



An
Bord
Pleanála

Inspector's Report ABP-321381-24

Development	20 year planning permission for continuation of operational life of wind farm (Sligo County Council Reg. Ref. 98/533 & ABP PI Ref. 21.110572, as amended by Sligo County Council Reg. Ref. 04/1315).
Location	Carrane Hill Wind Farm, townland of Carrownadargny, near Geevagh, Co. Sligo.
Planning Authority	Sligo County Council
Planning Authority Reg. Ref.	2460315
Applicant	Orliven Limited
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	First Party
Appellant(s)	Orliven Limited
Observer	Dept. of Defence
Inspector	Matthew O'Connor

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1.0 Site Location and Description

- 1.1. The appeal site is located in the townland of Carrownadargny some 4km (as the crow flies) to the northeast of Geevagh, Co. Sligo. The subject site relates to the Carrane Hill Wind Farm which comprises 4 no. wind turbines and supporting infrastructure. The surrounding area is generally defined as an upland/mountainous area in a rural location with low population levels. The predominant land use in the area is mainly forestry and peatland with limited agricultural grassland. The site is located within the Carrane Hill Bog NHA.

2.0 Proposed Development

- 2.1. Planning permission is sought for the following:
- 20-year continuation of the operational life of existing wind farm from date of expiration (23rd June 2025) of current permission.
 - No modifications proposed to the existing wind farm comprising:
 - (a) 4 no. existing wind turbines with a hub height of 44 metres and a rotor diameter of 52 metres;
 - (b) existing 1 no. on-site electrical substation compound with control building, welfare facilities, associated electrical plant and equipment, security fencing, associated underground cabling;
 - (c) all associated existing underground electrical and communications cabling connecting the turbines to the on-site substation;
 - (d) existing site access tracks of c.1.5km in length and turbines hard-standings;
 - (e) existing site drainage; and,
 - (f) all existing ancillary infrastructure, associated site fencing and signage.
- 2.2. The application is accompanied by the following documents and information:
- Planning & Environmental Report.
 - Planning & Environmental Report (as also referred).
 - Appropriate Assessment Screening Report.
 - Ecological Impact Assessment.

- Noise & Vibration Impact Assessment.
- Climate & Air Quality Assessment.
- Hydrology & Water Quality Assessment.
- Cultural Heritage Assessment.
- Landscape & Visual Impact Assessment.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. Sligo County Council granted permission for the subject development, subject to 6 no. conditions and are briefly summarised below.

Condition 1: The development shall be carried out in accordance with submitted plans/particulars lodged with the application.

Condition 2: The subject permission shall expire 10 years from the date of this order (22/06/2035).

Condition 3: All mitigation measures of the Hydrology & Water Quality Report shall be implemented.

Condition 4: Within 3 months of grant date, details of the turbines shall be submitted to Planning Authority and the Irish Aviation Authority.

Condition 5: Prior to the expiration of permission, a detailed reinstatement programme for the turbines and ancillary structures shall be submitted.

Condition 6: All conditions from PL04/1315 shall be complied with.

3.2. Planning Authority Reports

3.2.1. Planning Report

- The Planner's Report forms the basis for the decision to grant permission.
- The report provides a description of the site; associated planning history; associated policy context from the Development Plan with respect to conservation areas, energy, landscape character, architectural heritage, renewable energy standards; and, national guidance.

- The assessment indicates that it is the policy of the Planning Authority to adopt a favourable approach to wind energy development subject to protection of the environment and the character of sensitive areas.
- The turbines are located in an area of 'normal rural landscape' and it is considered that the development is in line national, regional & local policy.
- Reference is made to the Wind Energy Development Guidelines (2006) and it is noted that the normal operation of a windfarm is 25 to 30 years. The Planning Authority considered that a 20-year extension is excessive given that the windfarm was granted in 2004 and that a 10-year extension would be more appropriate.
- In terms of visual impact, the existing windfarm undoubtedly has a visual impact and there a number of existing wind farms also visible. That said, the development does not unduly detract from the overall visual quality of viewpoints and does not have an unacceptable impact on the rural character or visual amenities of the area.
- There are no concerns raised in relation to residential amenity or traffic impacts
- With respect to the duration of the permission, the windfarm is noted to be in operation for 20 years, whereas the normal operational life of a turbine is 25 to 30 years. The Planning Authority consider the 20 year extension to the operational life as excessive. It is recommended that the extension of operation be 15 years from the expiration of the parent permission on site.
- AA and EIA were both considered as part of the assessment.

3.2.2. Other Technical Reports

- Area Engineer – No objection, subject to conditions.
- Environment Section – No objection, subject to conditions.
- Water Services – No response received.

3.3. **Prescribed Bodies**

- National Parks and Wildlife Service (NPWS) – No response received.
- Uisce Eireann – No response received.
- Irish Aviation Authority (IAA) - No objection.

3.4. Third Party Observations

- None.

4.0 Planning History

4.1.1. The following planning history is associated with the subject development:

- 06136 Permission GRANTED for the erection of 2 wind turbines with towers 44 metres in height and rotor diameter of 52 metres and ancillary equipment for the generation of electricity (being an extension to the wind farm referred to in planning ref no. 04/1315).
- 04/1315 Permission GRANTED for the retention and completion of development consisting of the retention of all works (670 metres of road) carried out pursuant to planning permission planning register reference no. 98/533 and permission for the erection of 4 wind turbines with towers not exceeding 46 metres in height and rotor diameter not exceeding 54.25 metres together with control building and ancillary equipment for the generation of electricity. Applicant: Orliveen Ltd.
- 98/533 Permission REFUSED by Sligo County Council for the erection of 4 wind turbines with towers not exceeding 46 metres in height and rotor diameter not exceeding 54.25 metres with control building and ancillary equipment for generation of electricity. The permission sought for 4 wind turbines is in substitution for permission previously sought for the erection of 6 wind turbines at Carrownadargny Townland near Geevagh, Co. Sligo. Applicant: Waterfern Limited.

This decision was subsequently appealed to An Bord Pleanála under PI Ref. 21.110572 whereby permission was granted.

5.0 Policy Context

Regard is had to a number of European, National, Regional, County and other relevant policy documents.

