listed as Special Conservation Interests (SCI) of the SPA could not be ruled out at Stage 1 AA. An appropriate assessment is required for the Lough Derravarragh SPA on the basis of the possible effects of the project 'alone'.

The addendum NIS also discusses bat buffer zones, which I will discuss in my environmental assessment under biodiversity, as bats are not a Qualifying Interest of the Lough Derravarragh SPA. (See Table 7.1 of this report – Biodiversity, Tree Felling (Bat Protection)).

Screening Determination

Significant effects cannot be excluded

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that it is not possible to exclude that the proposed development alone will give rise to significant effects on the Lough Derravarragh SPA [004043] in view of the sites conservation objectives. Appropriate Assessment is required.

Following this screening process, the possibility of significant effects on other European sites has been excluded on the basis of objective information. The following European sites have been screened out for the need for appropriate assessment.

- River Boyne and River Blackwater SAC [002299]
- River Boyne and River Blackwater SPA [004232]

Measures intended to reduce or avoid significant effects have not been considered in the screening process.

This determination is based on:

- The nature of the works being carried out on the development site.
- The physical footprint of the permitted development, the construction methodology and the original mitigation measures remaining unchanged from the application permitted.
- The ecological link between the Bracklyn Wind Farm Site and the Lough Derravarragh SPA.

Proceed to AA.

Appendix 4 Appropriate Assessment (Stage 2)

1.0 Introduction (Stage 2 Assessment)

The following is an Appropriate Assessment based on the conclusion of the AA Screening (Stage 1) in Appendix 3 of this report, that the proposed development is likely to have a significant effect on 1 no. European Designated sites.

Based on my examination of the accompanying NIS report, the addendum NIS submitted with the application, the conclusion of the Board on the parent permission granted under ABP-311565-21 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 site, their conservation objectives and taken in conjunction with my assessment of the subject site and the surrounding area, I consider the proposed development has the potential to result in significant effects on Lough Derravarragh SPA [004043] in view of the conservation objectives of a number of qualifying interest features of that site. Significant effects could not be ruled out based on potential collision risk for bird species related to the SPA.

The following section provides a summary matrix for Lough Derravarragh SPA [004043], providing details of location of the SPA site in relation to the proposed development site, a description of the European Site from the site synopsis on the NPWS website, identification of the relevant qualifying features that could be impacted from the European Site, the potential impacts on the qualifying interests and whether mitigation measures are required to protect the European Site. (See Table 1)

Table 1: AA Summary Matrix for Lough Derravarragh SPA [004043]

Lough Derravarragh SPA [004043]:

[Lough Derravarragh SPA | National Parks & Wildlife Service](#)

Description of site: Lough Derravarragh is located approximately 12 km north of Mullingar town in Co. Westmeath. It is a medium- to large-sized lake of relatively shallow water (maximum depth 23 m). The lake extends along a south-east/north-west axis for approximately 8 km. The Inny River, a tributary of the River Shannon, is the main inflowing and outflowing river. The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for the following species: Whooper Swan, Pochard, Tufted Duck and Coot. Lough Derravarragh is one of the most important midland lakes for wintering waterfowl. Lough Derravarragh is of major ornithological importance as it regularly supports nationally important populations of four species, and at times is used by the internationally important population of Greenland White-fronted Goose which is based in the region. Also of note is that three of the species which occur at the site, Greenland White-fronted Goose, Whooper Swan and Golden Plover, are listed on Annex I of the E.U. Birds Directive. Lough Derravarragh is a Ramsar Convention site.

Location: 14.2km to the northwest, measured from proposed operational site.

Conservation Objectives:

- To restore the favourable conservation condition of the bird species listed as Special Conservation Interest for this SPA **R**
- To maintain the favourable condition of Wetland habitats as a resource for the regularly-occurring migratory waterbirds that utilise these areas. **M**

Summary of Appropriate Assessment

Qualifying Interest Feature *priority habitat Annex I	Conservation Objectives & Attributes & Targets (Summary)	Potential Impact/Mitigation Measures for
Whooper Swan (Cygnus cygnus) [A038] R	Long term winter population trend is stable or increasing, sufficient number in locations, area, and availability in terms of timing and intensity of use) of suitable habitat to support the population target. The intensity, frequency, timing and duration of disturbance occurs at levels that do no significantly impact the achievement of targets for population trend and spatial distribution, barriers do not significantly impact the wintering populations access to the SPA or other ecologically important sites outside the SPA, sufficient number of locations, area of suitable habitat and available forage biomass to support the population target, sufficient number of locations, area and availability of suitable roosting habitat to support the population target, sufficient area of utilisable habitat available in ecologically important sites outside the SPA.	No likely risk of bird collision or displacement.
Tufted Duck (Aythya fuligula) [A061] R		I consider that there is no likely impact on this QI due to the separation distance of c. 14.2km from the proposed development and acceptance of the findings in relation to the collision risk modelling contained in the NIS and Addendum NIS.
Coot (Fulica atra) [A125] R		No Mitigation Required

