



An
Coimisiún
Pleanála

Inspector's Report

ABP-323876-25

Development

Request for the permanent continued operation of the substation and grid connection (ABP-306706-20).

Location

Derrinlough, Co. Offaly

Planning Authority

Offaly County Council

Requester

Bord na Mona Powergen 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

Una Crosse

Date of site inspection

Not Required

1. Introduction

On the 26th August 2021, An Bord Pleanála under ref. no. ABP-306706-20, granted approval under section 37E of the Planning and Development Act 2000, as amended (the Act), to Bord Na Mona Powergen Ltd for the development of the proposed Derrinlough Wind Farm comprising 21 no. turbines and all associated works at Derrinlough in County Offaly.

The permitted development included a 110kV electrical substation, now operational, which is located at the northern extent of the windfarm site. The substation is connected to the national grid via an overhead powerline which connects into the 110kV transmission line approximately 300m to the north of the substation.

The subject request to the Commission is for alterations to Condition 5 of this approval, under section 146B of the Act, to facilitate the permanent operation of the substation and grid connection so that it can be transferred unhindered to EirGrid to become part of the National Grid System.

The application for the development included an Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS).

2. 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 to 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. Planning History

ABP-306706-20 – Application to the Board under Section 37E.

The following development was approved, subject to 29 conditions, by the Board under the SID provisions on 26th August 2021:

- 21 wind turbines with an overall blade tip height of 185m and all associated hard-standing areas.
- 2 permanent anemometry masts up to a height of 120m.
- New and upgraded internal access roads, passing bays, amenity pathways, amenity carpark and associated drainage.

- 2 permanent underpasses in the townland of Derrinlough, one located beneath the N62 and one beneath an existing Bord Na Mona rail line.
- 1 110 kV electrical substation to be constructed in the townland of Cortullagh or Grove with 2 control buildings, associated electrical plant/equipment and a wastewater holding tank.
- 5 temporary construction compounds in the townlands of Clongawny More, Derrinlough, Derrinlough/Crancreagh, Drinagh and Curtullagh or Grove.
- All associated underground electrical and communications cabling connecting the turbines to the proposed electrical substation.
- 2 no. temporary security cabins at the main construction site entrances in the townland of Derrinlough.
- All works associated with the connection of the proposed windfarm to the national electricity grid to the existing Dallow/Portlaoise/ Shannonbridge 110 kV line to the north of the site.
- Removal of existing meteorological mast.
- Upgrade of existing access and temporary improvements and modifications to existing public road infrastructure to facilitate delivery of abnormal loads including locations on the N52 and N62; construction access for delivery of construction materials at locations on the N62 and R357; operational access onto the L7009 in the townland of Cortullagh or Grove and amenity access off the R357 and L7005.
- All associated site works and ancillary development including signage.
- A 10-year permission and a 30-year operational life from the date of commissioning of the entire farm was sought.

Relevant Precedent

Ref. ABP-322595-25 – on 30th June 2025 the Commission altered Condition 3 of Ref. PA0047 in respect of the operational lifetime of the windfarm to facilitate the permanent life of the substation and grid connection.

4. Background to the Proposed Alterations & Scope of Request

The application permitted by the Board included the development of a substation and grid connection. The substation has been constructed to the northeast of the site and connects to the national grid via an overhead line connecting into the existing 110kV transmission line approximately 300m north of the substation.

The request seeks to amend **Condition 5** of the permission approved by the Board under ABP-306706-20 which requires that:

This permission shall be for a period of 30 years from the date of the first commissioning of the wind farm.

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

The request seeks to amend Condition 5 so that the substation and associated grid infrastructure can remain in perpetuity. The alteration is required so that the substation and associated grid infrastructure can be transferred to EirGrid without any restrictions.

The alteration is temporal in nature and does not provide for any additional works.

Submitted in support of the alteration request is the following:

- Planning and Environmental Report

The scope of the request as outlined in the Planning and Environmental Report is summarised as follows:

- Request that wording of Condition 5 is altered.
- It is a mandatory requirement of EirGrid that the substation to be transferred is a permanent structure.
- Substation constructed and due to be transferred to become part of national grid with EirGrid seeking transfer without restriction on the operational life.
- Suggested wording of revised condition outlined with two options provided.
- The EIAR and other documentation submitted with ABP-306706-20 stated that permanent approval for the substation was sought and assessed the

structure and grid connection as permanent infrastructure but not incorporated into the Commission's decision.