5.1. European Policy

- RED III (European Renewable Energy Directive (EU/2023/2413))
- European Wind Power Action Plan

- European Green Deal 2020

5.2. National & Regional Policy and Legislation

5.2.1. Climate Action and Low Carbon Development Act 2015, as amended

This Act commits Ireland to the objective of becoming a carbon-neutral economy by 2050, reducing emissions by 51% by the end of the decade. Section 17 of the Climate Action and Low Carbon Development (Amendment) Act, 2021 amends the principle act such that Section 15(1) requires:

“(1) A relevant body shall, in so far as practicable, perform its functions in a manner consistent with—

- a) the most recent approved climate action plan,*
- b) the most recent approved national long term climate action strategy,*
- c) the most recent approved national adaptation framework and approved sectoral adaptation plans,*
- d) the furtherance of the national climate objective, and*
- e) the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State”.*

I note that “Relevant Body” means a prescribed body or a public body.

5.2.2. Climate Action Plan (2024)

The Climate Action Plan 2024 (CAP24) is the third annual update to Ireland’s Climate Action Plan. The purpose of the Climate Action Plan is to lay out a roadmap of actions which will ultimately lead to meeting our national climate objective of pursuing and achieving, by no later than the end of the year 2050 the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy. It aligns with the legally binding economy-wide carbon budgets and sectoral emissions ceilings that were agreed by Government in 2022.

Central to achieving these goals is the strategic increase in the share of renewable electricity to 80% by 2030. To reach 80% of electricity demand from renewable sources by 2030:

- Accelerate the delivery of utility-scale onshore wind, offshore wind, and solar projects through a competitive framework;
- Target 6 GW of onshore wind and up to 5 GW of solar by 2025;
- Target 9 GW of onshore wind, 8 GW of solar, and at least 5 GW of offshore wind by 2030;

Deliver a streamlined electricity generation grid connection policy and process, and remove barriers, where possible, for the installation of renewables and flexible technologies reducing the need to build new grid, including hybrid (wind/solar/ storage) connections.

CAP 2024 also details the significant changes to enhance the electricity grid's capacity and flexibility. This will accommodate the significant upsurge in renewable energy while ensuring the system's reliability and efficiency. Additionally, managing electricity demand through innovative policies and technologies is crucial for aligning energy consumption with cleaner production.

5.2.3. National Adaption Framework (2018)

This Framework was developed under the Climate Action and Low Carbon Development Act (2015). Numerous Government Departments are required under this Framework to prepare sectorial adaptation plans to reduce the vulnerability of the country to the negative effects of climate change and to avail of the positive impacts.

5.2.4. Wind Energy Guidelines (2006)

These guidelines constitute the official strategy guidance on wind farms under the provision of Section 28 of the Planning and Development Act 2000 (as amended). These guidelines advise that a reasonable balance must be achieved between meeting Government Policy on renewable energy and the proper planning and sustainable development of an area and it provides advice on wind energy development in terms of the development plan and development management processes.

Specific guidance is given on matters relating to design, siting, spatial extent, and layout/height of turbines in various landscape character types. Details are also included for best practice for wind farm development on peatland, flatland and other areas. In addition, guidance is also provided on matters such as noise, shadow flicker,

natural heritage, archaeology, architectural heritage, ground conditions, aircraft safety, wind take and potential cumulative effects.

5.2.5. Draft Wind Energy Guidelines (2019)

As a point of clarity, the Board will note that the Draft Wind Energy Guidelines (2019) remain in 'draft' form and have not been officially adopted as official guidance. These guidelines provide revised/amended guidance on matters such as noise, shadow flicker, community investment, visual impacts amongst other considerations. In respect of the subject appeal, regard is had to Section 7.22 relating to Timit Limits.

5.2.6. National Planning Framework 2018-2040 (NPF)

National Strategic Outcome (NSO) 8 seeks to transition Ireland to a low carbon and climate resilient society. National Policy Objective (NPO) 54 and 55 seek to reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives; and, promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050.

5.2.7 National Development Plan 2021-2030 (NDP)

The National Development Plan (NDP) sets out investment priorities underpinning the implementation of the NPF. Chapter 13 deals with NSO 8: Transition to a Climate-Neutral and Climate Resilient Society. Public capital investment choices must contribute to a 51% reduction in greenhouse gas emissions by 2030 and lay the pathway to achieve net-zero greenhouse gas emissions by 2050. This will require grid-scale renewable electricity generation and storage.

5.2.8 National Biodiversity Action Plan 2023-2030 (NBAP)

Ireland's fourth NBAP sets out the biodiversity agenda and has a list of Objectives which promotes biodiversity as follows:

- Objective 1 - Adopt a whole of government, whole of society approach to biodiversity;
- Objective 2 - Meet urgent conservation and restoration needs;
- Objective 3 - Secure nature's contribution to people;
- Objective 4 - Enhance the evidence base for action on biodiversity; and,

- Objective 5 - Strengthen Ireland's contribution to international biodiversity initiatives.

5.2.9 National Energy Security Framework (2022)

The Framework addresses Ireland's energy security needs in the context of the war in Ukraine. It coordinates energy security work across the electricity, gas and oil sectors. The Framework takes account of the need to decarbonise society and the economy, and of targets set out in the Climate Action Plan to reduce emissions. Theme 3 - Reducing our Dependency on Imported Fossil Fuels, focusses on three areas of work:

7.1 Reducing demand for fossil fuels.

7.2 Replacing fossil fuels with renewables, including solar energy.

7.3 Diversifying fossil fuel supplies.

Under 7.2, it is noted that prioritising renewables is in line with the requirements of the recast Renewable Energy Directive and the EC REPowerEU action statement. The Commission has called on Member States to ensure that renewable energy generation projects are considered to be in the overriding public interest, and the interest of public safety, and the Government supports this request.

5.2.10. Regional Spatial & Economic Strategy for the Northern & Western Region (2020)

The relevant section of the RSES is 'Renewable Energy and Low Carbon Future' which is supportive of renewable energy developments. Regional Policy Objectives (RPO) 4.17 and 4.18 respectively are relevant and seek to position the region to avail of the emerging global market in renewable energy to promote the development/growth of renewable energy businesses; and, supports the development of renewable energy supplies to maximise their value and support indigenous industry and create jobs.

5.3. **County Development Plan**

5.3.1. The Board shall note that this application was assessed under the provisions of the Sligo County Development Plan 2017-2023. Since the initial assessment and decision of this application (granted 07/11/2024), the Sligo County Development Plan 2024-2030 was adopted on 30th September 2024 and came into force on the 11th November 2024. On 8th November 2024, the Minister of State for Local Government and Planning issued a 'Draft Direction' to the Planning Authority under Section 31 of the Planning and Development Act, 2000 (As Amended) ('the Act'). This Draft Direction

however does not concern any specific matters which specifically relate to the subject development. As such, I am satisfied that the Board can assess the appeal under the 'Interim Consolidated Version of the Sligo County Development Plan 2024-2030'.