Pochard (Aythya ferina) [A059] R	Long term winter population trend is stable or increasing, Sufficient number of locations, area, and availability (in terms of timing and intensity of use) of suitable habitat to support the population target, The intensity, frequency, timing and duration of disturbance occurs at levels that do not significantly impact the achievement of targets for population trend and spatial distribution, Barriers do not significantly impact the wintering population's access to the SPA or other ecologically important sites outside the SPA, Sufficient number of locations, area of suitable habitat and available forage biomass to support the population target, Sufficient number of locations, area and availability of suitable roosting habitat to support the population target.	No likely risk of bird collision or displacement. I consider that there is no likely impact on this QI due to the separation distance of c. 14.2km from the proposed development and acceptance of the findings in relation to the collision risk modelling contained in the NIS and Addendum NIS. No Mitigation Required
Wetland and Waterbirds [A999] M	No significant loss to wetland habitat within the SPA, other than that occurring from natural patterns of variation, No significant impact on the quality or functioning of the wetland habitat within the SPA, other than that occurring from natural patterns of variation	No likely risk of bird collision or displacement. I consider that there is no likely impact on this QI due to the separation distance of c. 14.2km from the proposed development and acceptance of the findings in relation to the collision risk modelling contained in the NIS and Addendum NIS. No Mitigation Required

2.0 Potential Impacts and Recommended Mitigation Measures

2.1 Potential Impacts

Avian Collision Risk

Potential Impacts in relation to the alteration to the size of the turbines, specifically the rotor swept area which could potentially impact the avian collision risk assessment is described in Section 4.2 of the applicants Addendum NIS report. Section 4.2.1 describes the Avian Collision Risk as follows;

- The maximum increase in blade diameter is 1m and maximum decrease is 4m. The report notes that a 5m difference in rotor diameter only affects predicted collision risk values by magnitudes of less than 3%. Hence, a negligible impact

on the predicted collision risk values generated for target species is predicted if alternative rotor diameters are selected.

- For scenarios where a longer blade length and/or a lowered hub height than the permitted specifications is selected, the rotor swept area is lowered to the ground which has the potential to increase the amount of flight seconds that are entered in the collision risk models for target species.
- As detailed in Section 5.6.7 and 5.6.8 of the original NIS, potentially sensitive lower flying species such as hen harrier or merlin were only periodically recorded during the bird surveys for the original wind farm application.
- I note that all flight time recorded in height bands between 15 and 185m were included as inputs into the models (Appendix 7, Applicants NIS).
- Hence, the original modelling outputs account for collision risk that would occur under a worst-case scenario due to the proposed alteration, i.e. a combination of the lowest proposed hub height (99m) and longest proposed blade diameter (163m), with the rotor swept area being lowered by a maximum extent of 5.5m from 23m to 17.5m.
- The findings of the original application collision risk model remain applicable for the proposed alterations.

I accept the findings of the addendum NIS in relation to avian collision risk based on the proposed alterations. I consider the conclusion of the original NIS remains valid and that there are no significant effects predicted in relation to avian collision risk.

2.2 Cumulative Impacts

The adjoining Ballivor Wind Farm Development (ABP-316212-23), was approved by An Bord Pleanála on 22nd November 2024. Section 8.2 of the NIS which accompanied the Ballivor application concludes in relation to cumulative assessment;

'Following the assessment provided in the preceding sections, it is concluded that, the Proposed Development will not result in any adverse effects on the integrity of any European Sites. All pathways by which adverse effects could occur have been robustly blocked through the implementation of mitigation and best practice in the design of the development. Having considered other projects in the area as listed above, no potential for the Proposed Development to contribute to any adverse

cumulative effects on any European Sites was identified when considered in combination with other plans and projects.

In the review of the projects that was undertaken, no connection, that could potentially result in additional or cumulative impacts was identified. Neither was there any potential for different (new) impacts resulting from the combination of the various projects and plans in association with the proposed development.'

Based on the mitigation measures provided in the Bollivor Wind Farm Development, I consider that no likely significant cumulative impacts will result from the proposed alterations to the Bracklyn Wind Farm.

2.3 Mitigation Measures

I consider that following implementation of mitigation measures which were included in the NIS and EIAR, as part of the approved Bracklyn Wind Farm granted under ABP-311565-21, and in the absence of significant effects arising from the proposed development, no significant adverse effects will result from the proposed alterations on any European Site.

2.4 Residual Effects

Taking account of the mitigation measures for the approved Bracklyn Wind Farm and the limited scale of the proposed development, I consider that there is no potential for residual adverse effects on the Lough Derravarragh SPA as a result of the proposed development.

2.5 Appropriate Assessment Conclusion

I consider the Applicant has provided a detailed description of the likely potential effects of the proposed development at all phases of development, which focuses on the impacts on Qualifying Features of European Sites.

I am satisfied that the proposed development individually or in combination with other plans or projects would not adversely affect the integrity of any European site in light of their conservation objectives (subject to the implementation of mitigation measures, as outlined above).

Based on the above, it can be concluded in view of best scientific knowledge, on the basis of objective information that the proposed development will not adversely affect the Qualifying Interests/Special Conservation Interests associated with the Lough Derravarragh SPA [004043], European Site.