- Inspector's report references at several locations the permanent nature of the substation, no reasoning or justification provided for limiting the substation operational lifetime and condition may contain clerical/drafting error given that the 30 year operational lifetime was applied to substation.
- Standard EirGrid procedure for 110kV substation and grid connection to be absorbed into National Grid and for the substation to be transferred to EirGrid.
- Request wording of Condition 5 is altered to that permanent operational lifetime of the substation is clarified.
- National, regional and local planning policy framework supporting renewable energy set out. Table 1 – International Policy Objective and Compliance Summary Table.
- Proposed alteration does not constitute a material alteration, nor would it give rise to significant effects.
- Proposed alteration can be implemented while ensuring that overall terms and conditions of permitted windfarm can be met without impediment.
- If the Board consider proposal is material must consider if there is potential for significant environmental effects.
- Preliminary EIASR included as Appendix 2 and AASR included as Appendix 3 of Planning and Environmental report allows the Board to consider the matter in full.
- Having regard to the EIASR, AASR and consented development underpinned by extensive assessment, proposed alteration would not give rise to any significant environmental effects not would it alter the findings of the EIAR.
- While no alteration to the physical characteristics of the windfarm, to assist the Board, consideration of potential for proposed alteration to give rise to environmental effects under each environmental heading is provided.
- EIA screening report and AA screening report conclude proposed alteration will not result in any new or intensified environmental impacts.
- Table 2 assesses each environmental topic and considers whether the significance of the likely environmental effect will be the same as those assessed in original EIS, concluding yes to each.

- Table 2 also assesses whether further data was considered or needed to that originally provided, concluding no to each factor.
- The AA Screening report prepared to inform this s.146B request concludes that the permanent continued operation of the existing substation and grid connection, individually or in combination with other plans and projects, will not have a significant effect on any European site.
- (Note to Commission – Appendix 1 and Appendix 3 are mixed up such that Appendix 1 which is stated as the Commission’s Order includes the AASR and vice versa)
- Appendix 2 provides a preliminary EIA screening noting that the development does not comprise a class in Schedule 5 of the PDR 2001, as amended.
- The AA Screening report concludes that no significant effect on any European site would be likely as a result of the proposed alteration.

5. Public Consultation

I have considered the provisions of s.146B(2)(b) which provides for, at the Commission’s discretion, the invitation of submissions from persons, including the public. Having considered the nature, scale and extent of the alteration proposed which relates to the operational life of the permitted substation, the information on file and the nature, scale and extent of the development granted under ABP-306706-20 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 Commission in determining the matter.

6. Assessment

6.1 Consideration of Materiality

The alteration request seeks to amend condition 5 of the permitted development, which conditions the operational life of the development to 30 years, to that of the windfarm infrastructure only facilitating a permanent lifetime for the substation and cable route. The applicant outlines that a permanent lifetime was considered in the application documentation including the EIAR but the Board included the operational

lifetime permission without differentiating between the turbines and the electrical infrastructure. The applicant is now seeking to handover the substation and grid connection to EirGrid and they are seeking an unhindered operational life. It is within this context that the alteration is sought.

The question before the Board is whether facilitating a permanent operational life for these specific elements of the overall development would be material. I do not consider that the alteration is material. There are no works proposed with no alteration of the physical development permitted. Substations and grid connections are routinely handed over to EirGrid as they become part of the National Grid and it is reasonable for EirGrid to have certainty in respect of the infrastructure which forms part of the National Grid. The permanent operational life was assessed in the EIAR and was considered appropriate by the reporting Inspector in the parent approval. I would also note that the Commission have previously approved the alteration of the Cloncreen Windfarm to facilitate the same request (Ref. PA0047 by way of Ref. ABP-322595-25) determining that the proposed alteration was not material. I would therefore conclude that the proposed alteration is not material.

6.2 The Potential for Significant Environmental Effects

Table 2 of the Planning and Environmental Report assesses each environmental topic and considers whether the significance of the likely environmental effect will be the same as those assessed in original EIAR, concluding yes to each. Table 2 also assesses whether further data was considered or needed to that originally provided, concluding no to each factor. I have reviewed the information provided and I concur with the applicant that the proposed alteration would not give rise to any potential for significant environmental effects. The use of the substation and grid connection in perpetuity was considered and addressed in the original EIAR, although not expressly stated in the public notice which refers to a 30 year operational life for the entire windfarm. The proposed alteration does not propose any alteration which would change the assessment of potential impacts arising. There are no works associated with the proposed alteration.

Furthermore, the applicant has submitted a preliminary EIA screening report which provides a preliminary examination of the proposed alterations which sets out the

potential classes of development within which the proposal might be considered. Attached as Appendix 1 of this report, I have undertaken a pre-screening for EIA and I have concluded that the proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination.

6.3 Appropriate Assessment Screening

I have considered the subject alteration request in light of the requirements S177U of the Planning and Development Act 2000 as amended. I note the AA screening report submitted with the request.

The proposed alteration seeks that the permitted substation and grid connection which have been constructed can operate in perpetuity. No works are proposed and no other consideration arises from that originally considered and assessed in respect of ABP-306706-20. The closest European Sites, part of the Natura 2000 Network are set out below with my consideration of the applicants screening determination for each site.

Special Areas of Conservation (SAC)		
Site Name and Code	Distance	Potential for Likely Significant Effect from Proposed Alteration – Agree or Not with Applicant determination
Moyclare Bog (Site Code 000581)	5.6 km	Yes, agree that no direct or indirect effect on this site from the proposed alteration.
Ferbane Bog (site code 000575)	6.3 km	Yes, agree that no direct or indirect effect on this site from the proposed alteration.