5.3.2. Section 31.3.1 of Chapter 31: 'Energy and Telecommunications' relates to Wind Energy. The following policies and objectives are relevant:

P-EN-1 Support the sustainable development, upgrading and maintenance of energy generation, transmission, storage and distribution infrastructure, to ensure the security of energy supply and provide for future needs, as well as protection of the landscape, natural, archaeological and built heritage, and residential amenity.

P-EN-2 Facilitate the production of energy from renewable sources and secure the maximum potential from wind energy resources within County Sligo, including the augmentation, upgrading and improvements to existing wind farms, subject to strict location, siting and design criteria. All such development proposals will be assessed for their potential impact on urban and rural communities, Natura 2000 sites, designated Sensitive Rural Landscapes, Visually Vulnerable Areas, Scenic Routes and scenic views, and all other normal planning considerations

O-REN-1 Prepare a Renewable Energy Strategy for County Sligo within one year of the publication of the Regional Renewable Electricity Strategy (NWEA) or the revised Methodology for Local Authority Renewable Energy Strategies (SEAI), as provided for in the Climate Action Plan 2024, whichever occurs first.

5.3.3. Section 33.11.1 of Chapter 33: 'Development Management Standards' relates specifically to 'Wind Energy Developments'.

5.4. Natural Heritage Designations

5.4.1. The appeal site is located within the Carrane Hill Bog Natural Heritage Area (Site Code: 002415). The subject site is not located on or within proximity to any designated Natura 2000 sites. The nearest designated sites within 10km include the Lough Arrow SPA (Site Code: 004050) & SAC (Site Code: 001673) which are approximately 8.3km to the southwest; the Unshin River Special Area of Conservation (Site Code: 001898) which is located approximately 8.9km to the southwest also; and the Lough Gill Special Area of Conservation (Site Code: 001976) which is located approximately 8.4km to the northwest.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. This first party appeal is against Condition No. 2 only of the Sligo County Council's decision to grant permission. The grounds of appeal summarised as follows:

Inconsistencies in the Planning Officer's Report

- The Planning Officer's report is inconsistent and does not provide any technical or scientific basis for limiting the operational period to 10 more years. The decision to do so is arbitrary.
- Section 12.3 of the Planner's Report recommends 10 years but Section 12.8 of the Planner's Report recommends 15 years.

Contrary to the Technical Information in the Planning Documents

- The submitted particulars were prepared on continued operation on a 20 year basis and the likely environmental affects regarding local residents, communities, biodiversity, water and the landscape were considered.

Lack of any Technical or Scientific Basis for Limiting to 10 years

- The Planner's Report contains no technical or scientific basis for reducing the lifetime operational extension being sought.
- The Planner's Report states that the normal operating life of a windfarm is 25-30 years and that permissions are typically granted for 25-30 years.
- The Planner's Report infers that if a 20 year lifetime extension was granted, it would mean the windfarm would be operational for 40 years by 2044 which is deemed excessive. No further information is provided as to what this would mean for the proper and sustainable development of the area.
- The application documentation in state that the turbines are capable of operating for 20 additional years.
- The turbines are operated and maintained by the ESB on behalf of Orliven Ltd and recent technical examinations has shown that the turbines can operate for an additional 20 years with regular maintenance.
- Some windfarms constructed in the 1990s-2000s have no time-limiting planning conditions and continue to operate. The first wind farm in Ireland commenced operations in 1992 and continues to produce renewable energy.

- The proposal is consistent with planning policies at all levels and the Planning Authority have no concerns regarding visual amenities, landscape character, environment, residential amenities or public health.
- Applicant requests that Condition No. 2 be amended to a twenty (20) year planning permission for the continued operational life of the existing wind farm.

6.2. Planning Authority Response

6.2.1. A response from the Planning Authority has been received on file and states that *'the Planning Authority refers the Board to the Planner's Report and the other reports prepared in connection with the assessment of this application as well as the decision of the planning authority to grant planning permission subject to conditions'*.

6.3. Observations

6.3.1. One observation has been received in respect of the subject development from the Department of Defence, a prescribed body. The matters raised are summarised as follows:

- All turbines should be illuminated by type C, medium intensity, fixed red obstacle lighting with a minimum output of 2,000 candela to be visible in all directions of azimuth and to be operational H24/7 days a week.
- Obstacle lighting should be incandescent or if LED or other types are used of a type visible to Night Vision Equipment. Obstacle lighting used must emit light at the near Infra-Red (IR) range of the electromagnetic spectrum, specifically at or near 850 nanometres (nm) of wavelength.
- Light intensity to be of a similar value to that emitted in the visible spectrum of light.
- Any Irish Air Corps (IAC) requirements are separate to Irish Aviation Authority (IAA) requirements.

7.0 Assessment

7.1. Having examined the application details, the reports of the Planning Authority and all other documentation on the appeal file and having reviewed relevant national, regional and local policies and guidance, I consider that the main issues raised in this first party appeal relate solely to the inclusion of Condition 2 in the decision to grant permission.

- 7.2. I am satisfied that the determination of the application by the Board, as if it has been made to it in the first instance, would not be warranted. Therefore, in accordance with the provisions of Section 139 of the Planning and Development Act 2000 (as amended), I recommend that this appeal should be limited to only consider the issues arising out of the disputed condition as referred.
- 7.3. By way of brief background, the subject wind farm was originally refused by Sligo County Council under Reg. Ref. 98/533. However, An Bord Pleanála granted permission under PI Ref. 21.110572. A subsequent application Reg. Ref. 04/1315 granted retention of works (670 metres of road) and permission for the erection of 4 wind turbines with towers together with control building and ancillary equipment. This permission was for a period of 20 years (Condition 5). The applicant has now sought permission for a further period of 20 years following expiry of the current permission.
- 7.4. This appeal has been made in respect of the Planning Authority's decision to grant permission for a 10-year period (expiring on 22nd June 2035). In the interests of clarity, Condition 2 states:

The subject Permission shall expire 10 years from the date of this order on 22rd June 2035, 10 years from the expiry date of the parent Permission on site PL04/1315.

Reason: To enable the planning authority to review its operation in the light of the circumstances then prevailing.

- 7.5. The First Party has sought a 20-year period for continuation of operational life of the existing wind farm and therefore, the applicant does not consider Condition No. 2 to be reasonable. The grounds of appeal refer to inconsistencies in the assessment of the Planning Authority. I have reviewed the Planner's Report and note that Section 12.3 states that in the event of granting planning permission that a 10 year extension would be more appropriate. However, subsequently in Section 12.8 of the Planner's Report the Case Officer states that it is considered an appropriate time extension for the existing windfarm is 15 years which shall be conditioned that the expiry date of the subject permission is 22nd June 2040, 15 years from the expiration of the parent permission on site. As noted, Condition No. 2 of the decision to grant then states that the subject permission shall expire in 10 years (22nd June 2035), 10 years from the expiry date of the extent permission on the site – i.e. Reg. Ref. 04/1315. I consider

that there are clear inconsistencies in the assessment of the Planning Authority which range from considering a 10-year to 15-year extension of continued operation of the wind farm.

