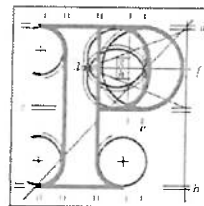


Our Case Number: ABP-317810-23



**An
Bord
Pleanála**

Development Applications Unit
The Manager
Government Offices
Newtown Road
Wexford
Co. Wexford
Y35 AP90

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.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email 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

Teil	Tel	(01) 858 8100
Glaio Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

Niamh Hickey

From: LAPS
Sent: Tuesday 10 October 2023 13:43
To: SIDS
Subject: FW: Your Ref: ABP-317810-23 Our Ref: SID-GE-2023-032
Attachments: SID-GE-2023-032 ABP-317810-23.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

From: Housing Manager DAU <Manager.DAU@npws.gov.ie>
Sent: Tuesday, October 10, 2023 1:19 PM
To: LAPS <laps@pleanala.ie>
Subject: Your Ref: ABP-317810-23 Our Ref: SID-GE-2023-032

A chara

Please find attached Nature Conservation observations/recommendations for the above mentioned SID planning application.

Kindly forward a copy of your decision to manager.dau@npws.gov.ie as soon as it issues.

In addition, please acknowledge receipt of the attached letter (as required under Article 29(2) of the Planning & Development Regulations 2001).

You are requested to send any further communications to this Department's Development Applications Unit (DAU) at: manager.dau@npws.gov.ie

Kind regards,

Edel Griffin
Executive Officer

An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreacht
Department of Housing, Local Government and Heritage
Aonad na nIarratas ar Fhorbairt
Development Applications Unit
Oifigí an Rialtais
Government Offices
Bóthar an Bhaile Nua, Loch Garman, Contae Loch Garman, Y35 AP90
Newtown Road, Wexford, County Wexford, Y35 AP90



Your Ref: ABP-317810-23
Our Ref: SID-GE-2023-032
(Please quote in all related correspondence)

10 October 2023

The Secretary
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902
Via email to laps@pleanala.ie

Re: Notification under the Planning and Development Act, 2000, as amended.

Proposed Strategic Infrastructure Development (SID): Open Cycle Gas Turbine Plant (350MW) & associated infrastructure on lands to the north of Tynagh Power Station at Derryfrench, Tynagh, Loughrea, Co. Galway

A chara

I refer to correspondence received in connection with the above. Outlined below are heritage-related observations/recommendations of the Department co-ordinated by Development Applications Unit under the stated heading(s).

Nature Conservation

These observations are intended to assist you in relation to identifying potential impacts on European sites, other nature conservation sites, and biodiversity and environmental protection in general, in the context of the current proposal.

The Environmental Impact Assessment report states '*Any removal of vegetation should be restricted to the non-breeding season (i.e., carried out from September to February inclusive), unless carried out under the supervision of a suitably experienced Ecological Clerk of Works (ECOW) who must survey the vegetation and ground for breeding birds immediately prior to removal. If nests are found, work must stop immediately until birds fledge and cease to return to the nest and the ECoW will advise the contractor of any exclusion zones around potential or confirmed nests.*', and the Construction Environmental Management Plan also states '*In accordance with the requirements of The Wildlife Act, no works will be undertaken to any habitat (including buildings) in which any birds may be nesting*'.



The Department recommends that all vegetation clearance works be undertaken outside of the bird nesting period of 1st March to 31st August and recommends that this be made a condition of any consent granted. The Department considers that surveying trees/hedges for bird nests prior/during the removal of these features during the nesting season is not a practical measure to ensure the protection of nesting birds. The detection of nests of certain species in trees covered in ivy, and in leaf, has a low chance of success. There is no mechanism in the Wildlife Act for providing a derogation licence in relation to the close season for cutting hedges/treelines during the nesting season, March 1st to August 31st. Developments given consent under the Planning and Development Act are considered to fall within one of the exemptions of Section 40 of the Wildlife Act. Consequently, the protection of hedgerows/scrub and/or treelines for nesting birds post-consent is provided solely through the conditions of consent. Consequently, any proposal to do such activities should be considered as conditions of development.

The Department notes that enhancement measures/compensation have been suggested throughout but specific details have not been outlined. The Department promotes Action 1.1.3 of the National Biodiversity Action Plan which emphasises the move toward no net biodiversity loss for development projects.

Matters raised above should also be considered in the planning policy context for the proposed development, including the protective natural heritage and biodiversity objectives and policies in Galway County Development Plan.

You are requested to send any further communications to this Department's Development Applications Unit (DAU) at manager.dau@npws.gov.ie, or to the following address:

The Manager
Development Applications Unit (DAU)
Government Offices
Newtown Road
Wexford
Y35 AP90

Is mise, le meas



Julie Sullivan
Assistant Principal
Development Applications Unit
Administration