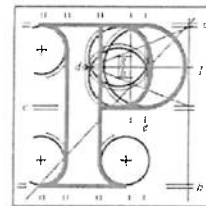


**Our Case Number:** ABP-317810-23



**An  
Bord  
Pleanála**

An Taisce  
Tailor's Hall  
Back Lane  
Dublin 8  
D08 X2A3

**Date:** 13 October 2023

**Re:** Open Cycle Gas turbine power plant (350MW) and associated infrastructure  
Located on land to the north of Tynagh Power Station, Derryfrench, Tynagh, Loughrea, Co.  
Galway.

Dear Sir / Madam,

An Bord Pleanála has received your submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter.

The Board will revert to you in due course in respect of this matter.

Please be advised that copies of all submissions / observations received in relation to the application will be made available for public inspection at the offices of the local authority and at the offices of An Bord Pleanála when they have been processed by the Board.

More detailed information in relation to strategic infrastructure development can be viewed on the Board's website: [www.pleanala.ie](http://www.pleanala.ie).

If you have any queries in the meantime, please contact the undersigned officer of the Board or email [sids@pleanala.ie](mailto:sids@pleanala.ie) quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,



Niamh Hickey  
Executive Officer  
Direct Line: 01-8737145

PA09

**Tel**  
Glao Áitiúil  
**Facs**  
Láithreán Gréasáin  
Ríomhphost

**Tel** (01) 858 8100  
**LoCall** 1800 275 175  
**Fax** (01) 872 2684  
**Website** [www.pleanala.ie](http://www.pleanala.ie)  
**Email** [bord@pleanala.ie](mailto:bord@pleanala.ie)

64 Sráid Maoilbhríde  
Baile Átha Cliath 1  
D01 V902

64 Marlborough Street  
Dublin 1  
D01 V902

## Niamh Hickey

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**From:** Bord  
**Sent:** Tuesday 10 October 2023 16:03  
**To:** SIDS  
**Subject:** FW: Ref. 317810  
**Attachments:** 20231010-ABP-317810.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**From:** An Taisce Planning <planning@antaisce.org>  
**Sent:** Tuesday, October 10, 2023 3:36 PM  
**To:** Bord <bord@pleanala.ie>  
**Subject:** Ref. 317810

A Chara,

Please find attached a submission from An Taisce in relation to Ref. 317810.

Kind regards,

Phoebe Duvall

*Senior Planning and Environmental Policy Officer*  
*An Taisce - The National Trust for Ireland*  
*The Tailors' Hall, Back Lane, Dublin 8, Ireland*  
*Phone: 01 454 1786*  
[www.antaisce.org](http://www.antaisce.org)

Company Reg. No. 12469 | Charity Ref. No. CHY4741 | Charity Regulator No. 20006358  
An Taisce is a membership-based charity  
Join at [www.antaisce.org/membership](http://www.antaisce.org/membership)

*Please note that I work Monday through Thursday.*

**20231010-ABP-317810**

An Bord Pleanála  
64 Marlborough Street  
Dublin 1

Sent by email to: [bord@pleanala.ie](mailto:bord@pleanala.ie)

10<sup>th</sup> October 2023

**ABP Ref: 317810**  
**App: EP Energy Developments Limited**  
**For: Open Cycle Gas turbine power plant (350MW) and associated infrastructure**  
**Site: Located on land to the north of Tynagh Power Station, Derryfrench, Tynagh, Loughrea, Co. Galway**

A Chara,

Thank you for referring the above application to An Taisce for comment.

We would highlight Section 15 of the Climate Action and Low Carbon Development (Amendment) Act 2021 (hereafter referred to as the Climate Act) regarding obligations on relevant bodies, of which An Bord Pleanála is one:

*"15(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."*

To comply with s.15(1), An Bord Pleanála needs to demonstrate that projects align with the Climate Act's objectives around decarbonisation, the net zero requirement and the sectoral limits. We would highlight that the electricity sector, relevant to the subject application, has a very stringent limit. The subject application for a fossil gas-fueled power plant requires evaluation in this regard. Additionally, it is unclear how the operation of the proposed plant over its lifetime will be compatible with the increasingly stringent carbon budgets.

An Taisce is a membership-based charity | Join us at [www.antaisce.org/membership](http://www.antaisce.org/membership)

An Taisce – The National Trust for Ireland | *Protecting Ireland's heritage, safeguarding its future*

Tailors' Hall, Back Lane, Dublin, D08 X2A3, Ireland | [www.antaisce.org](http://www.antaisce.org) | +353 1 707 7076 | [info@antaisce.org](mailto:info@antaisce.org)

Company Limited by Guarantee no. 12469 | Charity CHY4741 | Charity Regulator no. 20006358 | EU Transparency Register no. 473905437651-60

**Directors:** Stuart McCaul (Chair),

Trish O'Connell (Vice Chair), John Conroy (Treasurer), Rónán O'Brien, Finbarr Murray

The Climate Action Plans are bound by the carbon budgets and sectoral ceilings, therefore, per s.15(1) of the Climate Act, An Bord Pleanála is also bound to objectives of the budgets and sectoral ceilings. It should be noted that emissions in each sector represent the sum of all individual emitters. While An Bord Pleanála cannot retrospectively refuse applications on the basis of the carbon budgets and sectoral ceilings, etc., it is submitted that the Board does need to take those into account for all proposals going forward. That entails that permissions should be refused once sectoral ceilings have been reached.

The EPA 2023 Greenhouse Gas Emission Projections report<sup>1</sup>, released in June, states that Ireland's first two carbon budgets (2021-2030) are projected to be exceeded by a significant margin of between 24% and 34%. An Taisce's analysis shows that Ireland's carbon budgeting situation is further off track than the EPA report indicates because it fails to show the carry-forward of the prior period's overshoot that, under the Climate Act, must result in a corresponding reduction in the subsequent carbon budget<sup>2</sup>. All of this means that the constraints on emissions in the remaining budget years will be higher. Therefore, the constraints in the upcoming Climate Action Plan 2024 (due for publication later this year and which will need to be taken into account by the Board if it is released before the decision on this application), and indeed Climate Action Plans into the future, will be significantly higher.

Notwithstanding which Climate Action Plan is in force at the time of the decision on the subject application, it is submitted that the Board's obligations under s.15(1) of the Climate Act require it to demonstrate how the proposal is compatible with the objectives (though in reality, obligations) of emissions reductions in line with the carbon budgets.

Please acknowledge our submission and advise us of any decision made.

Yours sincerely,

Phoebe Duvall

*Senior Planning and Environmental Policy Officer  
An Taisce – The National Trust for Ireland*

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<sup>1</sup> [https://www.epa.ie/publications/monitoring--assessment/climate-change/air-emissions/EPA-GHG-Projections-2022-2040\\_Finalv2.pdf](https://www.epa.ie/publications/monitoring--assessment/climate-change/air-emissions/EPA-GHG-Projections-2022-2040_Finalv2.pdf)

<sup>2</sup> <https://www.antaisce.org/news/irelands-carbon-budgeting-situation-is-far-more-pressing-than-the-epa-projections-report-has-indicated>