- 7.6. The First Party also contends that the assessment of the Planning Authority does not provide any technical or scientific basis for limiting the operational period of the wind farm. From my review of the appeal file, I note that the Planning Authority considered that a 20-year extension to the continued operation of the wind farm was deemed to be excessive on the basis that the wind farm was granted permission in 2004. The assessment of the Planning Authority makes reference to the Draft Wind Energy Development Guidelines (December 2019) and states that the normal operation of a windfarm is 25-30 years. With this in mind, I am of the opinion that the Planning Authority has formed their decision to permit a 10-year extension on the basis of the extant permission being presently 20 years and so a 10 year extension would bring a total operating life of 30 years as referred to in the draft guidelines. The current guidelines do not specify the normal operational life of wind turbine and under section 7.20: 'Time Limits' it is indicated that the inclusion of a condition which limits the life span of a wind energy development should be avoided, except in exceptional circumstances and that it is the responsibility of the applicants to request such longer durations in appropriate circumstances. Therefore, I consider that the Planning Authority has not demonstrated exceptional circumstances for time-limiting the continued operation of the existing windfarm.
- 7.7. The First Party claims that the existing turbines are capable of operating for 20 additional years and indicate that the turbines can operate for an additional 20 years with regular maintenance. According to the First Party, during this extended lifetime, the wind farm would continue to operate in the same way that it currently operates and that while routine maintenance work would be required throughout the wind farm's lifetime, the proposed development does not comprise any works/modifications to the existing windfarm. Furthermore, the ground of appeal contends that the application has been prepared on the basis of the continued operation of the existing wind farm for a further twenty year period and has submitted documentation which has assessed the likelihood of any effects on the environment arising from the proposed development including effects on local residents and communities, biodiversity, water, and the landscape. In this regard, I consider that the Planning Authority has provided

no technical basis to limit the continued operation of the windfarm which refutes the First Party's rationale for the continued operation of the windfarm for an additional 20-year period.

- 7.8. Overall, I consider that the policy position at national, regional and local level supports windfarm development which would include the continued operation of existing windfarms. I am satisfied that the principle of the subject development adequately accords with the provisions of hierarchical policies which seeks to promote the development of renewable energy projects in an effort to address Ireland's renewable energy target and climate action commitments. I therefore conclude that the 10-year limitation of the Planning Authority's condition is unreasonable and that Condition 2 should be amended to provide a continuation of operation for a further 20 years.
- 7.9. As a further matter of consideration, I note the observation received from the Department of Defence in respect of the subject development which effectively relates to specification and obstacle lighting for the turbines. I note that obstacle lighting/aviation warning lights and its associated specification has been included as part of Condition 4 of the Planning Authority's decision to grant. This condition is to be submitted to the Irish Aviation Authority for written approval. However, I acknowledge that the observation informs that Irish Air Corps (IAC) requirements are separate to Irish Aviation Authority (IAA) requirements.
- 7.10. Notwithstanding, this first party appeal relates solely to the time limit of the continued operation the existing windfarm as set out in Condition 2 of the decision to grant permission. I am considering this appeal under Section 139 of the Planning and Development Act 2000 (as amended) and as such, my assessment is restricted to the consideration of the issues arising from the First Party appeal. I do not consider that the contents of the observation relates to the grounds of appeal (which seeks a time extension on operations of an existing wind farm) and I consider that Condition No. 4 of the Planning Authority's decision is sufficient in relation to obstacle lighting on wind turbines generally. I am also of the view that the onus lies with Department of Defence/Irish Air Corps to liaise with other responsible aviation authorities on obstacle lighting requirements for wind farm developments.

8.0 Environmental Impact Assessment (Screening)

- 8.1. The site subject to this appeal pertains an existing wind farm containing 4 no. wind turbines and supporting infrastructure in a upland rural area. No works are proposed as part of the proposed development and the applicant seeks a 20-year continuation of operation
- 8.2. The Planning Authority have assessed the subject development in respect of the EIA Directive and screening for EIA was carried out which concluded that an EIAR was not required.
- 8.3. The applicant has addressed the matter of EIA by submitting a variety of documentation namely - Planning & Environmental Report; Planning & Environmental Report (as also referred); Appropriate Assessment Screening Report; Ecological Impact Assessment; Noise & Vibration Impact Assessment; Climate & Air Quality Assessment; Hydrology & Water Quality Assessment; Cultural Heritage Assessment and, Landscape & Visual Impact Assessment which contain information provided in line with Schedule 7A of the Planning and Development Regulations, 2001 (as amended). The information provided in the documentation identifies and describes the direct, indirect and cumulative effects of the proposed development on the environment. I have had regard to same in the screening assessment carried out as part of my consideration of the appeal. I have also had regard to the reports submitted with the application, which address a variety of environmental matters in respect of the proposed development.
- 8.4. I have completed an EIA Pre-Screening set out in Form 1 (Appendix 1) which confirms that the proposal comes within the definition of a 'project' for the purposes of EIA and is a class of development Class 3(i) of Schedule 5 Part 2 of the Planning and Development Regulations, 2001 (as amended) and does not equal or exceed any relevant threshold of this Class.
- 8.5. Based on the nature of the proposed development, I conducted an EIA Screening Assessment as set out in Form 3 (Appendix 2) of this report. Having regard to:
 1. The nature and scale of the proposal, which is below the thresholds in respect of Class 3(i) of Part 2 of Schedule 5 of the Planning & Development Regulations 2001 (as amended).

2. The extent of the proposed development which relates to the continued operation of an existing windfarm for a 20-year period in an upland rural location.
3. The planning history at the site and the pattern of existing development in the wider area.
4. The location of the site outside of any sensitive location specified in article 109(4)(a) the Planning and Development Regulations 2001 (as amended) and the absence of any potential impacts on such locations.
5. The relevant policies and objectives in the Sligo County Development Plan 2024-2030, and the results of the Strategic Environmental Assessment of this Development Plan undertaken in accordance with the SEA Directive (2001/42/EC).
6. The criteria set out in Schedule 7 and 7A respectively of the Planning and Development Regulations 2001, as amended.
7. The available results of other relevant assessments of the effects on the environment as submitted by the applicant.
8. The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment.

I conclude 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.