River Shannon Callows (000216)	7.4 km	Yes, agree that no direct or indirect effect on this site from the proposed alteration.
All Saints Bog and Esker (000566)	10.9 km	Yes, agree that no direct or indirect effect on this site from the proposed alteration.
Ridge Road, SW of Rapemills (000919)	11.8km	Yes, agree that no direct or indirect effect on this site from the proposed alteration.
Fin Lough (Offaly) (000576)	12.5km	Yes, agree that no direct or indirect effect on this site from the proposed alteration.
Mongan Bog (000580)	13.5km	Yes, agree that no direct or indirect effect on this site from the proposed alteration.
Pilgrim's Road Esker (001776)	13.5km	Yes, agree that no direct or indirect effect on this site from the proposed alteration.
Clara Bog (000572)	15.8km	Yes, agree that no direct or indirect effect on this site from the proposed alteration.
Redwood Bog (002353)	16.5km	Yes, agree that no direct or indirect effect on this site from the proposed alteration.
Special Protection Areas (SPA)		
Middle Shannon Callows	7.4km	Yes, agree that no direct or indirect effect on this site from the proposed alteration.

All Saints Bog (004103)	11.3km	Yes, agree that no direct or indirect effect on this site from the proposed alteration.
Dovegrove Callows (004137)	12km	Yes, agree that no direct or indirect effect on this site from the proposed alteration.
River Little Brosna Callows (004086)	12.8km	Yes, agree that no direct or indirect effect on this site from the proposed alteration.
Mongan Bog (004017)	13.8km	Yes, agree that no direct or indirect effect on this site from the proposed alteration.

Having considered the nature, scale and location of the project, I am satisfied that the sites set out in the Table above can be eliminated from further assessment because, given the nature of the proposed alteration, it could not have any effect on a European Site.

The reason for this conclusion is as follows:

- The nature of the subject alteration request which does not include any works.
- Distance from nearest European site.

I conclude, on the basis of objective information, 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.

Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

7. Conditions of the Permission

The proposed alteration sought seeks an alteration to Condition 5 of the permitted development. I consider that the proposed alteration of Condition 5 is acceptable in

order to give effect to the request that the substation and grid connection remain in perpetuity.

8. Recommendation

I recommend that the Board decides that (a) the making of the alterations subject of this request does not constitute the making of a material alteration of the terms of the development as approved under ABP-306706-20, and (b) the proposed alteration will not give rise to significant environmental effects or significant effects on the integrity of any European site, for the reasons stated below.

DRAFT ORDER

REQUEST received by An Coimisiún Pleanála on the 5th day of November 2025 from Bord na Mona Powergen Ltd under section 146B of the Planning and Development Act, 2000, as amended, to alter the terms of a strategic infrastructure development, granted under ABP-306706-20 for the development of a windfarm comprising up to 21 no. Wind Turbines and all associated works at Derrinlough in County Offaly.

WHEREAS the Commission made a decision to grant the proposed development, subject to conditions, for the above-mentioned development by order dated the 26th day of August, 2021.

AND WHEREAS the proposed alteration is described as follows:

- Amend Condition 5 of ABP-306706-20 to amend the duration of the operational life of the substation and grid connection to permanent duration

AND WHEREAS having regard to the issues involved, the Commission 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 Commission 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 Commission considered that the making of the proposed alteration would not be likely to have significant effects on the environment or on any European Site,

AND WHEREAS the Commission decided, to amend Condition 5 so that it shall read as follows:

This permission shall be for a period of 30 years from the date of the first commissioning of the wind farm, save for the 110kV substation and the overhead grid connection to the National Grid.

***Reason:** To enable the relevant planning authority to review the operation of the wind farm in the light of the circumstances then prevailing.*

NOW THEREFORE in accordance with section 146B(3)(a) of the Planning and Development Act, 2000, as amended, the Commission hereby alters the abovementioned decision so that the approved development shall be altered in accordance with the plans and particulars received by An Coimisiún Pleanála on the 5th day of November 2025, for the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

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

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

Having regard to:

- the nature and scale of the windfarm development permitted under ABP-306706-20,
- the examination of the environmental impact, including in relation to Natura 2000 sites, carried out in the course of that application,
- the limited nature of the alteration when considered in relation to the overall permitted development
- the absence of any new or additional environmental impacts arising as a result of the proposed alteration, and

- the report of the Commission's inspector, which is adopted,

It is considered that the proposed alterations would not be material. In accordance with section 146B(3)(a) of the Planning & Development Act, as amended, the Commission hereby makes the said alteration.

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.

Una Crosse

Inspectorate

17 December 2025

Form 1 - EIA Pre-Screening

Case Reference	ABP-323876-25
Proposed Development Summary	Section 146B alteration request for permanent continued operation of the substation and grid connection permitted under ABP-306706-20.
Development Address	Derrinlough, Co. Offaly
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)	<input type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2. <input checked="" type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> 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
<input checked="" type="checkbox"/> 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?	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed	

<p>type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	

<p>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)?</p>	
<p>Yes <input type="checkbox"/></p>	<p>Screening Determination required (Complete Form 3)</p>
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>