9.0 Appropriate Assessment (Screening)

- 9.1. Please refer to Appendix 3 of this report which contains a Screening for Appropriate Assessment Determination where I have concluded the following:
- 9.2. In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended), and on the basis of objective information, I conclude that:
- 9.3. The proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] is not required.

This conclusion is based on:

- The nature and extent of the proposed development – i.e. continuation of operational life of an existing wind farm
- The objective information presented in the applicant's Appropriate Assessment Screening Report;
- The limited zone of influence of potential impacts;
- The limited potential for pathways to any European site;
- Distance from European Sites; and,
- Standard controls that would be employed regardless of proximity to a European site and effectiveness of same.

No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.

10.0 Recommendation

10.1 I recommend that Sligo County Council be directed to AMEND Condition No. 2 to read as follows with the reasons and considerations set out below:

AMEND Condition No. 2 as follows:

2. The subject permission shall expire 20 years from the date of this order on 22nd June 2045, 20 years from the expiry date of the parent Permission on site PL04/1315.

Reason: To enable the planning authority to review its operation in the light of the circumstances then prevailing

11.0 Reasons and Considerations

11.1. In coming to its decision the Board was consistent with the:

- (a) Climate Action Plan 2024
- (b) Climate Action and Low Carbon Development Act 2015, as amended.

In coming to its decision the Board had regard to:

- (a) The national, regional and local policy which supports developing renewable energy, including:
 - i. Project Ireland 2040: National Planning Framework (2018)
 - ii. National Development Plan 2021-2030
 - iii. National Biodiversity Action Plan 2023 – 2030

- iv. National Energy Security Framework (2022)
- v. National Energy & Climate Action Plan 2021-2030
- vi. The Regional Spatial and Economic Strategy for the Northern & Western Region (2020)
- vii. Interim Consolidated Version of the Sligo County Development Plan 2024-2030

- (b) The nature, scale and extent of the proposed development,
- (c) The pattern of development within the area and context of the receiving environment,
- (d) Measures proposed for the continued operation of the development, and,
- (e) The documentation submitted with the application and the appeal.

It is considered that proposed development would not seriously injure the visual or residential amenities of the area or otherwise of property in the vicinity or have an of unacceptable impact on the character of the landscape or on cultural or archaeological heritage, would not have a significant adverse impact on ecology and would make a positive contribution to Ireland's renewable energy and security of energy supply requirements. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

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.

Matthew O Connor
Planning Inspector

6th March 2025

Appendix 1 - Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-321381-24		
Proposed Development Summary	20 year planning permission for continuation of operational life of wind farm (Sligo County Council Reg. Ref. 98/533 & ABP PI Ref. 21.110572, as amended by Sligo County Council Reg. Ref. 04/1315).		
Development Address	Carrane Hill Wind Farm, townland of Carrownadargny, near Geevagh, Co. Sligo.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	X	Class 3(i) – Energy Industry	Proceed to Q3.
No			No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			EIA Mandatory EIAR required
No	X		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X	Applicable thresholds are: <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> The proposal relates to the continuation of operation of 4 no. existing turbines with an output of 3.4 megawatts	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No		Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes	X	Screening Determination required

Inspector: _____ Date: _____

Appendix 2 - Form 3

EIA Screening Determination

A. CASE DETAILS		
An Bord Pleanála Case Reference	ABP-321381-24	
Development Summary	20 year planning permission for continuation of operational life of wind farm (Sligo County Council Reg. Ref. 98/533 & ABP PI Ref. 21.110572, as amended by Sligo County Council Reg. Ref. 04/1315).	
	Yes / No / N/A	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	Yes	Undertaken and included in the Planner's Report. The Planning Authority concluded that the development does not fall within the mandatory EIA requirements and therefore a mandatory EIA has not been triggered. In terms of sub-threshold EIA criteria, the Planning Authority concluded the proposed development does not have the potential to have significant effects on the environment and on this basis an EIA is not required.
2. Has Schedule 7A information been submitted?	Yes	A number of documents have been submitted with the application which includes Schedule 7A information.
3. Has an AA screening report or NIS been submitted?	Yes	An Appropriate Assessment Screening Report was submitted with the application.

<p>4. Is an 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?</p>	<p>No</p>	<p>Not applicable.</p>
<p>5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA?</p>	<p>Yes</p>	<p>Other assessments carried out include:</p> <p>Planning & Environmental Report.</p> <p>Planning & Environmental Report (as also named and referred).</p> <p>Appropriate Assessment Screening Report.</p> <p>Ecological Impact Assessment.</p> <p>Noise & Vibration Impact Assessment.</p> <p>Climate & Air Quality Assessment.</p> <p>Hydrology & Water Quality Assessment.</p> <p>Cultural Heritage Assessment.</p> <p>Landscape & Visual Impact Assessment.</p> <p>SEA and AA was undertaken by the Planning Authority in respect of the Sligo County Development Plan 2024-2030.</p>

B. EXAMINATION	Yes/ No/ Uncertain	<p>Briefly describe the nature and extent and Mitigation Measures (where relevant)</p> <p>(having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)</p> <p>Mitigation measures –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.</p>	<p>Is this likely to result in significant effects on the environment?</p> <p>Yes/ No/ Uncertain</p>
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	<p>The subject development relates to an existing windfarm and the proposal seeks to continue operations for a further 20-year period.</p> <p>The landscape has been permanently altered by the existing development. The locality has a number of windfarms presently operating. As the development relates to an existing windfarm seeking to continue operations for a further 20-year period it will not be significant different to the existing surroundings or environment.</p>	No

1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	No	<p>The subject development relates to an existing windfarm and the proposal seeks to continue operations for a further 20-year period.</p> <p>The decommissioning of the 4 no. windfarms will remove the wind turbines from the existing lands returning them to their pre-existing condition.</p>	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	<p>The subject development relates to an existing windfarm and the proposal seeks to continue operations for a further 20-year period.</p> <p>There are no construction works proposed to continue the operations. The development will create renewable energy from use of wind. Soil will be used to cover the foundations of the turbines at decommissioning stage.</p>	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	The subject development relates to an existing windfarm and there are no construction works proposed to continue the operations.	No
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	Yes	<p>The subject development relates to an existing windfarm and the proposal seeks to continue operations for a further 20-year period.</p> <p>No construction works are proposed as part of the development and the windfarm will continue</p>	No

		<p>to operate. There are small levels of oil associated with the use/maintenance of the turbines.</p> <p>At decommissioning stage, the turbines will be deconstructed and removed from the site for recycling/repurposing.</p>	
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	The subject development relates to an existing windfarm and no works are proposed to continue operations. The only contaminants would be associated with oil/materials for servicing/maintaining the turbines which is limited. Any potential impacts would be localised and temporary in nature.	No
1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	Yes	<p>There is noise from the existing turbine blades which will be unchanged from the continued operation of the windfarm. The decommissioning phase will result in activity to remove the turbines.</p> <p>As the windfarm is existing, there are no proposed changes to any lighting, heat energy or electromagnetic radiation of which all are deemed to be imperceptible.</p>	No
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	No	The subject development relates to an existing windfarm. No construction works proposed to continue the operations on the site. The only	No

		contaminants would be associated with oil/materials for servicing/maintaining the turbines which is limited. There is no anticipated risk to human health	
1.9 Will there be any risk of major accidents that could affect human health or the environment?	No	<p>The subject development relates to an existing windfarm and there are no construction works proposed to continue the operations. There are no significant risks predicted having regard to the nature and scale of the existing development. All standard health and safety procedures will be implemented during construction and operation. Assessments submitted in respect of peat slippage and failure of turbine foundations conclude that risks are low/negligible.</p> <p>Any risk arising from decommissioning will be localised and temporary in nature.</p> <p>There are no Seveso/COMAH sites in the vicinity.</p>	No
1.10 Will the project affect the social environment (population, employment)	No	The subject development relates to an existing windfarm. There will be no impacts on the social environment.	No
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	No	The subject development relates to an existing windfarm and the proposal seeks to continue operations for a further 20-year period.	No

		The site is in a rural location where the prevailing land use is agricultural/forestry. There are other windfarms in the wider area.	
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: <ul style="list-style-type: none"> - 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	<p>The subject site is located within the Carrane Hill Bog NHA. The site is not in or adjoining any Natura 2000 sites (the nearest European sites have been outlined in Section 5.4 of the Inspector's Report).</p> <p>The are no meaningful pathways (ground/surface water) to any protected sites. The Appropriate Assessment Screening submitted with the application indicates that the continued operation of the project is not likely to result in a significant impact on protect sites in the area.</p> <p>The potential for significant effects on Natura 2000 sites has been screened out (please refer to Section 9.0 of the Inspector's Report).</p> <p>The proposed development would not result in significant impacts on these sites.</p>	No
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,	No	Surveys carried out for the Ecological Impact Assessment s carried out and submitted indicate that no protected flora or fauna species were	No

nesting, foraging, resting, over-wintering, or migration, be affected by the project?		identified on the site. As the site relates to an existing windfarm with no works proposed, it is not envisaged that there would be any impacts on foraging and commuting routes around the subject site.	
2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	No	There are no recorded monuments, protected structures or NIAH listed buildings which would be impacted from the development on the site. The existing windfarm is already in situ and so there would be no changes to any existing features or the landscape.	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	The site is in an upland rural area. Land uses are primarily agriculture and forestry related. The surrounding locality is not considered to contain important, high quality or scarce resources which would be affected by the project	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	There are no features identified. The site is not in a flood zone, there are no lakes proximate to the site. There are a number of small watercourses running off Carrane Hill. The site will not impact on the coast. Any risks would be deemed minimal on account of the windfarm currently being in existence will not present environmental problems.	No

2.6 Is the location susceptible to subsidence, landslides or erosion?	Yes	The site is located in an upland area with peatland. There is potential for peat slippage or foundation failure from the turbines. A peat stability assessment was carried out and it is indicated that the site is as low/negligible risk to slippage.	No
2.7 Are there any key transport routes (eg 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	The site is in a rural area and accessed via a track. The development does not impact on the surrounding road network.	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	The site is in a rural area which is sparsely populated and not proximate to any settlements.	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 subject development relates to an existing windfarm and the proposal seeks to continue operations for a further 20-year period. Given the nature of the development at the subject site, it is not envisaged that significant cumulative environmental effects would occur.	No
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No		No

3.3 Are there any other relevant considerations?	No		No
C. CONCLUSION			
No real likelihood of significant effects on the environment.	<input checked="checked" type="checkbox"/>	EIAR Not Required	
Real likelihood of significant effects on the environment.	<input type="checkbox"/>		
D. MAIN REASONS AND CONSIDERATIONS			
<p>Having regard to:</p> <ul style="list-style-type: none"> • The nature and scale of the proposal, which is below the thresholds in respect of Class 3(i) of Part 2 of Schedule 5 of the Planning & development Regulations 2001 (as amended). • The extent of the proposed development which relates to the continued operation of an existing windfarm for a 20-year period in an upland rural location. • The planning history at the site and the pattern of existing development in the wider area. • The location of the site outside of any sensitive location specified in article 109(4)(a) the Planning and Development Regulations 2001 (as amended) and the absence of any potential impacts on such locations. • The relevant policies and objectives in the Sligo County Development Plan 2024-2030, and the results of the Strategic Environmental Assessment of this Development Plan undertaken in accordance with the SEA Directive (2001/42/EC). • The criteria set out in Schedule 7 and 7A respectively of the Planning and Development Regulations 2001, as amended. • The available results of other relevant assessments of the effects on the environment as submitted by the applicant. 			

- The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment.

I conclude 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 _____

Date _____

Approved (DP/ADP) _____

Date _____

Appendix 3

AA Screening Determination

Screening for Appropriate Assessment

Screening Determination

Step 1: Description of the project

I have considered the proposed development comprising the 20 year planning permission for continuation of operational life of wind farm in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

The subject site relates to an existing windfarm comprising 4 no. wind turbines and associated supporting infrastructure on Carrane Hill in an upland area of rural Co. Sligo.

The site is located within the Carrane Hill Bog Natural Heritage Area (NHA).

The bedrock aquifer type is 'Pu' – Poor Aquifer' and has bedrock which is generally unproductive. 'Extreme' The Groundwater Vulnerability is indicated as ranging between Moderate/Extreme Vulnerability.

There are a number of unnamed watercourses running from Carrane Hill and outflowing into small rivers/streams mainly to the east/northeast of the site and also southwest from the windfarm.

The Natura 2000 sites located in closest proximity to the subject site are as follows:

- Lough Arrow SPA (Site Code: 004050) – approx. 8.3km to southwest;
- Lough Arrow SAC (Site Code: 001673) – approx. 8.3km to southwest;
- Unshin River SAC (Site Code: 001898) – approx. 8.9km to southwest;
- Lough Gill SAC (Site Code: 001976) – approx. 8.4km to northwest.

The proposed development seeks a 20-year continuation of operation of the existing windfarm. No works are sought as part of the proposed development.

I note that An Bord Pleanála is the competent authority having responsibilities under the Habitats Directive and is therefore required to screen developments under Article 6(3) so as to make a decision under this provision.

Please refer to the Appropriate Assessment Screening Report/other planning documents provided by the applicant for further details regarding the proposed development.

I have taken the contents of this documentation into account in the following AA Screening Assessment.

Step 2: Potential impact mechanisms from the project

The site is not within or adjoining any Natura 2000 sites and I do not consider that there is potential for any direct impacts, such as habitat loss, on any European site. That said, with regard to indirect impacts, I consider that the following potential impacts could include the following:

Surface water pollution (silt/contaminants) in local watercourses resulting in changes to environmental conditions such as water quality.

Ground water pollution - effects on groundwater quality and dependent habitats.

Habitat loss or fragmentation in the context of the above-mentioned European Sites.

Operation activity such as noise, vibration, human maintenance which may disturb or displace species.

Emissions release to land or air.

Having regard to the nature and extent of development, this development relates to an existing windfarm and no new works are proposed.

The site of the proposed development is not located in or immediately adjacent to a European site. The closest European sites, as referred above being the Lough Arrow SPA (Site Code: 004050) & SAC (Site Code: 001673) are approximately 8.3km to the southwest (as the crow flies). In addition, the Unshin River Special Area of Conservation (Side Code: 001898) is located approximately 8.9km to the southwest (as the crow flies). The Lough Gill Special Area of Conservation (Site Code: 001976) is located approximately 8.4km to the northwest of the appeal site (as the crow flies).

There are no other readily apparent impact mechanisms that could arise as a result of this project. I am further satisfied that no other European Sites fall within the possible zone of influence. Having regard to the foregoing, my screening assessment will focus on the impact of the proposal on the conservation objectives of the abovenamed European Sites and their qualifying interests.

Step 3: European Sites at risk

Table 1: European Sites at risk from impacts of the proposed project

Effect mechanism	Impact pathway/Zone of influence	European Site(s)	Qualifying interest features at risk
Indirect surface water pollution;	Via discharges to proximate waterbodies	Unshin River SAC	<u>Unshin River SAC</u> Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation; Semi-natural dry grasslands and scrubland facies on calcareous substrates (*important orchid sites); Molinia meadows on calcareous, peaty or clayey-silt-laden soils; Alluvial forests with Alnus glutinosa and Fraxinus excelsior; Salmon; Otter.
Indirect ground water pollution;	Infiltration to groundwater bodies	Lough Arrow SAC	<u>Lough Arrow SAC</u> Hard oligo-mesotrophic waters with benthic vegetation of Chara spp.
Operation activity;	Human interactions and disturbance;	Lough Arrow SPA	<u>Lough Arrow SPA</u> Little Grebe; Tufted Duck; Wetlands
	Air and noise emanating from the turbines	Lough Gill SAC	<u>Lough Gill SAC</u> Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation' Semi-natural dry grasslands and scrubland facies on calcareous substrates (* important orchid sites); Old sessile oak woods with Ilex and Blechnum in the British Isles; Alluvial forests with Alnus glutinosa and Fraxinus excelsior; White-clawed Crayfish; Sea Lamprey; Brook Lamprey; River Lamprey; Salmon; Otter

Unshin River SAC (Site Code: 001898)

Having regard to the relevant 'Site Synopsis' on the NPWS website, this site comprises the Unshin River which runs from Lough Arrow north to Ballysadare Bay, Co. Sligo and includes a number of watercourses and tributaries. The river is largely undrained and unaltered along much of its course and supports an excellent example of floating river vegetation. The diversity of aquatic macrophytes is exceptional, and to a certain extent the unusual combinations and richness of species can be accounted for by the good quality water being discharged from Lough Arrow upstream. The Unshin River and its tributaries form a very important system for Atlantic Salmon, a species that is listed on Annex II of the E.U. Habitats

Directive. And supports a good population of trout. The trophic status of the river increases downstream indicating that some enrichment is taking place. However, the quality of the Unshin River and particularly its aquatic macrophyte communities, make it rare in both an Irish and European context, and it is considered one of the most pristine rivers in the country.

Lough Arrow SAC (Site Code: 001673)

Having regard to the relevant 'Site Synopsis' on the NPWS website, this site comprises Lough Arrow. It is unusual in being a mesotrophic natural lake which has changed little in the last 40 years. It is largely spring-fed and very sheltered for its size, and, as such, is hydrologically different from most other lakes. Lough Arrow and its environs incorporate a variety of habitats, including the E.U. Habitats Directive Annex I listed habitat, hard water lake. The site also supports important numbers of birds. The diversity of lakeshore vegetation and the presence of protected species, in particular Otter, adds to the conservation significance of the site. The lake is notable for its Brown Trout and Eel populations, both of which are fished.

Lough Arrow SPA (Site Code: 004050)

Having regard to the relevant 'Site Synopsis' on the NPWS website, this is a large site comprising Lough Arrow. The average depth of water is 9 m (maximum 33 m). The lake is classified as a mesotrophic system. The E.U. Birds Directive pays particular attention to wetlands and, as these form part of this SPA, the site and its associated waterbirds are of special conservation interest for Wetland & Waterbirds. Lough Arrow is an important game fishery, with good stocks of Brown Trout and Eel. Lough Arrow SPA is of ornithological importance on account of the nationally important populations of Little Grebe and Tufted Duck that are associated with the lake. The occurrence of Whooper Swan, a species that is listed on Annex I of the E.U. Birds Directive, is of note.

Lough Gill SAC (Site Code: 001976)

Having regard to the relevant 'Site Synopsis' on the NPWS website, this site includes Lough Gill, Doon Lough, the Bonet River (as far as, but not including, Glenade Lough), and a stretch of the Owenmore River. Lough Gill is a large lake (8 km long) and has steep limestone shores and underwater cliffs. It is over 20 m deep in places. The lake appears to be naturally eutrophic. The aquatic macrophyte flora is very limited due to the rapid increase in depth around the margins. Lough Gill supports low numbers of wintering waterfowl. The site is of importance for four habitats listed on Annex I of the E.U. Habitats Directive, including two with priority status. It is also noted for the high number of rare or scarce animal and plant species.

The appeal site is not located within or adjacent to the above European sites and will not result in any direct loss of, or impact on, habitats in such sites.

Step 4: Likely significant effects on the European site(s) 'alone'

Table 2: Could the project undermine the conservation objectives ‘alone’		
European Site and qualifying feature	Conservation objective (summary)	Could the conservation objectives be undermined (Y/N)?
		Effects
Unshin River SAC		
Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260]	To maintain the favourable conservation condition of Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation in Unshin River SAC	No
Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (*important orchid sites) [6210]	To restore the favourable conservation condition of Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) in Unshin River SAC	No
Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410]	To restore the favourable conservation condition of Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) in Unshin River SAC	No
Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]	To restore the favourable conservation condition of Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)* in Unshin River SAC	No
Salmon (Salmo salar) [1106]	To maintain the favourable conservation condition of Atlantic Salmon (Salmo salar) in Unshin River SAC	No
Otter (Lutra lutra) [1355]	To maintain the favourable conservation condition of Otter (Lutra lutra) in Unshin River SAC	No
Lough Arrow SAC		
Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. [3140]	To restore the favourable conservation condition of Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. in Lough Arrow SAC	No
Lough Arrow SPA		

Little Grebe (<i>Tachybaptus ruficollis</i>) [A004]	To restore the Favourable conservation condition of Little Grebe at Lough Arrow SPA	No
Tufted Duck (<i>Aythya fuligula</i>) [A061]	To restore the Favourable conservation condition of Tufted Duck at Lough Arrow SPA	No
Wetlands [A999]	To maintain the Favourable conservation condition of Wetland habitats in Lough Arrow SPA as a resource for the regularly-occurring migratory waterbirds that utilise these areas	No
Lough Gill SAC		
White-clawed Crayfish (<i>Austropotamobius pallipes</i>) [1092]	To maintain the favourable conservation condition of White-clawed Crayfish (<i>Austropotamobius pallipes</i>) in Lough Gill SAC	No
Sea Lamprey (<i>Petromyzon marinus</i>) [1095]	To restore the favourable conservation condition of Sea Lamprey (<i>Petromyzon marinus</i>) in Lough Gill SAC	No
Brook Lamprey (<i>Lampetra planeri</i>) [1096]	To restore the favourable conservation condition of Brook Lamprey (<i>Lampetra planeri</i>) in Lough Gill SAC	No
River Lamprey (<i>Lampetra fluviatilis</i>) [1099]	To restore the favourable conservation condition of River Lamprey (<i>Lampetra fluviatilis</i>) in Lough Gill SAC	No
Salmon (<i>Salmo salar</i>) [1106]	To restore the favourable conservation condition of Atlantic Salmon (<i>Salmo salar</i>) in Lough Gill SAC	No
Otter (<i>Lutra lutra</i>) [1355]	To maintain the favourable conservation condition of Otter (<i>Lutra lutra</i>) in Lough Gill SAC	No
Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation [3150]	To restore the favourable conservation condition of Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation in Lough Gill SAC	No
Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (*important orchid sites) [6210]	To restore the favourable conservation condition of Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) in Lough Gill SAC	No
Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]	To restore the favourable conservation condition of Old sessile oak woods with Ilex and Blechnum in the British Isles in Lough Gill SAC	No
Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, glutinosa and Fraxinus excelsior (Alno-	To restore the favourable conservation condition of Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-	No

Alnion incanae, Salicion albae)* [91E0]	Padion, Alnion incanae, Salicion albae)* in Lough Gill SAC
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The proposed development is not located within or immediately adjacent to any European sites. I consider that there is no potential for direct habitat loss or alteration to occur as a result of the continued operation of the proposed development.

In terms of the Lough Arrow SPA, the subject site is approximately 8.3km (as the crow flies) from this European site. There is no habitat on subject site which would support the species/habitat – i.e. waterfowl and wetlands. As such, I do not consider that there is potential for the site to be used by the listed species. The continued operation of the existing windfarm will not result in water run-off from the development which is likely to result in a hydrological connectivity between the proposed project and any European site. In considering the Lough Arrow SAC, the Qualifying Interest of this site is Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. There is no hydrological connectivity between the proposed development and this European site and therefore, there is no potential for the subject development to impact on this habitat.

With respect to the Lough Gill SAC and Unshin River SAC which are approximately 8.4km and 8.9km (as the crow flies) from the subject site respectively, I am of the view that the only species of Qualifying Interests which is likely to be present on the subject site (or commute between the sites) is the Otter. However, given the upland location of the subject site and distance from suitable watercourses, it is unlikely that otters would be present. There is no hydrological connectivity between the proposed development and these European sites.

Further to the above, as the development is existing with no works proposed, there is no consideration of construction stage of development. I note that best practice measures would be adhered to during the continued operation stage. At end-of-life, the windfarm will be decommissioned. This does not form part of the subject development and therefore does not create any additional sources which may impact on European Sites. I further note that decommissioning would be carried out with a plan which would address any potential impacts that may arise in line with best practice approaches. These are not mitigation measures intended to reduce or avoid any harmful effect on any Natura 2000 site and would be employed by any competent operator, notwithstanding any proximity to any designated Natura 2000 site.

Taking into consideration the Qualifying Interests/Conservation Objectives of the applicable SACs/SPAs, the subject sites' distance from the same and the absence of a direct hydrological pathway or any other pathway or link to these conservation sites, I conclude that the proposed development would have no likely significant effect 'alone' on any qualifying features of SPAs/SACs outlined above.

Section 3.5 of the applicant's Appropriate Assessment Screening Report includes a Screening Conclusion and states that the results of the s-p-r modelling process identified that - given the scale and nature of the potential sources, as identified, that there are no likely significant effects identified to any European sites. Through

an assessment of the pathways for effects and an evaluation of the sources for impacts, taking account of the processes involved and the distance of separation from European sites, it has been evaluated that there are no likely significant adverse effects on the qualifying interests, special conservation interest or the conservation objectives of any designated European site.

I am satisfied with the conclusion reached in this regard and consider that the development would be unlikely to give rise to a significant effect individually or in combination with other plans or projects on any European site.

I further note the Planning Authority carried out an Appropriate Assessment Screening as part of their assessment but have not indicated any adverse effects to the integrity of any Natura 2000 areas.

Likely significant effects on the European site(s) ‘in-combination with other plans and projects’

Having regard to the appeal file, I am satisfied that there is no available evidence in respect of any plans or projects that are proposed/permitted which could impact with the proposed development. As such, it is my opinion that no in-combination issues arise.

I conclude that the proposed development would have no likely significant effect in combination with other plans and projects on the qualifying features of any European site(s). No further assessment is required for the project.

Overall Conclusion - Screening Determination

In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended) and on the basis of objective information, I conclude that:

the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] is not required.

This conclusion is based on:

- The nature and extent of the proposed development – i.e. continuation of operational life of an existing wind farm
- The objective information presented in the applicant’s Appropriate Assessment Screening Report;
- The limited zone of influence of potential impacts;
- The limited potential for pathways to any European site;
- Distance from European Sites; and,

- Standard controls that would be employed regardless of proximity to a European site and effectiveness of same.

No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.